

North Muskham: An Overview of Riverside Access

This document was prepared in September 2006 as evidence for the Public Inquiry regarding access to the riverside. It would be best viewed together with "Footpath to Cromwell Lock" [MHA09A] in this local history series.

The Public Inquiry was a 3 day hearing in Newark Town Hall to determine whether the roads itemised in the Inclosure Award of 1773, namely Ferry Road, along the riverbank, and Trent Ford Road, from Main Street to the place of the ford, remained as legal highways. This was a critical aspect of the argument to get the closed riverside route to Cromwell Lock re-opened.

Comments in italics, within text boxes or square brackets, are recent additions to update the evidence on certain aspects of the original text..



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FOREWORD

This document has been prepared for the Public Enquiry [October 2006] regarding the two routes, Ferry Road and Trent Ford Road, which led to one of the fords across the River Trent in North Muskham. Although supportive of the argument to see these routes confirmed, the aim is to provide a logical overview, add the human perspective, and give a degree of colour to the arguments.

Whether Ferry Road is confirmed as a highway or not, it must be recognised that it was used by villagers for all the years it was the towpath. It may also have been the route that children from the village of Holme, across the river from North Muskham, trod to school when they had been ferried over. It continued to be part of a Sunday stroll to Cromwell Lock for many, right up until it was first blocked off in 1958.

In a similar way, even though use of the ford will have declined after the Trent Navigation Company made the river more navigable, it may still have had some use until this stretch ceased being tidal when the first lock was built at Cromwell. Even then, the children from the farms north of the village walked to school along the towpath and across Trent Ford Road to Main Street.

Whilst most of the argument is likely to centre on points of law surrounding these two highways, they only represent a part of a potential pathway along the Trent side. Although neglected, most of the old towpath route is passable, or could rapidly be made so, with attention to overgrown sections and to clapper-gates.

Only the very short stretch of Ferry Road, in front of the new house at Trent Farm, actually blocks this route. This, however, stops residents of the Lakeside walking south along the riverbank to the open stretch, and the Muskham Ferry public house. The aim, for many villagers, is to see that traditional stroll north to Cromwell Lock restored. It would also be good to see a southern walk, possibly as far as Newark. If the Ferry Road blockage can be removed, it is thought that much of the rest of these routes can be made accessible by negotiation with the farmers, and some input from the Trent Valley Partnership. *[Trent Valley Partnership was a scheme using 'coal closure' money and run by County and District Government and NGOs]*

In order to gain an insight into the current situation, this overview will consider some of the historic factors which would seem to give relevance to this case. It will also consider some of the previous moves to open the blocked section of Ferry Road.

I have lived in North Muskham since August 1977 and have played a fairly active role in village life, particularly when it involved heritage and posterity. As well as my own recollections, this overview relies heavily on information made available by others too numerous to mention individually, and I am indebted to their research, deductions, and observations.

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1. INTRODUCTION

1.1. INFORMATION SOURCES

The information in this review is drawn from historic research, personal recollections, newspaper cuttings, petitions, evidence gathering, and discussion. Many people have helped by loaning files, documents, and information on various campaigns. More importantly, people have given their time to discuss issues, make observations about the landscape and the ordering of events. In the mid 1990s, when this current attempt to open the route began, evidence statements were gathered from many older villagers and former residents.

In order to compile this overview, the wide range of information has been reviewed and reduced to this narrative. In addition, an attempt has been made to place the historic facts in the context in which they occurred, with references to the river, village and landscape.

As the compiler, I have drawn on my own experience and recollection of events, as well as taking a fairly side-ways look at some of the evidence. Where appropriate, some

speculation about the likely impact of various developments has been included to help place events in the context of the time.

1.2. THE “HIGHWAYS”

Whilst the longer term aim goes somewhat further, the immediate concentration is on the two highways; Ferry Road and Trent Ford Road. The most simple way to introduce these routes is to look at the situation now.

1.2.1. Ferry Road

Ferry Road runs north, along the western bank of the River Trent, from a point a little south of Ferry Lane and the Muskham Ferry Inn (formerly the Newcastle Arms). It runs to a point a short distance north of the eastern end of Manor House Drive, on the new Lakeside development. As the following photographs show, this route is largely open, accessible, and clearly visible; apart from a stretch of 60 to 100 metres [*nearer 40 metres*], adjacent to the new building which recently replaced the historic Trent Farm farmhouse.



Looking north from Ferry Lane. The hedges along the left hand side date from the time of the Inclosure, and possibly earlier.

Note the width of the route, which appears to match descriptions in the Inclosure Award.



Looking north from Mackley's Lane.

Note the left hand hedge, and overall width, as on the previous picture.



The current close-boarded fence, and steel barrier, blocking northern progress along Ferry Road, adjacent to the house at Trent Farm.



The northern barrier of Ferry Road



The approximate location of the junction between Ferry Road, Trent Ford Road, and the ford.

1.2.2. Trent Ford Road

Trent Ford Road ran east from a point on Main Street, next to the house now known as “The Shades” to meet with Ferry Road at the ford. Whilst “The Shades” use a short stretch of Trent Ford Road for vehicular access, the original carriage or cart access to the house would have been off Trent Ford Road.

Part of this route was lost by gravel extraction during the 1960s. (see 2.6.)



The point where Trent Ford Road leaves Main Street, currently used as an access to “The Shades”



The route of Trent Ford Road, kept clear by Wilcon Homes when they build the Lakeside development.



A view across the lake, which was developed from the gravel pit.

2. HISTORY

2.1. EARLY HISTORY

It is impossible to consider access to the riverbank without considering the river itself. The River Trent is one of the major rivers of England and is unusual because it flows north to reach the sea. For centuries, the river has been a vital transport route with traders and invaders using the river to access the hinterland.

This stretch of the Trent valley has evidence of occupation through millennia. There are Palaeolithic finds closer to Newark, the recently discovered gold Bronze Age “Newark Torc” was found about 2 kilometres from the village, and evidence of Roman and Viking occupation can be found all along the lower Trent valley. Ancient crop marks have been found both north and south of North Muskham and they almost undoubtedly continue through the village, particularly on the land from Mackley’s Lane northwards towards Cromwell, where the remains of an 8th century bridge were found (originally thought to be Roman).

Look at a map of England and North Muskham appears to be quite a long way from the sea. The River Trent, however, is tidal up to Cromwell Lock, around 1.5 kilometres down stream (north) of the junction of Ferry Road and Trent Ford Road. It was tidal through North Muskham until the Trent Navigation Company installed the first lock at Cromwell.

The late Victorian historian Cornelius Brown, reported that the Trent had changed course and began to flow between Holme and North Muskham in the great flood of 1600. Whilst many think his timing of the flood was some 50 years too late, the river had flowed east of Holme, and that village was in the Parish of North Muskham. In fact, children from Holme were still ferried to school in Muskham well into the 20th century.



The view across the river to the village of Holme.

2.2. FAUCONBERG ESTATE MAP 1735

The 1735 map of North Muskham, showing the estate of Earl Fauconberg shows a very wide river with different river channels and a number of islands. At that time, the ford, where Ferry Road and Trent Ford Road met appears as if it may have taken advantage of two or three of the islands as staging points across the river.

In addition, the map shows the highway along the river bank to the fording point, to be wide, rather as the photographs of today. This width was, presumably, to take account of the tidal nature of the river at that time and winter flooding; keeping the river well away from farm boundaries and habitation.

2.3. INCLOSURE AWARD

The Inclosure Award (1773) notes that Ferry Road was 60 feet wide and ran between “several ancient enclosures”; numbers 67 [Trent Farm] and 70-75, all south of Mackley’s Lane. This appears to mean that the owners of those Inclosures did not own the land between their boundary hedge and the river, where Ferry Road ran.

2.4. IMPROVING NAVIGATION ON THE TRENT (from 1780)

The Newark Navigation Commission was already controlling the River Trent from Averham [pronounced Air-um] to South Muskham at the time of the Inclosure Award for North Muskham. The Trent Navigation Company, formed in 1780, took control of most of the Trent, apart from the Averham to South Muskham stretch. The first task of Trent Navigation was to build haling paths [tow paths], and to deepen and narrow the channel. The river, however, will have remained tidal through North Muskham until the first lock was built at Cromwell, some 1.5 kilometre down stream, in 1911.

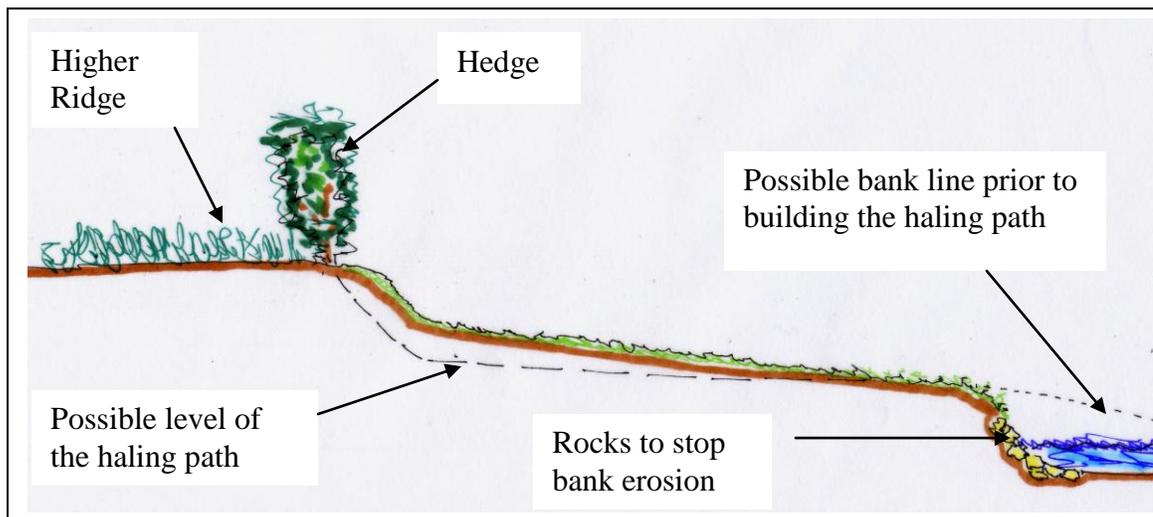
At the time of the navigation, the Muskham bank became the towpath and utilised the existing Ferry Road from the pub to the fording point. The river bank was defended against erosion by low rock-built walls along the banks on the outer bends. This rock “wall” stopped the outer banks being scoured away, whilst the inside of bends would still tend to silt up, and require regular dredging, just as today.



Rocks used along the outer bend of the river to stop erosion of the haling paths.

From the time the Trent Navigation Company built the haling paths through the village, it is unlikely that any significant movement has occurred regarding the line of the Muskham bank. As this would have been within 7 to 15 years of the Inclosure Award, the depiction of the Muskham bank on the relevant Inclosure map should be fairly accurate, even today. As with the 1735 map, this shows Ferry Road with a wide margin between the field-hedges and the river.

Looking at the topography today, is difficult to determine the exact structure of either Ferry Road or the haling path. In fact, at some stage, it would be interesting to dig some excavation trenches across the area, from the Inclosure hedge to the river edge. With flooding and a lack of maintenance, there will certainly be some build-up of soil closer to the hedge, due to run-off from the higher ground. In addition, the waterside edge of the haling path will be somewhat eroded by flood water pressure, neglect, and fishermen.



Above: Sketch of the river bank today, with topographical comments

When reviewing the topography of the riverbank today, there is a small but noticeably higher ridge running along the Muskham bank some 50 m or so back from the waters edge. The plateau of this higher ground is not all that wide before the land gradually slopes downwards towards Main Street. Although there has been no investigation, it is assumed that this ridge is natural. The Manor House, Trent Farm, and the Muskham Ferry public house [formerly the Newcastle Arms] all stand [or stood] on this ridge.

During the period of the Trent Navigation, the riverbank would have been available to all who wanted to pass, just as Ferry Road had been; though it is difficult to know the effect this development had on village life. Did the creation of a more navigable river mean an

end to the fords, or not? Initially, the fords may have survived. It is understood that the haling paths went in first, and the river barges had shallow draughts. Whilst it is unlikely that general traffic could use the fords after river channels were deepened and the islands removed, the river was still tidal. It may well have been possible to drive cattle across, at low tide during the summer months, right up until 1911, when the first lock at Cromwell was constructed.

2.5. 19th CENTURY

The first half of the 19th century was the heyday for the Trent Navigation, with increasing haulage along the river. By the 1840s, competition from the railways began to affect the prosperity of the waterways, though rivers that could handle larger sized vessels, like the Trent, continued with reasonable prosperity.

In terms of village development, there are a few Georgian properties around the village, one or two are moderately large, but most are cottages. Whilst some Georgian properties have been lost, a fair sample remain today. Apart from the church, few earlier buildings now survive.

In the Victorian period there was, for North Muskham, a minor flurry of development. The Education Act brought the new village school and school-house to the north; rules about vicars living in their parish brought a new vicarage; and the mini-boom in agriculture, in the middle of the century, saw the odd new farmstead.

2.6. 1900 to 1960

This was a period with very little development in the village. The Warren, the next property built along the riverbank, beside Ferry Road, is believed to have been built in the late 1950s, as were a few bungalows at the south of the village on Crab Lane. The end of the 1960s, however, saw a gentle start to the major expansion in residential houses.

In 1951, Parish Councils were asked to inform the County Council of its footpaths in accordance with the National Parks and Access to the Countryside Act 1949. At that time, the PC failed to claim the “tow-path”. Whether this was an oversight, or because they considered a tow-path separate from a footpath, who knows. This may, in fact, have been the first step towards closure.

Research in the 1980s, for the first major attempt to regain access along the “tow-path”, discovered the date of the first closure of Ferry Road. The farmer at Manor Farm, a Mr Dunn, wired up the gate, claiming this was to protect his “attested” cattle. This was the era of testing cattle for TB and TT milk [Tuberculin Tested]. Whether there was some Ministry of Agriculture requirement, or this was just a tale, the gate was wired. George and Bert Ward, who lived at Manor Cottages, removed the wire and informed Mr Dunn that this was a right-of-way and should not be closed. The response was a higher fence and “No Trespassers” notices.

By this time, any memory of Ferry Road, or fording cattle, would be long gone. Cromwell Lock had been built almost 50 years before and the route had become limited to Sunday strolls to Cromwell Lock, the odd child's playground and a fisherman or two. Despite some flurry of annoyance, this was now thought of as a disused tow-path and, possibly, the villagers thought the farmer had a right. In September 1962, the Manor House [farmhouse] and 16 acres of grassland were sold.



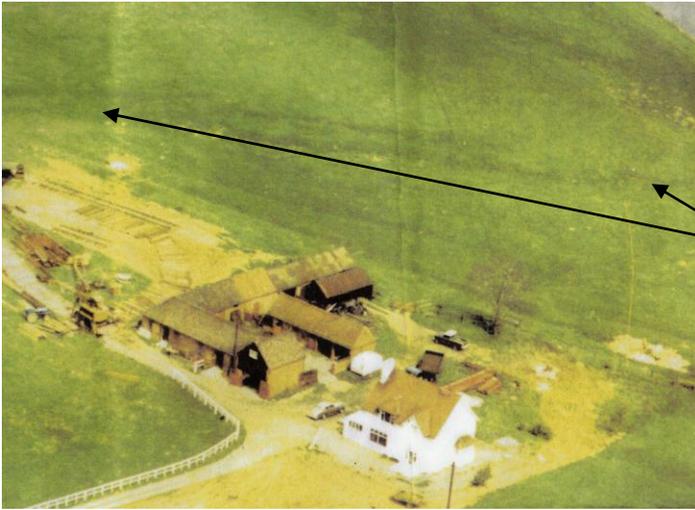
Photograph of Manor House,
from the sale documents

The Manor House and land were purchased by a rather strange but inventive fellow, Walter Bower. He dabbled in a range of activities, including inventing some special fishing floats, which were produced on piecework in an outbuilding, and all sorts of other inventions. Eventually, he extracted gravel from the land, without the gravel rights, sold it the contractors building the A1 bypass of Tuxford, and later gained planning consent for a marina.

As he made a good deal of his income from fishing, both along the river and in the dug-out ponds, he kept the riverbank firmly closed. This, at times, could be in a very threatening manner. Eventually, his health declined and, it is believed, he became insolvent. Whatever, the land was sold to a third party who kept it as a fishing ponds enterprise, with the widowed Mrs Bower, collecting the money. Eventually, the land received a planning consent for housing, and the current development was erected by Wilcon Home with the planning gain of the lake and riverside walk.

Prior to the first lake being created by the gravel extraction, the route of Trent Ford Road could clearly be seen. Sometime, possibly when Mr Bower owned the Manor House, the gated lane at the start of Trent Ford Road, was grubbed out. Certainly, during the Bower ownership, the owners of "The Shades" had all sorts of problems with him about fences, boundaries and access.

In addition, when the lake was being dug, some huge oak timbers were supposedly excavated, and hushed up. Whether they were removed, or remain on the bottom of the lake, it is not known. Workers were too afraid to report their finds to the authorities for fear of Walter's wrath. Discussion of this fact whilst writing this report, claims Mr Bower said, in language more colourful than can be printed, "No ones is seeing this lake until it is full of water".



An aerial photograph of the Manor House, after 1962, with the route of Trent Ford Road clearly visible.

2.7. 1970s

The 1970s saw major development in the residential market in North Muskham. In the very early 1970s, possibly starting in the late 1960s, the stretch of Main Street from Nelson Lane to Walton's Lane was developed, along with the land towards the river between Ferry Lane and Mackley's Lane. Meadow Close, Eastfield, and Willow Drive were also developed.

I moved to the village in August 1977, buying the old school house, "Three Gables" at the north end of the village. Taking on an old house in a fairly conservative village was a great help in getting to know people. North Muskham is a friendly village, without being nose-y, and I was soon getting involved in village life.

Trent Farm had been bought in 1975 or 1976 by Bob Beard. He was the local Conservative District Councillor and had bought the farm as the base for his haulage business. He also developed a lorry spares business at the farm. Whether it was Mr Beard, or the previous owners Jepps, who put the first fence on the southern side of the garden of Trent Farm is not really clear. Evidence suggests that, at least to begin with, the Beard's were not too worried about people using their drive, and the riverbank, to get to the pub. Certainly, when they bought the place, it was in need of refurbishment. The house, though a fine building with a Mansard roof, was one of the earliest residential buildings in the village. In fact, the house could have been built prior to the end of the 17th century, say 1690ish, replacing an earlier house on this manor. *[It is now thought likely that the house with the Mansard roof was probably built in the early 18th century]*



Trent Farm Farmhouse, from the riverbank, around the time of the 1975 sale. Note the lack of any sign of the old hedge, suggesting it may have been grubbed out by this stage.

At the end of the 1970s, the village saw further significant expansion with the construction of The Grange and The Park. Some 70 new homes were built on the site of an old house and extensive garden: The Grange. It was demolished demolished in the 1960s.

2.8. 1980s

By the late 1970s/early 1980s, the population of North Muskhams had grown beyond the capability of local facilities. There was yet no village hall and no playing field. Residents were trapped between the river and the A1 and more recreational space was needed.

One village resident, Malcolm McKenzie, began a campaign to get the “old tow-path” opened. Malcolm was active in the Ramblers Association, and was using a “right to roam” type of approach. He was also whipping up support with the “non-Conservative” local politicians, which did not go down well with Cllr Beard. Bob Beard, it seemed, was taking most of the blame for the riverbank being closed which, in hindsight, was probably a little unfair. As a local councillor, of course, he was moderately high profile, making a good target, and well used to public debate.

I recall a public meeting where many residents were getting very annoyed with the tactics of Malcolm McKenzie, or rather his left wing supporters. Mr Beard got very animated and shouted out that it was unfair to pick on him as he had never been paid any wayleaves by British Waterways. In hindsight, this was probably because Ferry Road was not part of his land, and there were no clapper-gates on this stretch, because it was a public highway!

Eventually, the argument became less about access to the riverbank and almost wholly a political battle. The Ramblers lost their fight, probably because it happened too early for the expanded village. Reviewing Mr McKenzie’s old file of correspondence and

clippings, he had a wealth of testimonials, many from people now long dead, and much useful evidence was actually sitting there. He even had some information on the Inclosure Award, but somehow never managed to get the concept of Ferry Road out into the public domain. It was all about a disused tow-path, threats of mass trespasses, and a re-run of Kinder Scout.

2.9. 1990s

By the time the 1990s came along, the earlier expansion of the village had gelled, a playing field had been secured, and a pavilion/village hall had been erected by villagers. There was a great uproar about Cllr Beard and an attempt to gain planning consent right across Trent Farm land. Although Cllr Beard gained consent on a strip of land along Mackley's Lane, the Ombudsman rules against the District Council about their management of the saga. Cllr Beard did not run for re-election and moved out of the village. The owner of the Manor House land gained planning consent and the Lakeside development was constructed towards the end of the decade.

In the mid 1990s, Mrs Anne Heathcote, another village resident and Rambler, took up the fight to open up the riverbank route to Cromwell. This time, there was a much more positive attitude from the village, and from the County Council. The significance of the existing ancient highways of Trent Ford Road and Ferry Road, came more into focus.

Mrs Heathcote, and her team, gathered a new range of testimonials and a significantly sized petition of village residents. These were presented to the Parish Council and forwarded to NCC as part of their documentation. The advice was to concentrate on the known highways first. Although it is now over 10 years since Mrs Heathcote began her campaign, it is only now that things are beginning to happen.

2.10 NEW CENTURY

Whilst another large estate was a cause for concern, the Lakeside development was built and the largest pond turned into a wildlife reserve. This area is run by Nottinghamshire Wildlife Trust and gives residents their first chance to see that northern stretch of the riverbank for many a long day.

This has brought to light the fact that now; the only blockages of any significance are the two fences, some 60 to 100 metres apart, at either side of the garden of what was Trent Farm house. Mr Beard had sold the Trent Farm house and yard to Ryan Parker and the new owner had the house demolished to build the current pile. This act was yet another case of the District Council failing to protect the local heritage of the area.

Although there may be certain sympathy for Mr Parker, facing this move to open up the riverbank along Ferry Road after he had spent so much money on construction, he was made aware of previous campaigns before he made the purchase. Whilst this situation may not have come out in routine planning searches, had he briefed his advisors, they would surely have contacted the Nottinghamshire County Council to check the situation.

Whilst they may have been told that the 1980s campaign had failed, they would have been made aware of the current campaign, which began long before Mr Parker came on the scene. Anyone with Mr Parker's business acumen could not have failed to notice that this section of riverbank was a blocked up path of some kind. That should have given immediate rise to concern.

The remainder of the Trent Farm land has been retained by Mr Beard in the hope of renewing his earlier ambitions to gain consent for housing across the site. At present, the farmland is down to "set-aside", though whether that will remain or not is unclear.

After Mr Beard moved away and the house was either vacant or let, the barriers across Ferry Road were easily circumvented. A few intrepid villagers claim to have walked the stretch from the open southern section right up to Cromwell Lock. It is certainly true that some have walked from the Lakeside north along the riverbank and signs of footfall are clear along the first part of that stretch.

With the current research that has been undertaken in preparation for this hearing, I have noticed that, at some time, the land on the riverbank at Trent Farm has been dug away to landscaped the garden down into the water's edge. Apart from the technical point about damage to a public highway, this move has interfered with the flood defences of that length of riverbank. This fact, along with the solid fences erected by Mr Parker, could cause problems if we had further major floods like that in 2000. This summer, and possibly in an act of defiance against the current situation, Mr Parker has had erected a timber "summerhouse" on the Ferry Road, which appears to have an electrical supply. This is at a point where the land begins to run down towards the water and is well below the level that floor-water can reach. This could create an interesting spectacle in the future.

Two significant points came to light regarding the above comments:

1. Whilst the ownership of the land is not significant in the argument as to whether or not a highway exists, evidence came to light that the boundary line around the garden of Trent Farm, sold to Mr Parker, showed the riverbank as part of that plot, which, from the 1773 evidence, suggested was incorrect. i.e. someone, in the past, had drawn the boundary line in the wrong place.

2. Whilst some landscaping had been done to the Trent Farm garden, it is not clear that this reduced the height of any flood defence. A 1963 aerial photograph clearly shown the current 'dip' in the path with the rise at the other side. i.e. this did not happen in either Mr Beard or Mr Parker's time of ownership and was, in fact, likely to be natural.

3. CONCLUSION

Hopefully, this document has added a somewhat different view. The aim was to help put the various time periods of village life, and the events along the riverside, into a more human perspective than most people could realise studying legal documents alone.

It has now been almost 50 years since Mr Dunn wired up that gate and closed Ferry Road to muted local protest. Ever since, there has been some constant level of resentment and, if it is confirmed to be a highway, some neglect by the various authorities involved. Looking at the campaign run by Mr McKenzie, had Mr Beard not been in politics, and the campaign not been fought on party lines, the argument may well have been carried at that time. At least, then, the closure would have only lasted some 25 years, rather than 50.

Since the 1980s, attitudes have changes about public access, rights to roam, leisure and exercise. Having worked through much of the evidence over recent months, it is difficult to see why this route has been allowed to stay blocked for so long. Working up this document, and walking the length of Ferry Road [apart from the closed area], evidence is there for all to see, if only they bother to look.

If Ferry Road and Trent Ford Road are confirmed as remaining in existence by this enquiry, villagers, working with others, can develop a series of attractive walks around the area. In addition, early discussions with some of the other local landowners show positive signs for greater access to the riverbank; even along stretches that really are disused haling paths and never have been highways.

Whilst the Muskham river bank may never be a Pennine Way or Offa's Dyke, it does have the potential to provide a very pleasant footpath, away from traffic and troubles. There is the possibility of greater accessibility, possibly a footpath between Newark to Cromwell. Whatever the outcome, few could fail to be enchanted by the bucolic beauty of the view across the river to Holme on a crisp sunny day.

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