

THE GOVERNANCE OF COWBRIDGE FROM THE THIRTEENTH CENTURY

PREAMBLE

As a modern-day "invader" from England I came to Cardiff towards the end of 1979 to join the staff of the Welsh Office. It is hardly surprising therefore that I have an interest in central and local government. This interest has focused on the Vale of Glamorgan and Cowbridge in particular as my wife and I chose to live in Bonvilston from 1980 to early 1995 when we moved to Cowbridge which, from our arrival in the Vale, had been the centre of our social and leisure activities.

By 1980 Cowbridge High Street and its eastern and western approaches (Eastgate and Westgate) had already benefited from the removal of traffic by the construction of a bye-pass in the mid 1960's. While still very much a market town, the shopping and business facilities gave, and continues to give, an impression of prosperity with a surprising number of boutiques, restaurants/tea-shops, antique dealers, solicitors, accountants and small businesses. The local history society was, and is, prominent in the town and in the early 1980's the Glamorgan and Gwent Archaeologists were still active in the town having started their excavations in the late 1970's. Their findings from the Roman period had attracted considerable local interest and, together with talks at the history society, my interest in the history of Cowbridge was stimulated by David Robinson's book on Cowbridge - Archaeology and Topography - the publication of which coincided with my introduction to Cowbridge in 1980. While maintaining a general interest over the past 16 years through talks and articles, it has taken the course on "Discovering Old Cowbridge" organised by the Department for Continuing Education and Professional Development of the University of Wales Cardiff to revitalise my interest and encourage further study of the subject. This short essay reflects the initial outcome of that study.

BACKGROUND

Before turning to the period under review it is essential to consider the earlier development of some form of settlement at the market town of Cowbridge in what is now the area of the Vale of Glamorgan County Borough Council consequent upon the reorganisation of local government in Wales effective from April 1996. A convenient starting point for this purpose is the Roman occupation of South Wales from around the year 75 through to the withdrawal of the Roman Legions in the year 383. During the early part of this period a road was constructed from the Legion Headquarters at Caerleon through to Carmarthen in West Wales with forts being built along the route at intervals equivalent to a days march. Excavations have provided evidence of forts at Cardiff and Neath but, as yet, there is no firm evidence of one at Cowbridge although there is recent evidence of Roman occupation in the town. The important fact, however, is that the Roman road had to cross the valley of the river Thaw and in so doing the Roman engineers provided the basic infrastructure for the growth of a settlement in the vicinity of the crossing point.

There is no positive evidence of a settlement at Cowbridge through the period from 400 to 1100 which is referred to as the Dark Ages and there is no contemporary record of the conquest of Glamorgan by the Normans. However, it is known that Robert Fitzhamon, Lord of the honour of Gloucester, led a successful invasion of the then kingdom of Morgannwg in the 1090's (1093 has been suggested as the probable year) and by force of arms Fitzhamon became Lord of Glamorgan. As was the practice the conquered territory was divided among the Lord's Lieutenants or Knights. Of importance to Cowbridge is that it lies in what was known as the manor or estate of Tal-y-fan which was given to Richard St. Quentin. The manor passed in the early 13th century to Richard Siward by which time Richard de Clare had succeeded to the Lordship of Glamorgan. The records reveal that Siward had a dispute with his neighbours which led to him surrendering his lands to de Clare - a key person in the governance of Cowbridge.

13th to 16th CENTURY OR FROM CHARTER TO UNION

We have seen that the lands which embrace what is now the town of Cowbridge came into the possession of Richard de Clare, Lord of Glamorgan, during the first half of the 13th century. At that time, there must have been some settlement along what we know as the High Street since de Clare saw the potential for trade (and hence income for himself through rents and tolls) and he effectively established a town by the grant of a charter in 1254. By this charter the local inhabitants could enjoy the same privileges as the inhabitants of Cardiff i.e. they could rent a plot of ground (called a burgage) for one shilling per annum with the right to brew, bake and grind on their own premises. These tenants or burgesses enjoyed greater freedom than the tenants of manors since they were exempt from market tolls, they had the right to arrange the marriages of their children without the Lord's permission, they could either sell their tenancy or bequeath it to their heirs and, if accused of crime, they could be tried by their own townsmen in what would have been the first borough court of Cowbridge. With the acquisition of these privileges the burgesses in effect became freemen of the borough of Cowbridge. The number of burgesses increased steadily during the remainder of the 13th century from 59 in 1262, to 135 in 1281, to 233 in 1295 and to 276 by the start of the 14th century (1306). This suggests a population increase from around 200 at the time of the charter to around 1300 by the turn of the century. They were governed under de Clare by the constable of Cardiff Castle who was in effect mayor of Cowbridge. The burgesses elected a portreeve (deputy mayor) and bailiff (sheriff) who, together with the constable, were the magistrates of the town, presiding over the borough court. In order to establish rules of conduct within the town it seems likely that the burgesses may have formed a guild. Such rules or ordinances would have covered the regulation and control of the market which provided much of the town's wealth.

Another charter was granted in 1460 by de Clare's descendent Richard Neville, Earl of Warwick. This provided for the appointment of a bench of twelve aldermen and for the burgesses to nominate four of their number from whom the constable was to appoint two bailiffs to serve as magistrates for a term of one year. Thus the charter of 1460 brought about

a significant change in the governance of Cowbridge by establishing the nucleus of a Town Council.

The law which governed life in Cowbridge was that contained in the ordinances, or bye-laws, to which reference has already been made. It is likely that the original ordinances were based on those of Kenfig and Neath and date from the early 14th century. The only record surviving is a roll of parchment date 1610 which is held in the Glamorgan record office and was the subject of a publication by Patricia Moore in 1986. These ordinances provide an insight to life during the 13th to 16th centuries and to the laws which had to be administered first by the "borough court" and then by the "town council" until the changes brought about by the Acts of Union from 1536 to 1543 which brought the government of Wales into line with that in England. This resulted in the county of Glamorgan being ruled by a Sheriff (or Lord Lieutenant) with deputy lieutenants and by magistrates chosen and appointed by the King from among the leading gentry. The English common law was to be enforced by the King's judges in the Great Sessions (or Assizes), or by the Court of Star Chamber in London and the Council of the Marches sitting at Ludlow. An important new privilege given to the county was representation in Parliament at Westminster, the right to elect one member for the county itself to be chosen by the freeholders (the gentry) and one for the boroughs to be chosen by the burgesses (the business men and traders). In this way the basic structure of local government and law enforcement was established in Glamorgan - and hence Cowbridge - in the 16th century.

17th and 18th CENTURIES

An enlargement of the "town council" came in 1681 with the grant of a charter of incorporation by King Charles II. This created a Court of Common Council by adding to the twelve aldermen a similar number of "capital burgesses" elected by the burgesses themselves.

The court was the governing body for the town. The mayor together with the two bailiffs acted as magistrates for the borough. The bailiffs were still to be chosen by the aldermen with the approval of the mayor; vacancies on the aldermanic bench were to be filled from among the capital burgesses, and vacancies among the capital burgesses were to be filled by the surviving capital burgesses from among the body of the burgesses of Cowbridge. Thus the Court of Common Council (or Corporation) was an exclusive body with only slight regard for the

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wishes of the town at large. It was primarily concerned with the regulation of fairs and markets, and the management of the Corporation's property. By the 18th century it would appear that the ordinances recorded in 1610 had largely become obsolete. During this period the Corporation did ~~given~~ consideration to the town's water supply and the state of the footpaths but sanitation seems to have caused little concern until the 19th century.

B. Ll. James has said that the 18th century was the heyday of Cowbridge, it being one of the main administrative and market towns of Glamorgan. The county's quarter sessions were held in Cowbridge as were the two annual courts of Great Sessions during the 1770's and 1780's. Much could be written about these aspects of the governance of Cowbridge but space does not permit in this short essay. Before leaving this period however, a brief mention must be made of the House of Correction, or Bridewell as it was often called after the original institution in London. Its purpose was the correction of idle and disorderly persons: a place where they may be set to work to earn their keep and to reform their character. The House of Correction for Glamorgan was opened in Cowbridge in 1621 and by the 18th century there appears to have been little difference between it and jail. By 1751 the building was in a dilapidated state and the justices meeting in the quarter sessions received a report on the defects which offered to make them good for £15. Perhaps reflecting the speed of action within local government little appears to have been done to improve matters until the turn of the century!

19th and 20th CENTURIES

The House of Correction was repaired in 1806 and the facade was substantially preserved when the building was enlarged in 1830. The rebuilding took place after the County Magistrates decided to move the House of Correction to Swansea when the building was acquired by the Corporation to become the new Town Hall. This facilitated the demolition of the Guildhall in the middle of the High Street by Church Street which had become an obstruction to coach and horse traffic, in particular the important mail coach from London which stopped at the Bear Hotel. If the 18th century had been the heyday of Cowbridge, the 19th certainly saw a decrease in the town's prosperity and importance. This was partly due to the self interest of some of the aldermen during the early years of the century. They appear to have managed only their corporate property and to have performed no public functions. The validity of the Corporation was transformed by the Reform Act of 1832 as this gave the

parliamentary vote in boroughs to the "ten pound householders" which resulted in few people applying to the Corporation to become Freemen. Furthermore, the apparent lack of foresight by the Corporation, dominated as it was by the leading property owners, caused the by-passing of the town by the South Wales Railway in 1850 by which time the mail coach had ceased to run and the Quarter Sessions were held in Cowbridge for the last time. By 1860 the consequence of the Corporation's short-sighted policy concerning the railway was clear to all and the Mayor presided over a public meeting which led to the issue of a prospectus for a Railway Company to build a railway to link Cowbridge to Llantrisant. The interest of individual members of the Corporation in the venture is well documented and the construction of the rail link and its effect on Cowbridge are recorded by James and Francis in their book on Cowbridge and Llanblethian (pages 100 and 101).

The Corporation as such appears to have withered away as there is no record of its proceedings after 1866. A Royal Commission investigated the affairs of the Corporation in 1877 and concluded that the Corporation was an archaic body of little benefit to the town. The Municipal Act of 1883 dissolved the Corporation with effect from 1886 and following the grant of a new Charter by Queen Victoria, the ratepayers elected their first Borough Council in 1887.

The 19th Century was an important one as regards water supply and sanitation in that it saw a recognition of their relevance to public health - a matter which should have concerned the old Corporation. Unfortunately, it accepted no responsibility for improvement to the town and it took a severe outbreak of typhoid in 1853 following the hunt ball at the Bear hotel to force the Corporation to take some action. An Inspector was appointed to investigate and report under the Nuisance Removal and Diseases Act of 1846. His report was a damning one on the state of the town and in particular the foul state of an open gutter, known as the town ditch, which had once been part of the moat surrounding the medieval walls of the town. Some improvements were put in hand fairly quickly, the most important one being the cleansing of the town ditch which was eventually replaced by a covered drain. (The line of the ditch is now known as North Road which runs from Town Hall Square to Eagle Lane.)

In the 1850s markets and fairs were still held in the High Street and , although the sheep and pig market had been provided with a permanent site adjoining the Masons Arms, there was no permanent site for cattle. This was one of the first items tackled by the new Borough Council and the new cattle market came into use in 1889. The schemes which the Council was able to initiate were limited by its financial resources. While that is nothing unusual for a Council, it has to be remembered that the Borough had a population of little more than 1000 in 1900 within an area of only some 80 acres. In practice the Borough comprised Eastgate, High Street and Westgate with the Borough boundaries touching the back fences of the properties alongside it. Given these limitations, the Council did its best to provide the essential amenities then expected while maintaining the proud traditions of the Borough.

Passing through two world wars we arrive at the 1960s which saw several reviews of local government and culminated in the Local Government Act of 1972. At that time the chief functions of the Borough Council were public health, cleaning the streets, collection of rubbish, leasing the markets to the auctioneers, letting the Council houses, the maintenance of the cemeteries, the care of the Twt playpark and the running of the town hall. Being such a small Borough, the Council employed few officers and these were usually only part-time. For example there was a part time Town Clerk and a part-time Agent who between them dealt with the functions listed above. The Council depended on larger Authorities for other services; for example, the main thoroughfare was classified as a trunk road and maintained by the County Council; a piped water supply had been provided in the 1920s by the Mid Glamorgan Water Board and was managed by the Board; similarly, a sewerage scheme had been provided in 1957 as part of a major scheme promoted, developed and maintained by the Cowbridge Rural District Council whose officers acted on behalf of the Borough Council from time to time.

Local Government reorganisation authorised by the 1972 Act provided for a two tier system which came into operation with effect from April 1974. The County of Glamorgan was split into three, South, Mid and West each with its own County Council. These were responsible

for strategic functions, such as education and social services which were considered more appropriate for a large authority. The Counties were sub-divided into Districts - the second tier- and the Borough of Cowbridge became part of the Vale of Glamorgan District Council which took over responsibility for public health, the Council houses, the markets and refuse collection. A Town Council was retained for the areas of Cowbridge and Llanblethian but its functions were even more restricted having responsibility for only the cemetery, the playpark and sweeping the roads within the former Borough boundary. This organisation survived until the 1990s when central government once again reviewed the structure of local government. Parliament decide that the Unitary Authorities would be more appropriate in Wales and, under the Local Government (Wales) Act 1994, these became effective in April 1996. The County Councils disappeared and their powers were devolved to what are in practice enlarged District Councils. This reorganisation had little impact on the Town Council as it did not alter the Town Council's very limited responsibilities and it could be argued that the role of the Mayor and the Town Council is now essentially a ceremonial one aimed at preserving the history of the ancient Borough of Cowbridge.

CONCLUSIONS

Without order there would be no civilisation. From the earliest days of man order has been created in the first instance by the force of arms. At present the extent of any settlement at Cowbridge in Roman times is a matter of conjecture and the "Dark Ages" are truly descriptive of our knowledge of Cowbridge during that period. However, the invasion of Glamorgan has been recorded and we have seen how the Lord of Glamorgan, Richard de Clare, effectively established the town of Cowbridge in 1254. The Charter of that date provided for a "Borough Court" to manage the conduct and affairs of the townsfolk and their market and, over the years, rules or ordinances were established for that purpose.

The Borough Court was enlarged by a Charter of 1460 which provided for a bench of twelve aldermen thereby creating the nucleus of a "Town Council". This body continued in existence until another Charter in 1682 which, in effect, enlarged the Town Council by establishing a Court of Common Council. It would not be true to say that this represented a move to

democracy as we know it, since each of these bodies comprised the gentry of the day whose task was to regulate the market and fairs held in Cowbridge and to administer local justice, such as it was. They had little or no regard for the wishes of the common townsfolk.

The Reform Act of 1832 was perhaps the first step along the road to democracy in local government by giving the parliamentary vote to the "ten pound householders". This appears to have slowly led to the demise of the Court of Common Council which was dissolved by the Municipal Corporation Act of 1883. Then followed yet another Charter for Cowbridge in 1886 which provided for the ratepayers to elect a Borough Council. The first Council was elected in 1887 and successive Councils served Cowbridge through the Boer war and two World Wars until 1974 when major government reorganisation in England and Wales resulted in the Borough of Cowbridge becoming part of the Vale of Glamorgan District Council within the area of South Glamorgan County Council. Further reorganisation in 1996 led to the abolition of the County Council but this had little impact on the Cowbridge Town Council whose responsibilities have been minimal since 1974. The Mayor and Town Council are now mainly seen as a ceremonial body whose presence serves to perpetuate the history of the ancient Borough of Cowbridge. As we prepare to enter the 21st century the governance of Cowbridge is in the hands of the Vale of Glamorgan Council.

Leonard E Taylor

31st December 1996



Department for Continuing Education and Professional Development

38 Park Place, Cardiff CF1 3BB. Tel: 01222 874831 Fax: 01222 668935

CERTIFICATE OF HIGHER EDUCATION

Students must complete course details below and attached form to two copies of assignment before submitting to tutor.

Name of Student: LEONARD EDWIN TAYLOR
Address of Student: 1, MIDDLEGATE WALK,
COWBRIDGE,
VALE OF GLAMORGAN
CF71 7LA
Academic Year: 1996/97
Title of Course: DISCOVERING OLD COWBRIDGE
Module Number:
Number of Credits: 10
Location of Course: OLD HALL COWBRIDGE
Course Number: M96 G021 PRK

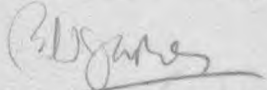
Elected to
Town Council 2000
✓ Mayor in
2010 ✓ 2011

COMMENTS OF TUTORS

This is a fine essay, very clearly written, and organised with precision and care. All the main steps in the long history of the government of the town are noted and their significance explained. Having said all that, it follows that any points of criticism will be minor, and even pedantic. A purist's point about writing an essay is that it would have been better to launch more rapidly into the subject without a preamble (interesting ~~xxx~~ though that is). There should be a mention, in the account of the Henrician reforms of the 1530s, to the creation of the court of quarter sessions, the most important body in local government before the county council was set up in the 1880s. It is interesting to note that Cowbridge was granted its own quarter sessions (that is, with a jurisdiction separate from that of the county) by the 1681 Charter. Either because of the neglect of the non-resident mayor (the first mayor held office from 1681 to his death in 1734, and he lived in Somerset) or because there was not really enough business to justify holding quarter sessions - or a combination of the two - the Cowbridge QS seems to have soon lapsed. One of the major achievements of the post-1886 Borough Council must have been building the council houses on Cae Stumpie. When was that

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