ECCLESIASTICAL UNITS

The Diocese, The Ancient Parish, The Civil Parish, The Ecclesiastical Parish, Analogous units and associated matters

Introduction

Among the earlier of the various official divisions into which England was divided over the last fifteen hundred years or so are those relating to the church. Their administrative needs were considerable; spiritual objectives were demanding enough, but the need to raise church taxes and maintain a significant staff, and the need for some oversight over the management of the land was also burdensome.

The church in England was (and remains) a constitutional body, with legal powers and obligations, its own courts and its own legislation (Church Measures) backed by parliament. The impact of its administrative affairs has therefore had an enduring impact, and particular attention will be given to that ancient unit called the parish. The title 'Parish' today means one of two things.

First, it is the area served by a Church of England parish church, and in this context it is convenient to call it the *Ecclesiastical Parish*, which will be dealt with here. Secondly, it is the smallest unit of local government, and in this context it is more correctly styled the *Civil Parish*, a local government area covered later.

There are many cases where these areas are identical—a clear indication that they are of common origin—and indeed it was only at the end of the nineteenth century that the civil and ecclesiastical functions were completely separated.

Christianity in England

Early history

It is known that the Christian belief was well rooted in Britain prior to the year 314 when three British bishops—from York, London and Caerleon—attended a council at Arles. Remains of churches of this period are also known at Canterbury, St Albans, Whitehorn and Evesham. It is generally accepted that a significant proportion of the Romano-British population of that date were Christian. The exact arrangements by which the Christian religion was organized at that time is vague, but in any event appears to have exerted no significant influence on later administrative arrangements.

In the period a.d. 450-600 the land which was to become England was overrun by the pagan Jutes, Angles and Saxons, as a consequence of which the native British were largely absorbed into the new order. A not insignificant number who resisted being overrun were eventually pushed into the areas of West Wales (Cornwall and Devon), North Wales (ie modern Wales) and Strathclyde (Cumberland and southern Scotland), where they retained much of their culture and Christian faith. The remainder of the country was effectively de-Christianised. The Jutes settled in Kent and parts of Hampshire, the Saxons in Essex, Sussex and Wessex, and the Angles in the remainder, in the kingdoms of East Anglia, Mercia, Deira, and Bernicia (Deira and Bernicia later combined to form Northumbria).

Pope Gregory despatched a missionary called Augustine to Britain in the year 596, and it is believed he landed in Kent, at Thanet, on 7th August. There he met the Jutish king Æthelbert of Kent, by whom he was given leave to remain. Augustine came to Canterbury (holding a

service in the pre-existing church of St Martins). He subsequently went to Arles, where he was consecrated a Bishop, and then returned. His influence caused Christianity to spread throughout much of Kent, though not with any evidence of long-lasting conviction. In 601 pope Gregory appointed Bishop Augustine as "metropolitan" bishop, who, within his province could exercise authority over other bishops. He was in effect the first Archbishop of Canterbury, though that title did not emerge for some years more.

Pope Gregory initially proposed that there should be twelve bishops under Augustine, and that his province should (after his death) be administered from London rather than Canterbury; a further twelve bishoprics would constitute a new northern province which would be controlled from York; this plan was not carried out in this form, and Canterbury remained firmly in control of the whole Anglo-Saxon region. Augustine believed he should also control the remaining British bishops, with whom contact had been made, but his advances in this direction were not welcome. Augustine died in 604.

Significant among a number of later missionaries, Paulinus arrived in 601 and continued Augustine's work after his death, his influence eventually reaching Northumbria. Gradually the other "Anglo-Saxon" and related kingdoms were converted to Christianity though with frequent relapses, particularly after Æthelbert's death in 616. Christianity in England then approached total collapse. It would not be unreasonable to presume that in a land where physical communication was difficult the lack of effective local organization was a significant disadvantage.

Final Conversion to Christianity

The salvation of Christianity was to come from a new direction—Ireland. A man called Columba had been born in Garten in Donegal around 520, but after a dispute decided to leave the place in 560, finding himself in what is now the Scottish island of Iona. Much of his time was spend in seeking to convert the Picts to Christianity. Although he died on the island in 597 one of his people, Aidan, carried on his work and established himself at Lindisfarne, near the residence of the Northumbrian king at Bamborough. With his assistance the work of sustainable conversion of that kingdom to Christianity began, though not without frequent setbacks. With the support of the Northumbrian king Mercia was also converted. Other missionaries were to follow too. East Anglia was converted with influence from Felix of Burgundy, and Fursey, another Irish missionary. In the East Saxon area Christian revival was supported by Cedda, a disciple of St Finan. In Wessex it was Divinus, a roman. Kent, on the other hand, had remained more or less Christian throughout, and continued the roman practice.

Unfortunately, roman Christian practice differed from the British and Irish practice in some significant respects, not the least of which was the means of the fixing of Easter. In 664 the two groups within the new faith agreed to harmonise their practices and merge under one ecclesiastical head, which potentially heralded the beginning of what much later became styled the Church of England. In reality implementation was very slow, and when Theodore became metropolitan in 668 he took a hard line against the British, openly disapproving of their system and also requiring that British bishops be reconsecrated. The roman practice eventually prevailed, although it was not until 673 (at the Council of Hertford) that all the bishops agreed to the uniformity of customs within a single church. This also required allegiance to a single head, Theodore, the Archbishop of Canterbury; significantly, this uniformity was 150 years before the separate English kingdoms themselves were merged under one English king.

Development of Religious Administration

Emergence of the Diocese

At first the administration of the new religion was conducted separately in each of the existing kingdoms by the missionary bishops, and each kingdom therefore constituted its own *diocese*. However, loose allegiances did exist between the each of the diocese and their founding centres, either Lindisfarne or Canterbury. These ties were sufficient to ensure that each diocese conformed to a general pattern, though for some time there were a few fundamental differences between the two general groupings.

Kent (the most stable Christian area) had been divided into two[1] dioceses in the year 604, and as other areas became more settled this pattern was followed as an aid to a more efficient system of administration and supervision. In 673 East Anglia was divided[2], and in 678 Northumbria was carved into four[3]. The diocese of Essex was administered at London, and Sussex at Selsey. Over the next two hundred years or so the number of dioceses grew to 21 with the divisions of Wessex and Mercia, each in the charge of a bishop located at his *see*, or headquarters town or village. Clearly this method of growth was based on subdivision of areas bounded by the existing kingdoms, and it may thus be seen that parts of virtually all the diocesan boundaries were coterminous with those of the English kingdoms or former kingdoms. Some attempt was made by Theodore to draw diocese boundaries in accordance with settled tribal or other boundaries, but this was more difficult, and probably less relevant, in later years.

[1] The see of the second one was at Rochester

[2] into Elmham and Dunwich

[3] York, Hexham, Lindisfarne and Lindsey

A summary of the Anglo-Saxon sees may be helpful.

SUMMARY OF ANGLO - SAXON SEES		
Kingdom	**Diocese/See**	**Note**
Kent	Canterbury	Split 604
	Rochester	Split from Canterbury 604
East Angles	Dunwich	Founded 631. Overrun by Danes 869 and never revived; area became part of Elmham
	Elmham	Split out of Dunwich 673. Overrun by Danes 869 but revived 956.
East Saxons	London	Founded 604. Became Mercian c680
Mercia		Founded c656 and fixed at Lichfield 669
	Lichfield	Fixed 669.
	Hereford	Split 676 from Lichfield to serve subkingdom of Magonsæ tan
	Worcester	Split 680 out of Lichfield to serve subkingdom of Hwicca's
	Leicester	Split from Lichfield 737. Became defunct after Danish conquest 877. Reconstituted at Dorchester circa 950.
	Dorchester-on-Thame (originally Wessex)	New See circa 870, embracing areas formerly of Stowe and Leicester.
Northumbria	York	Founded 625. Raised to Archbishopric 735
	Lindisfarne	Originally founded 634, but became defunct. Re-founded by split in 678 from York. Became defunct again in 875 after Danish attacks. Eventally re-merged as Chester-le-Street c883, but moved to Durham in 995.
	Stowe	Split from York c685. Became defunct after Danish conquest 870. Reconstituted at Dorchester (Mercia) circa 950.
	Hexham	Split from Lindisfarne 684. Recombined 821.
	Whithern (Galloway)	Split 678 from York (originally a British diocese founded in 412). Lapsed in c796.
South Saxons	Selsey (area formerly under Winchester)	
West Saxons	Dorchester-on-Thame	Founded 635, removed to Winchester about 679
	Winchester	Founded about 679
	Sherborne	Founded 705 *(out of Winchester)*
	Crediton	Founded 909
	Wells	Founded 909 *(out of Sherborne)*
	Ramsbury	Split c909 out of Sherborne
	Cornwall (St Germans)	Split 930 out of Crediton

In spite of disagreements between the northern bishops and kings and those of the south, the result of uniting the churches under one clear head meant that the archbishop of Canterbury retained supremacy over the religious affairs of all the anglo-saxon kingdoms.

In 734 Egbert, the highly influential Bishop of York, became *metropolitan* of a new northern ecclesiastical province comprising the four Northumbrian diocese—Northumbria being the chief kingdom at that time. Soon afterwards he was confirmed as an Archbishop by Rome. In 787, with Mercia now the chief kingdom in England, a further province was created which was centred on Lichfield and which controlled the five Mercian diocese which were transferred from Canterbury; the situation reverted after only 18 years.

At the time of Archbishop Theodore there was, by and large, nothing in the way of more local ecclesiastical administration and the bishops and priests spent a considerable time travelling around on horseback. The beginnings of cathedral building (amongst the first of the Christian churches) at the diocesian centre also dates from this early period.

The endowment of religious lands by the various kings naturally gave them considerable influence, if not outright control, over the appointment of the bishops. When the various local kings were later subjected to the control of the king of all England, then practical control of the appointment of bishops was elevated accordingly. The appointment of the archbishop of Canterbury was a matter to receive the sanction of the Great Council of the nation itself.

The emergence of Parishes

Great Parishes

The bishops were to build their cathedrals at their 'sees', though in many cases the sees shifted from rural locations to more substantial towns within the diocese before construction got going. With the great cathedrals gradually grew a community of the bishop's assistants, later to become the cathedral chapter, presided over by a dean.

Archbishop Theodore is traditionally credited with augmenting the subdivision of the dioceses into more local units. The bishops began to assign their clergy to specific areas, based either on monasteries or regional churches established by the kings or bishops and known as minsters. The minsters were to become the local administrative centres of large areas later to be known as great parishes. In some cases minster towns were to become the location of the bishop's cathedral, but the terms minster and cathedral are not synonymous and the cathedrals generally covered very much larger areas. From the minsters the clergy at first operated by sending itinerant preachers to the surrounding towns and villages to maintain the faith and collect church taxes. Many of these minster towns adopted the term 'minster' into their names, often as a suffix.

Estate Parishes

There was in any event some fragmentation of great parishes with the foundation of a number of dependent churches around the country. But of possibly more significance was the creation of estate churches. This occurred predominantly in Anglo-Saxon areas where over many years encouragement was given by the church to the local lords of the manors (the *thanes* until the Normans arrived) to build churches on their estates, such churches for some time being regarded as the personal property of the thane. This was not at first a compulsory process, rather one where there were certain personal advantages to be had by the thane involved. In particular such a thane could appoint his own priest from the general body of clergy and retain a useful proportion of the church taxes. The process was haphazard and carried on for some hundreds of years, particularly rapid progress being made in the tenth and eleventh centuries. In towns churches were often built by landlords for tenants on their property, or by groupings of individuals. In areas settled by the Danish in the ninth century paganism was at first the religion, but re-conversion to Christianity was eventually achieved; in these areas churches were sometimes promoted by groups of the "free" population. It may be seen that churches arose for a variety of reasons, in different ways in different places, and over a long time. Consistency is not to be anticipated. There remain today many parish churches within estate land through which parishioners have a right of access.

Rectorial parishes and Rectors

Priests were appointed for each church township (or sometimes a group of townships, especially in the north), with the priest's area of authority becoming known as a parish and the

priest himself being styled *rector*. The right of the granting of the church and living to particular priests usually rested with the successors of those who established the church in the first place, be it the lord of the manor to whom a rent or other payment may have been due, or the successors of the initiating freemen, all of which must administratively at least have got progressively quite complicated. The lord of minster churches was often the king. This right of appointment became known as an *advowson*, and could be transferred by a lord by sale or will, as could other rights over what the lord regarded as his property. There are examples where advowsons were split, with rights over very specific parts of the church passing to different people. A payment from the priest to the lord was generally in the form of money, but was occasionally in the form of a service.

The variety of ways in which parishes could be formed, and the nature of the customs and communities in which they were formed gave rise to considerable diversity. Size was a particularly variable feature. Whalley, in Lancashire, for example, was 161 square miles in area in the seventeenth century, and this area had probably not changed since its formation. More common were small parishes of only a few square miles or so, with some merely a few hundred square yards. Population varied enormously, but by no means necessarily in immediate relation to size.

This process of creating churches and establishing parishes gradually spread around the country until by the twelfth century nearly the whole of the land was brought within the parochial network. However the clear allegiance of the rector to the thane or lord, and the parish to the lord's estate, meant that there was a distinct tendency for boundaries of early parishes (and particularly estate parishes) to follow exactly the estate boundaries, themselves often of some antiquity. But strictly the area served by a church was defined by the bishop and there would be cases where the bishop's view would prevail over that of the lord, particularly where the local geography made this expedient; this, of course would result in parish boundaries different from those of the manor (which were themselves not necessarily the boundaries of a township).

Non Rectorial Parishes, Vicars and Curates

In large or scattered parishes additional churches were sometimes necessary to serve communities—these were known as chapels and were quite dependant on the main parish church, though they often had their own curate (a person in holy orders capable of fulfilling many but not all the duties of a parish priest). During the medieval period many estates fell into the hands of the monastic organizations and the tithes were appropriated to their own purposes. Where this happened then the monasteries would appoint the priest (this time styled *vicar*) and make certain provision for him, including a proportion of the tithe. Vicars would not be entitled to any glebe as they were in effect paid by a stipend instead. When the great monastic institutions were abolished other arrangements for the appointing of vicars were introduced but they were still only allowed a portion of the total tithe. In later years new parishes were given a *perpetual curate* who was not granted any tithe allowance. In more recent times new parishes were invariably given a Vicar paid for centrally, and today all parish priests (of whatever name and in relation to any size of parish) are paid for from central funds on a standard basis and the distinction between rector and vicar is nominal only.

The Glebe

To help support the local rector, it appears that from early times he was admitted into the local community and provided with some land for support—*glebe* land, as it came to be called. The glebe of minster churches (which tended to be on large and important estates) could be considerable, but those of the local churches, which had only to support one person, were usually comparatively small (often between 15 and 30 acres, at least in eastern England). Various other

impositions also existed in support of a church. In particular there was *church scot*, which was a payment in kind in proportion to a man's landholding, though its collection was patchy and by the eleventh century was reserved to the old minsters. Collecting such taxes was one of the main administrative responsibilities of the priest, and not a wholly popular one. Other taxes included soul-scot and plough arms, paid in kind. As mentioned elsewhere, church land was eventually taken over by a central agency out of which (together with tithes, covered next) provided a fund from which rectors and other ecclesiastics might be paid a stipend.

Lay Rectors

Where parish Vicars have superseded Rectors it cannot be assumed that the rectorial rights and obligations have simply disappeared, albeit they have become separated from the rights and obligations of the priest. Sometimes they have *de facto* disappeared from want of evidence, and in other cases they are parked somewhere sensible such as with the Church Commissioners. But there are instances where rectorial rights and obligations have remained in lay hands, often passing from one party to the next with rectorial or glebe property (irrespective of will, intent or knowledge), and sometimes with surprising results.

Such an instance arose as recently as 1994 when to the surprise of many and the horror of some the Parochial Church Council of Aston Cantlow demanded £95,000 from the owners of the former glebe farm to repair the chancel of St John the Baptist church, a Grade I listed building. With the property came a field that was once glebe land and this made them lay rectors. After losing in the County Court the appeal resulted in the view was that the imposition must be set aside as incompatible with the Human Rights Act on the grounds that it was a tax that caused wholly disproportionate disbenefits on a very limited number of people and there were other options open to the parochial church council (that the Court of Appeal regarded as a public body). However the matter progressed to the House of Lords in 2003, which decided that the PCC was not a core public authority and that the obligation was one of a number of land incidents and the owner was aware of it when the property was purchased (it was disclosed when the land was first auctioned off in 1918 and was in the deeds). The decision was regarded as distasteful by all concerned (except perhaps the PCC) and fuelled the urge for reform.

The ability to enforce payment for chancel repairs was once the province of ecclesiastical courts but was transferred to the County Court in consequence of the Chancel Repairs Act 1932. The right of levying such a 'tax' is, however, a common law right and once whose exercise is not encouraged and whose days would seem to be numbered. It was of course once a right that could be set off against church taxes and tithes, but since their demise only the obligations are left – surely a most curious position. In fairness the PCC was itself in an odd position. The church, in which Shakespeare's parents are reputed to have been married, was in urgent need of repair but none of the various preservation and heritage bodies were prepared to give grants while rectorial obligations remained unpaid. In 2000 it was thought there were around 5200 lay rector liabilities of which only 800 were owned by the Commissioners.

The Tithe

Some impositions have already been referred to, but one, in particular, was to prove much more important and enduring—the *tithe*. Tithe seems to have originated from the voluntary offerings of members of the community towards some religious purpose of their choice, only one of which might have been the immediate support of their priest (other functions included support of the poor and of pilgrims). Although support for the administration of churches and their affairs was significant, it was still necessary to give tithing legal backing, a matter first attended to in the eighth century and subject to not infrequent modification thereafter. Tithes

were given a boost in 855 when King Æthelwulf won a difficult battle against the Danes and gave away a tenth of his possessions to 'God and the church' for ever, thereby setting something of an example, and a precedent. By the tenth century the tithe had become a definite legal obligation with severe penalties in default; in particular, ecclesiastical penalties were imposed by Edmund (939-946) and, probably with more impact, temporal penalties were imposed by Edgar (959-975).

Legal theory maintained that the community was generally held to be the parishioners of the older great parishes (the minster parishes) to whom the tithe was to be paid. However where a private (or estate) church had been built, and where it had a graveyard, then the owner could retain a third of his own tithe for use in connection with that church, the remaining two thirds going to the minster. Under the Normans the two-thirds portion, or great tithe, was often (at least in theory) used for other religious purposes, such as supporting monasteries. This mainly applied where the lordship was in the hand of a cathedral or monastery, and secular lords could not appropriate the Minster's tithe in this way.

Tithes were levied on the occupiers of land, not its owners. There were three classes of tithe, known as *personal tithe* (tithe due on the profits of labour), *mixed tithe* (tithe on things directly nourished by the ground, such as farm animals, milk and eggs) and *praedial tithe* (tithe on things arising directly from the ground such as grain, wood, fruits and herbs). Land until cultivated for seven years was not tithed, nor were undomesticated animals or fish.

Clearly the rendering of tithes in kind became increasingly inconvenient as medieval lifestyles gave way to more modern ones; in consequence it was not unusual for tithes to be compounded into (usually) an annual money payment, frequently called a *modus* (though not originally common, such an arrangement had an early history). To put this very complex common law arrangement into some sort of order the Tithe Act was passed in 1836. This allowed tithes, moduses and 'other customary payments' to be commuted into *tithe rentcharge*.

The Act provided for land owners and tithe owners to enter into voluntary agreements for tithe commutation, but failing such arrangements being made Tithe Commissioners were to step in and implement tithe commutation schemes (the duties of the Tithe Commission were later transferred to the Ministry of Agriculture). The task was by no means a simple exercise, and the final apportionment did not take place until 1886. In 24 parishes it was found impracticable to commute tithes, but elsewhere they ceased to exist.

Although each tithe owner was now in receipt of a settled tithe rentcharge, the actual payment due was linked by the Act to the price of corn, thus retaining at least some relationship with the tithe's agricultural origins. In 1918, however, a new Tithe Act stabilised tithe rentcharge for seven years (ie until 1926) at £109 3s 11d for every £100 of rentcharge, but in 1925 another Tithe Act made was to make sweeping changes.

The 1925 Act not only permanently stabilised tithe rentcharge, but also vested all **ecclesiastical** tithe rentcharge in Queen Anne's Bounty—tithe rentcharge payable to lay rectors appear to have carried on along the existing basis. Queen Anne's Bounty's complete name is "The Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy", and was a corporation established by her Majesty in 1704, and to which she contributed her revenue from first fruits and tenths[4]. It now took on the responsibility for col-

[4] These were respectively the first year's whole profits from from a spiritual preferment according to a valuation in 1292, and the tenth part of the annual profit of each living by the same valuation. Originally these were payable to the Pope, but at the reformation they were diverted to the Crown, and subsequently Queen Anne's

lection of ecclesiastical tithe rentcharge and apportioning it to the clergy concerned. It was also required to consider the eventual extinction of the rentcharge.

In 1936 new legislation arrived which made comprehensive changes and sealed the ultimate fate of the tithe. The 1936 Act abolished tithe rentcharge in its entirety. In its place a government stock (Tithe Redemption Stock) was issued to all tithe owners, who then benefited from the interest thereby generated; the interest was set at three per cent. The amount of stock issued was intended to be such as to equate the interest payable with the rentcharge previously payable. Owners of land who were freed of tithe rentcharge were required to pay a *redemption annuity* for a period of sixty years (ie until 1996); the annuity was set at £91 11s 2d for every £100 of rentcharge previously payable for agricultural land, and £105 per £100 for non-agricultural land. Annuities could be redeemed voluntarily, in whole or in part, at any time, but were otherwise payable half yearly.

A Tithe Redemption Commission was established to determine the amount of stock to be issued, the annuities to be charged and to manage the arrangements. Where tithe rentcharge was previously payable to a benefice or an ecclesiastical corporation, the redemption stock was issued to Queen Anne's Bounty[5], and it made the appropriate payments to the incumbents or other beneficiaries. The Act was complex and made special provision for the various special cases (such as repair of Chancels) which had been preserved from the days of customary tithes.

In 1942 a sinking fund was established to provide for the redemption of all outstanding stock on or before 1st October 1996, but with the treasury having the right to redeem stock on or after 1st October 1986. In the event, it was by statutory instrument[6] put paid to with effect from 30 September 1989.

Parishes and Manors

After the Norman conquest the thanes' estates by and large became the manorial estates of the medieval period and although in many cases the coincidence with parishes was retained there were nevertheless numerous instances where divergence occurred. Apart from the possibility of manors being split, townships sometimes moved (or were removed by the lord), or were started from new, or disappeared completely; sometimes parishes (the boundaries of which needed to have some regard to the wishes of the people) moved with them. Having said that it is obvious that from the later medieval period the disappearance or removal of townships did not necessarily take the parish with it, and there are examples today of parishes which contain no people, or almost no people, and no church, or only a ruin. One reason for this change of emphasis was that these early parishes became less important as they were often superseded by newer forms of parish. The earliest known list of parishes dates from 1291, and lists around 9,000 of them: this list remained remarkably consistent until the early nineteenth century. However a common form of change was the elevation of a chapelry to parish status (particularly common in the vast northern parishes) and the less frequent relegation of a parish to that of chapelry of another parish.

Bounty. By an order in Council of 27 November 1852 they were commuted to annual payments. They were largely extinguished by the *First Fruits and Tenths Measure 1926*. Where still payable the revenue now accrues to the Church Commissioners.

[5] The responsibilities of Queen Anne's Bounty was transferred to the Church Commissioners in 1948.

[6] The Finance Act 1989 (Repeal of Tithe Redemption Enactments) (Appointed Day) Order 1989

Another matter is worthy of mention. The early linking of a parish with the land of a thane (or lord of a manor) gave rise to some interesting results where, for example, a thane held lands in different communities, or where communities were split and some or all land shared. One outcome was that quite a number of parishes had one or more detached parts within one or more neighbouring parishes. In more than one case this might be as much as ten miles away. In certain parts of northern England parishes were intermixed 'so that there is the most complete jumble which it is possible to conceive'. In at least one case a so-called parish in Gloucestershire consisted of small strips of land lying intermingled with the lands of other parishes, suggesting a community being shared among its neighbours in a way which respected the agricultural practices of the day. There are numerous other examples where parishes include sometimes quite numerous outcrops. Certainly one of the drivers of this process was the preservation of the valuable church tithes; there are several examples where chapels were elevated to new parishes and the rector of the existing parish retained a proportion of the tithes of the new, at a later date accepting a piece of land in the new parish in lieu—thereby putting that piece back into the old parish. There were also relatively small parts of the country—referred to later—not in parishes at all. Sometimes a late clearing of woodland by a particular estate would result in that clearing being regarded as part of that estate's parish, even if in another parochial area. Just about anything was possible.

Later development and subdivisions of Diocese

The growth in the number of parishes caused later increases in the numbers of diocese, and the location of the sees was sometimes also changed, partly to relocate in the important towns. The following table indicates the pattern

Diocese/See	Moved to	Note
Bristol	New See	1542
Canterbury		
Carlisle	Founded mainly from Durham	1133
Chester	New See	1541
Cornwall	Exeter (combined with Crediton)	1050
Crediton	Exeter (combined with Cornwall)	1050
Dorchester-on-Thame	Lincoln	circa 1075
Durham		
Ely	Split out of Lincoln	1109
Elmham	Thetford, then Norwich	1072 to Thetford. 1094 to Norwich
Gloucester	New See	1542
Hereford		
Hexham		

Leicester		
Lichfield	Chester (later Coventry)	1075, and Coventry 1095
Lindisfarne	Chester le Street thence Durham	From Lindisfarne 875 to ClS 883, Durham 990.
Lindsey (Sidnacester)		
London		
Oxford	New See, originally at Osney	1541
	Moved to Oxford	1545
Peterborough	New See	1542
Ramsbury	Recombined with Sherborne	1058
Rochester		
Selsey	Chichester	1070
Sherborne	Wilton	
	Old Sarum (later Salisbury)	1075
Sodor and Man	Ancient Bishoprics of Dublin, apparently united when part of York province.	c1098
	Became Norwegian see of Archbishop Trondhjem	1154
	Returned to York province	1458
Wells	Bath	1088
	Bath & Glastonbury	1192
	Bath	1219
	Bath & Wells	1244
Westminster	New See	1540
	Suppressed as redundant	1550
Whithern	Refounded after lapse, still attached to York	c1150
Winchester		
Worcester		
York		
Dorchester (founded ???)	Lincoln	1095

Only two further bishoprics were founded in the period to the reformation: Carlisle and Ely.

As the bishop's workload increased he needed assistance, and certainly until the Norman conquest there is much evidence of the existence of assistant bishops, though they later disappeared. Bishops also made use of deacons (men who had taken holy orders but had not acceded to the priesthood), primarily to deal with administration. By the eleventh century the head deacon, or archdeacon, was to become the bishop's right hand man (although the name appears to have been used in the ninth century); for administrative purposes the archdeacon was made the person to whom parish priests were immediately responsible. In later years the proliferation of parishes was to cause a multiplicity of archdeacons within a diocese, organized on a territorial basis. The Archdeacons had a number of functions, including visitation of the parishes and appointment of the churchwardens. Deaneries emerged as smaller groupings of parishes with a member of the clergy (styled Rural Dean) representing the interests of the parish group.

THE SECULAR, OR CIVIL PARISH

Introduction

The 10½ thousand or so Civil Parishes that now exist do so only outside urban areas; typically containing populations in the region of a few hundred to a few thousand, and occupying areas ranging from a few acres to many square miles. Civil Parishes may be represented by a *Parish Council* (sometimes styled *Town Council*), though the smaller Parishes may instead hold a meeting of parishioners when there is parish business to be transacted. The following represents *English* practice only.

Ecclesiastical Origins

Until the seventeenth century the parish remained largely an ecclesiastical unit. However the parallel feudal unit administered by the manorial courts and their staff was rapidly decaying as a useful form of local administration. It was natural that the active local parish administration offered opportunities for stepping in where the local manorial courts were failing to act. The church was already a focal point within the community and the church officials were well placed to provide an element of leadership where others failed to act.

Churchwardens

The parish churchwardens were early in engaging in civil business, apart from having customary powers to levy church rates on the village inhabitants for the repairing and equipping of the church. Churchwardens were appointed by virtue of one of a very large number of possible different systems that had developed through custom and practice, and were responsible to the bishop or his archdeacon (but not, generally, the priest). However appointed, the churchwardens were the nearest thing in the parish to a popular officer representing the interests of the parishioners, even if in only some cases they were directly appointed by them. From the middle of the sixteenth century they were recognised by statute as having certain responsibilities in connection with (for example) vagrancy, poor relief and highway maintenance.

Absorption of the First Manorial Officials

Another significant parish officer was the local *constable*, an officer dating back to the thirteenth century and who historically was a person predominantly appointed by the manorial court leet, at least in southern England (in the north the officer may have been appointed by the vill

or tithing). This was an important position and commanded a number of common law responsibilities. From the sixteenth century constables acquired further duties, this time statutory. When during the seventeenth century the manorial courts more frequently failed to appoint this officer regularly parliament decreed[7] that "until the lord of the leet should hold his court" constables should be appointed by any two justices of the peace in Petty or Quarter Sessions (and constables are to this day still sworn in by local magistrates). The local, or *petty,* constables were technically directed by the High Constable of the Hundred, but Justices were familiar with the parish as the local unit and there was a tendency to appoint justices to parishes, ignoring the manorial bounds which could be and often were quite different areas. Nevertheless, there are examples (especially in the north) of constables being appointed by surviving leet courts until the reign of Queen Victoria. As constables often needed to levy a parish rate in order to provide for pay, accoutrements and the like, the gradual switch to the bounds of the parish is an important move.

Beginnings of formal Civil Duties

In the sixteenth century parliament began to intervene in local affairs as it came to recognise the decay and indifference which was becoming more and more evident. For example there was a common law duty (amazingly not abolished until 1961) for a local community to keep its roads in repair. In response to widespread neglect of this duty the office of Surveyor (or Overseer) of Highways was created in 1555, one for each community. These officers were chosen by a variety of systems linked loosely to parish affairs, and which systems varied from place to place probably because parish administration also varied so much. Typically the new officers would be appointed by churchwardens or constables, or both.

The first really significant change in the role of the parish was by Act of Parliament through the introduction of what is commonly termed the 'poor law' in 1601. The common law already required a community to look after its poor, but in spite of some brave attempts to enhance the process, the system varied from ineffective to disreputable.

The immediate background to poor law reform was the authorisation in 1536 of the churchwardens to appoint *collectors of alms*, to quote one of a number of names for a somewhat older office; such authority to appoint was extended to the justices in 1572, by implication because the churchwardens were unreliable in this respect. The office of *Overseer* is known to have been authorised by the same 1572 Act to oversee the labour of the "rogues and vagabonds" who were set to work in their parish by justice's order. Overseers could only be appointed by Justices and whilst it is known that some were appointed it seems they were not in sufficient number to be effective. In 1597 it seems these two roles were combined in a new officer—*Overseer of the Poor* (a confusingly similar name to Overseer, though both Collectors and Overseers are known much later as well as Overseers of the Poor). Matters were put on a more robust footing in 1601, and parishes seem finally to have been sufficiently pressurised to put effort into operating the system (at least superficially) with an eye on parliament's intentions.

The parish develops as an area, but officials uncontrolled

In the next phase the parish developed somewhat further as a geographical area to which were attached various public officials, but not so quickly as a self-governing unit (having proved unreliable units of self-government thus far). In other words the parishioners were not free to govern themselves, but could at best only influence the appointment of the various local officials; the actual power of appointment rested with others—at first just the justices, but later

[7] in 1662

there were the various statutory local boards, often (but by no means always) with boundaries aligned to the parish.

For example in 1691 the system of appointment of the Surveyors of Highways was changed. Instead of appointment by the parish it was now simply incumbent on the parish to submit suitable names to the Justices, and it was they who made the appointments. An important corollary to this was that the Surveyors thenceforth reported on the condition of the parish roads to the Justices whereupon the Justices could order a Highway Rate, inevitably to be met by the parish. The Surveyor could still require parishioners to assist in mending the roads, and if not kept in repair to the satisfaction of the justices a fine could be levied—if levied on the Surveyor himself this could be distributed amongst the parishioners as an additional rate.

The same sort of pattern followed with the Overseer of the Poor where again the power of appointment was seized by the justices, to whom those officials had to submit accounts and proposals for a poor rate. The practices of the Overseers of the Poor varied location by location, but they were now firmly the Justice's men, by no means supported locally. They reported to the Justices, though operating within the parish, to the benefit of the parish, and able to rate the parish, and even acquire property for a workhouse within the parish. To what extent the parishioners had any practical influence varied.

The Parishes Influence increases

Absorption of further officials

There is little doubt that as manorial influence further waned the parish church and its formal meetings were inevitably drawn towards filling a gap in the organization of the community. The emergence of parish rates and statutory officers accelerated the process. Further colour was introduced in the seventeenth and eighteenth centuries by the absorption into the parish of a variety of other minor officials which earlier had been within the province of the local manorial courts; these included such jobs as Aleconnor, Scavenger, Bellman, Common Driver, Beadle and Dog Whipper, to name but a few. In the larger parishes Vestry Clerks became necessary to assist with the overall management of affairs. Most of these posts were filled by the priest or the churchwardens, with or without the help of the community. In nearly all cases the roles were traditional rather than statutory, or a result of local necessity. For this reason (among others) the result was that by the nineteenth century there was an immense variation between the way that the multitude of parishes conducted their affairs, as well as in the size and structure of the parishes themselves.

The Vestry

The general theme was one where by the seventeenth century the priest (Vicar or Rector) had gradually accumulated a small number of civic duties which, during the next century he lost. By the eighteenth century some of the priest's civil duties, together with an increasing number of other civil duties, were either in the hands of the justices or those of the emerging body of parishioners known as the *Vestry*. The history of the Vestry is unclear, but it probably had its origins in the occasional meetings of the townships and vills of Saxon times, gradually adapting to a body by now dealing primarily with church matters. Certainly the vestry (or town meeting) emerged from the annual meeting of parishioners at Easter, though it could meet as frequently as needed. It is noteworthy that the priest was by no means necessarily the head of this gathering (though he often was) nor was it necessarily accepted that he needed to be present at all.

All inhabitants had a common law right to attend. The business of the sixteenth and seventeenth centuries was purely parochial and included such matters as appointing churchwardens

and reviewing their expenses, agreeing a church rate, and so forth. The meeting had by long custom a right to make by-laws binding on all parishioners, and it is this power that appears to have been used to raise rates and fine officers for non-performance of their duties. But in reality the vestry had little control over the statutory officers, and varying control over the remainder who were all unpaid and in some cases had burdensome duties to undertake for which they might or might not be equipped. The vestry also vied with the justices for control over some of the officers and with the possible exception of duties directly related to church affairs the parish could not be described as the agent of "local government", a term not yet familiar anywhere.

Structurally, Vestries were either Common Vestries or Select Vestries. Common Vestries were the common law norm and comprised all the assembled ratepayers of the parish, whether resident or not, with each having a vote (from one to six, according to their rating). Opinion was normally given by a simple show of hands unless a poll was demanded. Both women and corporations could vote, if rateable. The parish priest often presided at the vestry meeting, though practice seems to have varied and in purely civil parishes a chairman would have had to be elected.

Select Vestries existed in a few parishes by custom, with vestrymen co-opted, the vestry then being a sort of parish management committee. However in 1831 a permissive Act was passed which allowed large parishes (over 800 ratepayers) to appoint a Select Vestry. To do so more than two-thirds of ratepayers had to approve the adoption of the Act, whence twelve vestryman were appointed for each 1000 ratepayers, up to a maximum of 120. Each vestryman had only one vote, and the local clergymen were ex-officio members. A number of parishes in the London area adopted the Act, but only a few others followed. Most parishes in England thus remained of the Common variety.

Increases in Parishes for Civil Purposes

The Problem of Definition

One might think that the expression 'Parish' was a model of clarity, and no doubt at a local level (at least until the seventeenth century) its meaning was quite clear. But as the meaning of the word parish had not been defined in the 1601 (or any other) Act it was a matter of interpretation as to what it meant: there were many examples where the poor law was applied both to subdivisions and combinations of the ecclesiastical areas. The Act did not work well in the very large northern parishes[8] and it became clear that for poor law purposes it was necessary to use smaller units, generally based on townships. A possible formula was elevation from chapelry to parish, but a reluctance to split and share tithes was generally an effective counterbalance.

A Poor Relief Act was passed in 1662 which allowed the appointments and levies of the 1601 Act to be made for townships and villages within parishes, but only in certain Counties[9]. For the purposes of the new Act the expression 'parish' was defined as "any area empowered to set its own poor-rate", a township was defined as a place for which a constable was appointed[10],

[8] there were only 70 parishes in Lancashire in 1834

[9] Namely Lancashire, Cheshire, Derbyshire, Yorkshire, Cumberland, Westmoreland and the bishopric of Durham.

[10] And the Act allowed him to levy a rate for his expenses

whilst a village was a group of more than two dwelling houses which had a common name by reputation and for which it was otherwise inconvenient to execute the 1601 Act. The word parish remained otherwise undefined, and further muddle ensued. The 1662 Act thereby enabled the creation of a form of parish which existed solely for specific civil purposes and which had no bearing on ecclesiastical affairs (though the ancient parishes may have retained some minor civil functions). Whilst this arrangement was a convenient solution to meeting changing needs, it did have disadvantages. It emerged that at common law the splitting of a parish was technically the replacement of one old parish by two or more new ones, and new parishes did not necessarily carry some of the old burdens. It was thus possible to use such a device to achieve little more than avoidance of poor relief or other obligations, with little real benefit to the communities. Such civil parishes were created sporadically until the Poor Law Amendment Act of 1844 put a stop to the creation of any new ones by this means.

Extra Parochial Places, and Detached Parts

For various reasons there were a number of places around the country not recognised as belonging to any township and which were historically not in any parish at all. A sizeable number of these so-called "extra-parochial places" were quite small, with at least some of them apparently the interstices remaining when the parishes were carved out[11]. Others existed by prescription, or by Act of the king or Parliament. Some were very large tracts of land, embracing, for example, forests. Although these places may often had their own ecclesiastical arrangements it nevertheless began to prove very awkward for civil purposes to have these administrative vacuums. Despite attempts to reduce them, it was as late as 1857 when an Extra-Parochial Places Act allowed them to be annexed to a neighbouring parish, or to appoint their own overseers (a further Act, of 1868, made further provision in this regard).

During a review of local government in 1872 the variations between parishes was much remarked upon. At that time the total number of parishes for civil purposes was 15,453, of which 782 had less than 50 inhabitants, including 150 having less than 20, and with 14 of those having none at all. Geographically, many parishes were very small, many less than 50 Acres. The number of parishes with detached parts ranged from 834 having just one detached part, to one parish having 12; an additional 463 parishes had between two and eleven detached parts. In the north the parishes were huge, often over 10,000 acres and containing many sizeable townships. And we find the townships also had detached parts—Lanchester had 97. This sort of thing made subdivision into smaller parishes very awkward.

An example in the Oxford area demonstrates the complex situation that arose when several adjacent parishes had detached parts in each other's areas. The Parish of Cowley had two detached parts in St. Clement's and five in Iffley; Iffley had five in Cowley and five in Littlemore; St. Clement's had two in Cowley, and the Parish of St. Mary-the-Virgin had four in Iffley and one in Cowley. In some cases, notably on the borders of Gloucestershire, Warwickshire and Worcestershire, the parish might have a detached part in another county. Thus, for instance, Broughton Poggs had one part in Oxfordshire and one in Berkshire. In the marshlands of Norfolk and Ely, there were often small areas of reclaimed fen, which were owned in strips by adjoining parishes, with increasingly complex results. It has been suggested that there were originally large tracts of land over which the owners of messuages or tofts within certain manors had rights of common pasture, fuel gathering and so on. If there were several parishes in a manor, the common land, belonging to each manor, was subsequently divided between the individual parishes. In many cases, this common land was, under the

[11] Canvey Island may have been one of these, but probably one of the larger examples.

Enclosure Acts, divided up and allotted to the owners of the messuages or tofts, and according to these Acts, such allotments were declared part of the township within which the messuage or toft was situated. Alternatively, some of the anomalies may have been due to the desire of landlords to get all their property within the same parish, to the descent of feudal inheritances, or to the attempt of monasteries to extend the parishes under their control in order to increase the tithes. But whatever the origin of these detached parts of parishes, the results were quite easy to ascertain, and extremely inconvenient.

The growth of civil business provided a significant degree of impetus to tidying up some of the more inconvenient parish structures referred to. For example in 1873 the number of ancient parishes divided into two or more parts was still 1296, and the number of poor law parishes somewhat greater. Various attempts were made to address what was slowly becoming regarded as a major problem. With progress still slow a 'Divided Parishes and Poor Law amendment Act' was passed in 1882 which in essence meant that any part of a parish wholly surrounded by a different parish would be combined with the latter, the Local Government Board adjudicating over doubtful cases. Provision was made for 'parts' containing over 300 people to become civil parishes in their own right, but this was only taken up in three cases. By this means 1904 detached 'parts' had been eliminated in the period 1883-1889, with a further 184 parishes otherwise absorbed.

Divergence of Civil and Ecclesiastical Parishes

Notwithstanding what has already been said about the recognition of parishes for civil purposes, at the beginning of the nineteenth century the majority of the 10,152 parish areas had common boundaries for both civil and ecclesiastical purposes. Two things happened to destroy this order of things. The rapidly increasing recognition of new Civil Parishes meant by the end of the century the number of parishes had increased to 14,896, with many being formed by splitting simply to contain parishes within urban or county boundaries. Meanwhile the passing of no less than 13 Church Building Acts and 5 New Parishes Acts resulted in the creation of 3629 new Ecclesiastical Parishes, with little regard being had for any existing boundaries; by the end of the century there were thus 13,822 Ecclesiastical Parishes, with less than a third coinciding with Civil Parish boundaries (and those mainly in country areas).

The retention of the name "parish" for each of these now divergent units naturally generated a degree of confusion. It was not helpful that the pure Ecclesiastical Parish initially retained a few quasi-civil functions such as the setting and collection of the compulsory church rate. However an Act of 1868 removed the power of enforcement of this no doubt unpopular activity, from which time the Ecclesiastical Parish is almost irrelevant as a unit of government. However, it is of interest that for the purposes of the management of the church and its related activities the old common law vestries continued for many years. Today, mirroring the civil Parish Councils, there are Parochial Church Councils which undertake the various Ecclesiastical functions.

The expression "Civil Parish" really means the old "poor law" parish, but it should not be forgotten that Highway Parishes continued to exist, and perhaps still do, although their functions were gradually transferred to the Counties (for main roads) and the Urban and Rural Districts. Yet different parishes existed for other purposes too. Unhelpfully the Taxes Management Act 1880 generated the Land Tax Parish, which did not necessarily coincide with anything, and it should be noted that the various Burial Acts refer to parishes in a special sense suggestive of areas relating to burials which need not necessarily be other forms of parish.

The Urban Parish

In principle there was no difference between Civil Parishes in country areas and those in towns, except in the several hundred Boroughs where there was some sort of formal civil administration. This began to change at the beginning of the nineteenth century when "urban" areas started to become more abundant. Even so, the parish was the existing local unit and remained in control in the absence of any directive to the contrary, resulting in certain parishes (if only comparatively briefly) exercising numerous civic functions, with varying degrees of success.

The problems attending urban areas tended to revolve around public health issues, and involve a degree of decisiveness and expense that did not characterise existing parish administration, nor were parishes necessarily the optimum size to address the difficult issues involved. The Boroughs were the natural areas to handle these matters where they existed, but elsewhere something else had to be done.

One of the earlier means of achieving sanitary improvement was either the procurement of a special Act of Parliament, or, later, the adoption of permissive general legislation, which established an area placed under the authority of what came to be called 'Improvement Commissioners'. The Commissioners often had quite wide powers that could be used to promote the general purposes of the founding Act. There was no need for the so-called 'improvement areas' to coincide with the parish—for practical reasons they very often didn't—but clearly they would sometimes do so, especially where it was a parish merely adopting public legislation. The permissive legislation included: the Lighting & Watching Act 1833, and several others all passed in 1847, ie the Towns Improvement Clauses Act, the Town Police Clauses Act, the Water-works Clauses Act, and the Gasworks Clauses Act. Local Acts passed after 1847 had to incorporate these 'model' clauses. By 1890 there were still established about 50 Improvement Act districts.

A more important measure was the Public Health Act of 1848 which established a General Board of Health; under this Act the General Board could by Order in Council establish a Local Board of Health in any area where mortality was exceptionally high, but provision was also made for such a Board to be created upon the petition of the local ratepayers. In parishes the ratepayers would elect the members of the Local Board. A Local Board had a range of significant powers, including those of making and managing sewers, gasworks, waterworks, slaughterhouses, and deposits of refuse, together with important powers of regulation.

That the Improvement Commissioners and Local Boards of Health slowly transformed into the bodies known as Urban District Councils is a matter covered elsewhere. The significance of referring to it here is that the powers of these bodies were extremely important locally, and for most purposes had by 1890 relieved those parishes contained entirely within these urban areas of nearly all their civil functions. The Parish Councils Act of 1893 formally denominated parishes within the Urban Districts as Urban Parishes, and where a parish straddled an urban district boundary it was split, the urban portion becoming an Urban Parish. Nor were Urban Parishes permitted to straddle adjacent Urban District boundaries. Once this process was complete there were after 5th March 1894 (when the Act came into force) 1803 Urban Parishes in England and Wales, 191 of which were in the Metropolis.

Because the new Urban Districts were equipped with numerous statutory powers (including many of the powers of a Parish), the vestries and officers of Urban Parishes were left with a further diminishing workload, but initially retaining the need to appoint overseers and churchwardens, and the powers of adopting Acts such as the Public Libraries Act. During the early twentieth century the remaining vestigial civil functions of the vestries of the urban par-

ishes disappeared, but it was still felt helpful to retain these parishes as local government areas (for matters like registration of births and deaths, although the district council actually exercised the powers). There then began a long process of combining and adjusting parish boundaries so that generally there would be a single Urban Parish within any one Urban District, and the boundaries of the two would be coterminous. This position had largely been achieved by 1st April 1974 where, under the provisions of the Local Government Act 1972, Urban Civil Parishes were abolished.

At the end of the nineteenth century it may be of interest to note the most populous parish in England was Islington, with 319,143 inhabitants (compare with rural areas such as Northumberland where half the parishes had under a hundred people). It would perhaps be useful to mention that in the Metropolis the 1893 Act was not applied and the parishes were not urbanized as different arrangements were already in force. The London area was covered at first by the Metropolis Management Act of 1855, which either created district boards (which were combinations of adjacent civil parishes) or in some cases elevated the larger parishes (such as St Pancras and Islington) to a similar status. These Boards had enormous responsibilities and had important powers. They were replaced in 1903 by the Metropolitan Boroughs, with similar boundaries to the Boards they replaced. These bodies are covered elsewhere.

The modern Rural Parish

In rural areas, the modern parish arrived in 1894, though inevitably it was by further modification of the existing structure rather than by a new start. It was a logical extension of the reform of local government starting in 1835 in the Boroughs and 1888 in the Counties, in each case resulting in consistent self-governing units

The Act took the existing parishes in rural areas and for each one exercising civil functions established a democratic structure. Parishes remained defined as "a place for which a poor rate is, or can be made, or for which a separate overseer is, or can be, appointed". In consequence all parishes were obliged to hold at least one parish meeting on or around 25th March each year, and parishes of over 300 were obliged through that meeting to appoint a parish council. For parishes of under 300 (of which there were some 6000) a meeting was able to appoint a council if it wished, but if there were less than 100 parishioners then the concurrence of the County Council was also required (the County had several supervisory functions over the parish). It may be noted that this arrangement replaced a highly unpopular proposal simply to combine the smaller parishes to produce a populations sufficiently large to support councils.

The parish, either through its council or if there wasn't one the parish meeting, inherited the majority of civil functions of the vestries and churchwardens and was empowered to adopt and manage the principle "adoptive acts" within their parish (these were the Lighting and Watching Act 1833, the Burial Acts 1852-1885, the Baths and Wash-houses Act 1846, and the Public Libraries Act 1892). Previously the vestries may have adopted these Acts. Some civil powers of the vestries did not pass to the new bodies. For example in rural areas the vestries' responsibilities under the Highway Act 1835 were transferred to new Rural District Councils (in urban areas the powers had already been transferred to Urban Sanitary Authorities in 1875). The new parish authorities could also hold land and raise a parish rate. Expenditure was to be firmly controlled, and certain expenditure could only be authorised at a parish meeting. In any event expenditure could not be more than a sum represented by one-fortieth of the parish's rateable value.

The 1894 Act further tidied up boundaries. For a start parishes could not straddle the boundaries of the new urban and rural districts as had their predecessor areas. The mechanism was simply to split any parish so straddling into two at the boundary, each part being given a new

name by the County Council. Of course some new parishes formed in this way would be far too small to be a useful unit of government and provision was made to combine such areas with another parish if occasion demanded. This process also needed to take into account that in a similar manner the new Rural District Councils were not in general being permitted to straddle a county boundary, so they were not always coterminous with the Rural Sanitary Authority districts out of which they were formed. Confusingly, the areas of Boards of Guardians were not altered, and continued to comprise all parishes geographically that they had done prior to the 1894 Act.

Provision was also made for parish meetings (of parishes without a council) to combine with some other similar parish meeting to form a combined meeting for a combined parish, the County Council having power to make an order upon request. Such a move could create a combined parish of a population large enough to justify a council, and the County could be petitioned accordingly. Such combinations were normally to be confined geographically within a single urban or rural district, and could subsequently be undone.

During the legislation of the late 1920s the qualifying number of ratepayers required to elect a Parish Council was reduced to 200.

Promotion to Urban District

As parishes got more populous the need for more efficient public health services grew as well. There was provision under the Public Health Act 1875 for the Rural Sanitary Authority (later the Rural District Council) to provide the necessary rubbish collection, water and sewerage services needed, but the additional cost was levied on the parish or parishes benefiting in the form of a supplementary rate (in some cases a "special drainage district" was formed for this purpose instead). Many parishes felt it objectionable that they had no control over what was provided, or how much they were charged, and naturally wanted to control matters themselves. Subject only to a minimum population of 3000, the means to do this was for the parish concerned to seek promotion to the status of Urban District, which would give it control not only over sanitary matters, but a wide range of other activities otherwise provided by the RDC out of which it was carved. It was possible for smaller parishes to seek promotion if the relevant government department agreed.

By this means some 270 Urban Districts were formed between 1888 and 1926, many of which were geographically very small. In April 1927, of the 785 Urban Districts some 524 had a population below 10,000 of which 302 had less than 5000; 79 had under 2000 of which 16 had under 1000. Unsurprisingly the view was taken that many of the smaller urban districts were unsustainable as local government units. The Rural District Councils sought to stem the exodus by promoting a device called Parochial Committees, which allowed parishes a much greater say in how the rural districts exercised their powers at parish level, but the use of such committees varied considerably.

In the period 1929—1933 new legislation sought to bring further order to bear on local government areas, including parishes. One of the requirements of the legislation was the need for counties regularly to undertake a 'county review', which would result in orders being made for changes to the boundaries and the status of sub-county units; between 1933 and 1938 only the counties of Radnor and Rutland had not yet done so. Through this process 206 Urban Districts were abolished (restoring them to Rural Parish status) and 49 were created. Taking into account changes to other county districts which had a consequential impact on parishes, by 1938 there were a total of 159 fewer Urban Districts at the end of the process.

The Parish Today

The Local Government Act 1972 abolished both Urban and Rural Districts, replacing them with a smaller number of District Councils all of one type. The Act had little impact on the parish structure, except for statutory changes to a handful of parishes caused by other parts of the Act. The outcome was broadly that Civil Parishes (now purely of the 'rural' variety) continued to exist in areas which, prior to 1st April 1974, were in rural districts, but not elsewhere. It is thus possible for parishes to exist in some parts of a district, but not the rest.

An outcome of these changes was the practical demotion of many small towns to parish status, and provision was made in the Act under certain circumstances for parishes to elect a Town Council instead of a Parish Council. The powers exercised were identical, but the chairman could style himself Mayor.

Another impact of the Act was to replace all parishes in Wales with civil "Communities", which occupied the same areas as the former parishes and with analogous powers, but with no provision for electing councils.

Parishes in London

For most of their existence parishes in what is now London were no different in principle from those anywhere else. However, the rapid expansion of London in the nineteenth century did give rise to more serious difficulties; in particular there was the tremendous problem of how the antediluvian parish organizations were to meet the needs of such dense communities. Most of the vestries in the built up area had sought or adopted powers to help address the rapidly urbanizing communities; it is no surprise that they chose to do so in entirely uncoordinated and differing ways. Sizes varied considerably—the Liberty of Old Artillery Ground with 1500 hundred people comparing with St George's Hanover Square with over 60,000. Many remained open vestries of all inhabitants—not always an efficient means of facilitating good government—but closed vestries of the worst sort existed in some number, especially in the more fashionable areas. The adoption of the 1831 Select Vestries Act by a number of large London parishes (including five which already had Select Vestries) improved the position a little, and added an element of democracy. Confusion was much aided by the existence, on no particular pattern, of innumerable paving, cleaning, lighting and (prior to 1829) watching authorities, and seven sewer commissions (combined into two from 1849).

Taking London as the area defined for the purposes of the Registrar-General, and putting some dimensions to the administrative problem, there were in 1851 over 250 local Acts in force, resulting in 300 different administrative bodies controlled by perhaps 10,500 commissioners. The parish of St Pancras is illustrative. Its population had grown five-fold since 1801 (and from 72,000 to 170,000 in the ten years from 1841). It was administered by 19 boards (16 for paving and lighting, and three for lighting only), as well as the vestry. The boards comprised 427 commissioners, with over half self-elected. Parish boundaries, as elsewhere, were irrational. For example St Paul's Covent Garden was entirely surrounded by St Martins in the Fields, and St Luke's Chelsea had a detached part in Willesden. Unsurprisingly this nightmare of administration was quite unable to address the mounting public health issues, and after a number of extremely serious epidemics it was acknowledged something had to be done.

As a result a Metropolis Management Act was passed in 1855 which did two things. First it established a Metropolitan Board of Works for the Registrar-General's district—an area then largely embracing London, and now the boundary of what is known as Inner London; its function was primarily to undertake major works with Londonwide impact. Secondly it established a number of Local Boards to undertake more effective management of local districts (in

this respect they were analogous to the Local Boards established elsewhere under the 1848 Public Health Act).

In practice the larger vestries were simply elevated to their new status without any change of name, while parishes too small to be independent sanitary authorities were combined into district boards. Thus some 22 vestries were recognised as having the necessary qualifications, but a further 56 parishes were made (for most but not all civil purposes) to combine into fifteen district boards, making 37 authorities (plus the City) in all. Each (except the City) was required to adopt properly elected councils and soon established town halls with proper officers responsible for undertaking the various duties and responsibilities. For this reason there was some similarity between the new Metropolitan Borough Councils, formed in 1903, and their predecessor bodies (with many of the MBCs having the same area and boundaries as the parishes of which they were the direct descendant). The powers exercised by the various authorities varied in a not wholly rational manner, and, confusingly, component parishes of district boards also continued to exercise some powers and had their own officers. Nor were the parish boundaries tidied up. The opportunity to remove the new authorities from the ecclesiastical arrangements was not seized, and the parish incumbent and churchwardens were ex-officio members of the new vestries, despite the church-building acts fast removing much correlation between the civil and ecclesiastical arrangements; in practice the incumbents took a dwindling interest, and the churchwardens were often appointed as a result of their civic duties.

The arrival of the Metropolitan Borough Councils in 1903 put some order into things, though often preserving the general district (or Vestry) boundaries. However the ecclesiastical powers of the ancient London Vestries were transferred to the inhabitants of a suitable ecclesiastical district, and the church and other property in the incumbent and churchwardens (except the Vestry building, which remained with the Vestry). The Vestries of London parish areas still had a function after 1903, significantly to appoint the guardian of the poor law unions, until 1929 when poor relief became a matter for the County Councils.

In the City of London, of course, the municipal borough council managed the area with authority and jealousy, defeating to this day all attempts at fundamental reform and remaining England's only unreformed borough. That is not to say it has not had to adapt itself to the prosecution of modern legislation and good practice. Parishes within the City thus had very little actual power, although the City is divided into numerous wards, often conterminous with current or former parish boundaries.

The Ecclesiastical Parishes today

After 1894 the old (common law) Vestries continued to mind the affairs of the church, alongside newer (statutory) vestries established under the church building acts, and which were formulated on a slightly different basis. So matters continued until the passing of the *Parochial Church Councils (Powers) Measure*, in 1921, which put matters on a more or less common footing (including in London). Thus in each Ecclesiastical Parish was established a Parochial Church Council whose duty it was to assist the incumbent and to look after the financial affairs of the church, together with responsibility for its maintenance and that of the churchyard. The ability to raise the voluntary church rate was preserved. Some of its powers were previously the domain of the churchwardens.

Interestingly, the measure avoids being too specific about the powers of the ancient vestries, transferring to each PCC "All powers duties and liabilities of the Vestry of such parish relating to the affairs of the Church…" but leaving other powers, such as they were, with the Vestry (including administration of Ecclesiastical charities, and specific duties under various local

Acts). Significantly, the appointment of Churchwardens remained substantially unchanged, and the Measure provides as follows: *In any parish in which one or more churchwardens have been hitherto elected by the Vestry such churchwarden or churchwardens shall be elected by the Vestry and the Parochial Church Meeting sitting together for this purpose. Such Meeting shall be convened as if it were a Vestry meeting…".*

After 1929 the only significant civil duty of the vestries disappeared when the need to appoint poor law guardians was abolished. Just to make certain that the Vestries could not interfere with civil jurisdiction the Local Government Act 1933 transferred all remaining powers of vestries (except those relating to the church) to the appropriate Urban District or Borough Councils; it did not touch Vestries in rural areas, though in this instance surviving Vestries must have been near identical to the parish meetings (or the Parish Councils, in the case of Select Vestries), so there was no incentive to use this mechanism to meddle in civil matters. Vestries thus continue to exist, and comprise the incumbent (in charge) and parishioners liable to the general rate. Mere relics perhaps, and with no power. Nevertheless a very ancient—if not the most ancient—representative body of the local community. Some relate to parish areas perhaps unchanged for 1200 years, and possibly conforming to local boundaries hundreds of years older still.