

*Rural property rights and the survival of historic
landed estates in the late twentieth century*

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Abstract

This thesis examines the evidence for the decline and survival of historic landed estates since the end of the nineteenth century. The focus is on the processes of adaptation undergone by those estates that have survived over the post-war period. These processes are described in this study as a 'compromise' of 'traditional' landed estate characteristics. The particular approach taken by this research is to focus on the manipulation of property rights as a way of comprehending estate survival strategies. The work observes how various forms of legislation and the emergence of other powerful interest groups have acted to increasingly constrain the rights of rural landowners. A conceptual framework indicates how wide-ranging political, economic and social changes, and alterations to family circumstances, are reflected in the changing division and sub-division of owner, occupier and user rights over historic landed estates.

The research is based on a micro-level investigation of an estate in south-east Devon. It examines how the political activities of the estate's owners represent attempts made by them to publicise their position and to defend their property rights. Subsequently, the study investigates the evolution of the estate over the post-war period in terms of its ownership and management, size, occupancy, economic activities, and local relations. Particular attention is paid to a series of 'critical' moments when changing circumstances required the formulation of major survival strategies. The study examines the central place of property rights and their accompanying responsibilities, observing how the allocation and re-allocation of property rights has become particularly fluid, complex and contested, and how the manipulation of property rights represents the

response of estate owners to both opportunities and threats. The findings of the case study are also considered more broadly, that is, in relation to the position of rural landowners in general in the late twentieth century countryside.

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List of abbreviations

BHS	British Horse Society
CGT	Capital Gains Tax
CLA	Country Landowners Association
CTT	Capital Transfer Tax
<i>DP</i>	<i>Dawlish Post</i>
<i>DG</i>	<i>Dawlish Gazette</i>
DCC	Devon County Council
DRO	Devon Records Office
<i>EE</i>	<i>Express & Echo</i>
<i>EJ</i>	<i>Exmouth Journal</i>
<i>EL</i>	<i>Exmouth Leader</i>
FWAG	Farming and Wildlife Advisory Group
<i>HE</i>	<i>Herald Express</i>
HHA	Historic Houses Association
MAF	Ministry of Agriculture and Fisheries
NFSA	National Federation of Sea Anglers
NRA	National Rivers Authority
PCA	Powderham Castle Archives
PEO	Powderham Estate Office
RSPB	Royal Society for the Protection of Birds
RYA	Royal Yachting Association
SSSI	Site of Special Scientific Interest
SWAN	Starcross Watermens Association
TDC	Teignmouth District Council
<i>TP</i>	<i>Teignmouth Post</i>
VAT	Value Added tax
WCSL	West Country Studies Library
WWF	World Wildlife Fund
<i>WWN</i>	<i>Western Morning News</i>

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I

Introduction

a) *A study of landowners and landed estates*

This research investigates the place of landowners and landownership in the late twentieth-century countryside. More precisely, the enquiry examines the ways in which the attitudes and actions of landowners are bound up in the processes of recent rural change. The particular approach taken brings together two areas of interest. First, the research takes as its chosen 'window' on landowners and rural change those private, individually-owned, and 'historic' landed estates that have survived through to the late twentieth century. Second, the research draws upon an analysis of the changing division and allocation of property rights as a way of helping to comprehend this survival, and, in more general terms, the place of private landowners in the contemporary countryside.

When James Caird was writing on the subject of landowners (1858, 1872; in Guttsman 1969), they could be quite specifically defined. They consisted of the range of individuals who possessed landed estates, and dominated the ownership structure. Their key function, as perceived by Caird, was that of landlord, providing investment capital for improvements in return for rental income; farming activities were the concern of the tenantry. There was some variation in the level of interest and commitment shown by

landowners towards farming practice, but, overwhelmingly, the landlord-tenant system symbolised a distinction between landowning and farming interests. Today, the term landowner must be more flexibly and broadly applied. As the following chapter will discuss, the 'traditional', private, individual landlord has been joined by other rural landlords, such as financial institutions, public bodies and the National Trust. In addition, many landowners have ceased to be landlords, by participating far more actively in farm business activities, and by reducing the proportion of their estate under the landlord-tenant system in favour of owner-occupation or alternative ownership arrangements. Furthermore, the distinction between the landowning interest and the farming interest has blurred further, with many former tenants becoming the freehold owners of the land they had previously rented, and by many ex-urban purchasers of agricultural land, whose primary commitment to the countryside is as part-time or hobby farmers, or as the purchasers of a country home. Thus, by landowners, the study takes within its scope all those holding ownership rights over landed property (Goodchild and Munton 1985). Although this study will reflect on the place of the broad spectrum of rural landowners, the empirical focus is on those private, individual landowners whose 'historical' or 'traditional' landed estates have survived to the present, perhaps in a much changed form.

Much has been written on the dramatic reversal in the economic, political and social fortunes of private, individually-owned landed estates and their owners over the course of the twentieth century (recently, and in particular: Beard 1989; Cannadine 1990, 1994; and Thompson 1990, 1991, 1992, 1993). The evidence portraying a general decline in the position of those estates and owners is considerable, and cannot be disputed. However, this process has not been straightforward, and it is far from

complete. The impression of overwhelming upheaval is qualified by the evidence for survival, namely: the continuing presence of private landed estates, and the retention of some status and influence by their owners. This theme of decline *and* survival, and its various expressions are conveyed well in the existing literature, so this research does not attempt to construct a new and broad-ranging appraisal. Instead, the thesis reflects more specifically on how and why such estates have survived, and what is meant by the term 'survival'.

It will be suggested that one of the key means of interrogating this survival lies in the re-distribution of property rights, that is, between the owners of private estates and other interests competing for space in the countryside, and between landowners and the national and local state, which has sought to appropriate and regulate rights in tune with changing social and economic conditions, and party political ideologies. At the same time, it will be pointed out that changes in the re-distribution and re-allocation of property rights have also presented opportunities as well as threats to those landowners with the financial means and organisational capabilities to take advantage of them. Thus, the second area of interest for this thesis is the changing 'bundle' of rights which constitute property in land (Rose *et al.* 1976), and how these have been manipulated, successfully or otherwise, by established private landowners. The analysis must go far beyond the traditional pre-occupation with, and concern for, agricultural land tenure - who owns and who occupies the land - to encompass the wide range of rights and responsibilities that accompany the complex patterns of consumption and production that constitute the organisation of the contemporary countryside. In these terms, the enquiry is an attempt to follow upon recent work (Grove-Hills *et al.* 1990, Marsden *et al.* 1993b, Munton 1995, and Whatmore *et al.* 1990) that has promoted the potential of

property rights as a key concept in the assessment of contemporary rural change. The analysis demonstrates, *inter alia*: the complex and fluid divisions of ownership and control that have emerged between different actors in the agrarian economy; the conflict between competing landed, environmental and access interest groups; the power and influence certain rural actors derive from the manipulation of their rights; and how property rights can be treated as instruments through which development in the countryside is regulated by the state. Essentially, the approach of this thesis acts as a 'window' on the place of landowners in countryside change, and, most especially, will add to the literature a powerful explanation for the ongoing survival of private landed estates.

The study takes an historical perspective. Although it is concerned with the processes of change evident in the late twentieth century countryside, these need to be set into a longitudinal context. The character of landownership in Britain entered a period of fundamental alteration at the end of the nineteenth century. This study will trace contextual factors back to that time, because it set certain processes of change in motion which, while not leading to inevitable outcomes for particular estates, did lead to the general decline in the position of landed estates and their owners. In detail, the investigation is concerned primarily with more recent times, with most attention paid to the second half of the twentieth century. These years embrace a range of major, complex and often shifting processes of rural change in which landowners have been engaged (see, for example, the account given in Marsden *et al.* 1993b). The key processes to have been played out in the countryside since the last war include: the ascendance, and then questioning of, the priority given to economic production within the countryside; the growing pressures imposed upon rural resources by mass

consumption demands; the gathering challenge to the political power of the landowning and farming interests; and, finally, the tightening of, followed by attempts to lighten, the regulation of rural development.

b) An overview of the approach

The chapter that follows introduces the two specific areas of research interest in greater detail. The opening sections investigate the history of private landed estates and their owners, in the context of the general economic, political and social change of the last one hundred years. Three perspectives that are well established in the literature are examined. Each presents evidence for the decline and survival, or, put differently, for change and continuity, of landed estates and their owners. The first perspective considers the landownership structure, and the various features of its metamorphosis over the course of the twentieth century: the disintegration, contraction and restructuring of many historic landed estates; the replacement of the traditional landlord-tenant system by the owner-occupier farmer; and the contrasting fortunes experienced by old-established and new types of landowner. Such processes have modified the set of characteristics which define the private, individually-owned landed estate, and landownership in general. Through the second perspective, prominent expressions of the dwindling prestige and power of landowners as the dominant national and local elite are evaluated: the disappearance of country house life, and the

'manufacturing' of the cult of the country house; the collapse of the political authority and influence of the landed establishment, and the growth of the Country Landowners Association as a representative body; and the central and ongoing importance of the ideology of stewardship, with its defence of ownership rights through the articulation of a sense of social responsibility. Third, the discussion outlines the impressions of landownership conveyed by the 'community' or 'locality studies' literature. Here, the place of landed estates and landowners are examined in relation to the micro-scale processes played out in the countryside over the post-war period. The discussion shows how the spatial and temporal unevenness of rural change inevitably yields contrasting impressions of decline and survival.

The second half of the background chapter is a discussion of property rights, which are considered here in terms of the general increase in the constraints imposed upon the owners of rights over land over the post-war period, and the responses of owners to those constraints. Three key sets of processes are examined. First, for the greater part of the twentieth century, taxation and tenure legislation, if fluctuatingly, has increasingly impinged upon the rights of landowners, although in the last two decades there has been some reversal of this trend. Accordingly, the design of ownership strategies is accustomed to accommodating major shifts in taxation and tenure policy. Second, the emergence of statutory land-use and environmental regulation and the ascendance of other interest groups in the countryside have left landowners far less free to pursue their development interests, and, at the same time, have weakened the position of landowners in the structure of local rural administration. Yet, while they remain landowners, they retain a high level of influence in the regulatory process through their hold over property rights, and their role as key participants in the initiation of rural

development. Third, owners of land are now challenged far more by environmental and access interests. In response, owners have entered into ideological and political representations aimed at limiting the effectiveness of measures intended to control or prescribe rights in favour of these interests.

In a pivotal third chapter the thesis develops a conceptual framework. This is founded upon a series of arguments which form the basis for a conceptualisation of landed estate survival, and a window through which to view landowners and rural change more broadly. It is argued that survival has required that the 'traditional' characteristics associated with the private, individually-owned landed estate be 'compromised'; and that that compromise represents a microcosm of the place of the landowner and rural landownership in rural change over the last one hundred years. To develop these arguments, the framework puts forward for discussion a typology of the 'traditional' landed estate. This details the main characteristics of an 'ideal' type, and the manner in which those characteristics have been compromised. Other principal arguments introduce property rights into the conceptualisation. These incorporate the notion that property rights are being continually manipulated, that is, handled in such a way as to protect or to realise the benefits that those rights offer, and to accommodate the responsibilities that accompany the possession of those rights. It is argued that the survival of landed estates, and the place of landowners in the changing countryside, can be comprehended through an analysis of such manipulations, and the various family level or broader-ranging economic, political and social factors that motivate or constrain those manipulations. A second typology is introduced, one that outlines various ways in which the owner, occupier and user rights are divided and allocated through forms of manipulation.

The subsequent chapter introduces the key features of the methodology. The empirical work is based upon a single case study: the Powderham Castle estate in south-east Devon. The issues surrounding this decision are discussed, notably, the value of an in depth micro-scale analysis of estate survival, property rights and landowners, as offered by a single study, as set against the problems of representativeness and relevance, which emerge from an investigation confined to one case. The research seeks to realise the benefits of a single case study in two ways. First, the Powderham case is treated thematically, with the empirical investigation divided into five areas of study. These elements have been drawn up, in part, as a framework for conveying the prominent features of the recent history of the Powderham estate. Also, the processes of change being played out in these areas of study correspond with the experiences of landed estates and landowners more broadly. In this chapter the Powderham case is also introduced. A summary of its background up to 1939 is given, together with an overview of its post-war history and the key actors involved. The local south-east Devon context is also considered, and the key processes of change associated with the region are outlined.

Second, the research employs an ‘action-in-context’ methodology. This is an approach which aims to embed case study analysis into the wider assessment of change; one that has featured in recent work on contemporary rural development (Grove-Hills *et al* 1990; Lowe *et al.* 1993; Marsden *et al.* 1993b; Munton 1995; and Murdoch and Marsden 1994, 1995). The method conceptualised by ‘action-in-context’ is that of ‘following’ the actor. This involves examining both actions taken, and the various contextual circumstances in which those actions take place. For this research, the actions of particular interest are those entered into by the owners in their attempts to

secure the survival of the estate. The context of interest is the range of case-specific and wider ranging factors which have influenced the owners' actions over the post-war period. The place of property rights is evaluated amongst the contextual factors arising, and as part of subsequent actions taken. The investigation focuses most upon a series of 'critical' moments. These moments are stages or events in the post-war history of the estate when one or a number of particularly pressing circumstances arose, leading, where possible or necessary, to major a course of action. The 'actions-in-context' investigated are related to the fluctuating fortunes of landed estates and landowners in general.

The empirical work then presents the five areas of study. Each investigates processes of change through a short narrative account, followed by a concluding analysis. One chapter deals with the attempts made by the estate's owners to influence the wider context, and the range of pressures affecting estate owners generally, in particular, the high level involvement of Lord Courtenay in the Country Landowners Association. The subsequent chapter starts by focusing on the 'physical' core of the estate, in order to examine the post-war history of the Castle, and the various attempts made to address the long-established family imperative of securing the building's viability. The chapter then turns to the development of the agricultural estate, and how it can be presented as a microcosm of the processes of change experienced by landed estates and the rural economy more broadly. Third, the local settlements within the estate envelope are investigated, in terms of the ways in which their character, and the nature of their relationship with the estate, have altered through time. Here, the narrative also discusses the changing relationship between the estate and local government. The final section considers that area of estate which overlaps with the Exe

estuary, identifying it as an arena in which the landowning interests of the Powderham estate have clashed with those of access and environmental groups.

The concluding chapter returns to the central aims and arguments of the thesis, in the light of the main findings of the Powderham study. A number of questions are reconsidered. In what ways have private, individually-owned landed estates survived? Can their survival be regarded as an essential compromise of their 'traditional' character? Does an examination of such estates and their owners, provide a useful window on the processes of rural change? How far do property rights - through a conceptualisation of the manipulation of rights - assist in comprehending the survival of private landed estates and their owners? Does this conceptualisation further the understanding of the attitudes and actions of landowners, and their place in the late twentieth-century countryside?

II

Perspectives on the study of landed estates, landowners, and property rights

a) *Decline and survival*

This part of the chapter investigates the history of landed estates and their owners over the last one hundred years, a history that has been represented as the demise of a political, economic, and social order. The story of that demise is, however, ambiguous and often contradictory, so much so that interpretations of change differ markedly. As David Cannadine (1990) observes in his introduction to ‘The decline and fall of the British aristocracy’:

It is never easy to get the balance right between what is old and what is new in any past age, and it cannot be denied that during the 1960s, ‘crisis’ and ‘revolution’ were among the two most over-used words in the historian’s vocabulary. But now the fashion has gone the other way, and it has become all too common for scholars to claim that nothing ever actually happened, that there are no great landmarks in our national story (p. 4).

Some accounts (notably, those of Cannadine, and Mingay 1994) stress decline, portraying the dramatic way in the position and power of the landed elite was swept

away. Others (such as, Newby 1985, 1987; and Thompson 1990, 1991, 1992, 1993) do not dispute decline, but give considerable credence to the degree of continuity. They maintain that surviving landed estates and estate owners still retain a place in the landownership structure, and a level of influence in the political process of enduring importance.

In a longitudinal analysis, Bush (1984) traces the parallel notions of decline and survival over a two hundred year period. In the nineteenth century, the hegemony of the landed aristocracy survived remarkably well, despite the increasing alienation of the aristocracy as a privileged class threatening to bring decline (also, Becket 1986). The start of the twentieth century saw much of this hegemony in decline; survival has come to mean self-preservation, and the avoidance of extinction. The sections that follow examine the evidence for decline and survival through three different perspectives on change: the metamorphosis of the landownership structure, the redefinition of elite status and power, and rural change at the micro scale. The evidence demonstrates how contrasting impressions of the experiences of private, individually-owned landed estates and their owners, and of landowners more generally have emerged.

i) The landownership structure: new features and old

The metamorphosis of the landownership structure over the course of the twentieth century has often been employed as a measure of the changing fortunes of the landed elite. It may be that, as Massey and Catalano (1977) and Newby (1985)

emphasise, much curiosity and speculation about the degree of landownership change has been generated simply because of the absence of adequate data on private landownership. Nonetheless, some accounts are quite emphatic; for example, Habakkuk (1994) detects a fundamental continuity:

Though established landed families of the traditional type own much less land now than a century ago, though most estates are now held by a different type of owner, for different reasons, and perhaps exploited in different ways, the greater part of English agricultural land is still held in the form of units which are still recognisably estates (p. 704).

Contraction

The work of F.M.L. Thompson (1990, 1992) provides a basic overview of change. His estimates of the current number and size of private landed estates give some indication of the level of contraction, and, equally, they point out how far such estates continue as a surviving feature of the landownership structure. In the 1890s just over 50 per cent of land in Britain was grouped into estates of over 1,000 acres (generally taken by classifications to represent the lower size limit of the landed estate (see Bateman 1884). Currently, Thompson estimates that estates of this size still account for more than one third of land. A second estimate of Thompson suggests that the category of estates owned by private individuals which could be considered large (more than 5,000 acres), still contained around the same number of landowning families in the 1980s as it had done in the 1880s; although, with contraction, they accounted collectively for noticeably less land (falling from around one third of farmland in England and Wales, to around one quarter). The overall impression being offered here, therefore, is one of a much contracted, but clearly continuing landed estate presence.

This process of contraction can be described further. In 1982, Clemenson produced the first fairly comprehensive survey and analysis of landed estate ownership since Bateman's work of 1883. Her classification of 'historic', private and family-owned estates combined the criterion of size with the possession of 'heritage' features: a country house, gardens and parkland. From a survey of 500 estates exceeding 3,000 acres in 1880, only around one third remained above the minimum estate size of 1,000 acres and retained their heritage components. However, Clemenson qualifies this evidence of substantial decline. She points out that the sales of peripheral or less valuable land, and of country houses and amenity lands, were common features of the protracted survival strategies in which owners engaged, in order to preserve the 'heartland' of their agricultural estate. Thus, in contracting and shedding heritage features, estates had simply taken on a structural form more in tune with the prevailing economic and political circumstances of the twentieth century.

The notion that contraction represented both major decline, and the establishment of the preconditions for survival, is demonstrated when the unevenness of the process is examined. Although estate break-up has been considerable and broad-ranging, complete disintegration is associated most with the tendencies of the smaller holdings of the gentry, whilst the 'great' estates could sustain much reduction and still show a strong presence. Crucial here, is the fact that the more resilient larger estates, generally higher up the aristocratic hierarchy, were supported by a wider asset portfolio. Indeed, the contraction of the extensive landed resources available to them allowed substantial financial assets to be built up, which, in turn, served to secure further the remaining landed assets (Perrot 1968, Sutherland 1988, and Thompson 1963). Returning to Clemenson's sample, 29 per cent of 'aristocratic' or 'great' landowning

families in 1880 retained estates of an appropriate magnitude (over 10,000 acres), whilst only 19 per cent of 'greater gentry' had maintained a holding that kept above their defined lower limit (over 3,000 acres). It can be assumed that the proportion of surviving estates belonging to the lesser squirearchy (owning between 1,000 and 2,999 acres) of 1880, would be even smaller. A reservation must be expressed about the usefulness of size as a gauge, and the analytical reference made to the hierarchy of estate sizes formalised in Bateman's survey. Given the changing economic context, the types of acreages embraced by the landed estates of 1883 would to have to have been expanded greatly in size in order for their investment performance to have been maintained (see Cornforth 1974).

The relationship between the level of contraction and the scale of landed estates finds further and notable expression in the spatial unevenness of change along broadly national lines. Cannadine's account records how the break-up of landed estates was most complete in Ireland and Wales, and least so in Scotland. In the latter, the vast scale of many estates meant that they could accommodate considerable reduction, also their attractiveness for extensive sporting uses prevented many from being broken up amongst the tenantry. The degree of continuity in the Scottish landownership structure forms the basis for an ongoing and emotive debate. A recent survey by Wightman (1996) highlights the fact that almost half (47 per cent) of Scotland is held in estates of more than 5,000 acres, and that members of the titled aristocracy own 13 per cent of the country. It should be noted here that Thompson (1963) discerned no clear difference in the rates of contraction between pastoral and arable areas, at least in England and Wales. The greater level of survival in certain counties can be accounted for by the fact that it

would simply take longer for the historic predominance of estates in these areas to erode.

From landlord-tenant system to owner-occupation

The processes whereby landed estates have contracted have coincided with a metamorphosis in the landownership structure from the dominance of the landlord-tenant system to one of owner-occupation. Newby (1987) notes that at the end of the nineteenth century 90 per cent of agricultural land was let; now, up to 80 per cent is under some form of owner-occupation. The rate at which the tenure of land changed from a landlord-tenant system to owner-occupation was at its greatest at periods of agricultural revival and rising land prices, notably, just following the First World War, and in the 1960s and 1970s. For Newby, this displacement of the landlord-tenant system is certainly some gauge of landed estate decline, for it records both the large number of farms sold by estate owners (largely to former tenants), and the marginalisation of a tenure form that was a defining characteristic of the 'traditional' landed estate system.

However, Newby emphasises that such official statistics on private landownership indicate how the land is held (that is, whether it is let or owner-occupied), but do not detail who actually owns it. Consequently, certain forms of survival are not made apparent. First, many landowning families have not totally disappeared, but have reduced their holdings, and now farm the land directly themselves; thus merging with the expanding group of owner-occupier farmers: the new 'yeomen'. Clemenson's sample records that of the surviving landed families that owned more than 3,000 acres in 1880, 13 per cent still held a portion of their land, even if it had fallen below the minimum

estate size of 1,000 acres. Second, many of the large landowners have increased their in-hand acreage at the expense of leased land, in response to disadvantageous tenure and fiscal legislation. For Newby, these two trends put together probably account for more of the expansion in owner-occupation than the break-up of landed estates amongst the former tenantry.

A view put across by Habakkuk (1994) is that most of the agricultural land in England is still incorporated into units of ownership that can be considered to be estates. Contemporary estates are simply smaller and more compact, and are managed in a different way: they are 'owner-cultivated' more directly, through a farm manager or bailiff; and far less indirectly, through tenant farmers. In this way, the definite distinction existing between the tenanted estates and the 'owner-cultivator' farms up to 1914, has broken down. Writing earlier, Denman (1957) goes further in acknowledging the shift in tenure pattern, and providing a redefinition. He brings almost all units of ownership together (excepting the smallholding) under the label of 'estate'; for all, at the most fundamental level, are expressions of the function of investment in land, carrying with this the key objective for owners, that of achieving economic viability. Thus, it can be observed here, that examining the form of tenure, like the measurement of estate size, is a useful way of assessing historical change. However, its usefulness in gauging decline and survival in the economic position of landed estates is problematic.

Changes in owner types

Clemenson stresses the continuity of private family ownership as a defining characteristic of the 'historic' landed estate. Of her 500 estates, half still contained some land and remained in the ownership of the same family as that of 1880; the larger estates,

and those associated with titled families, proving the more resilient. Sayer and Massingberd (1993) estimate that there are now some 1,800 'traditional' country estates that have been owned by the same family for two generations or more, though that number had fallen from around 2,300 over the short period from 1975. For Thompson (1990, 1991), this feature is not particularly effective as an indicator of change, if taken in isolation; for evidence suggests that the great rate of disappearance of established landed families (especially gentry) that was recorded and much-publicised from 1914 onwards, was not especially marked an increase upon the rate of turnover evident in the late nineteenth century.

Thompson suggests that what is more symptomatic of the decline and survival of private estates is not the extinction of landed lineages, but the degree to which they have been renewed or replaced. By 1914, land was no longer essential in furthering political and social status, nor was it as attractive as an economic asset. Consequently, the purchase of estates by junior branches of the established landed families fell away, and entry by 'new wealth' slowed. Yet, as Thompson notes, regeneration has not ceased entirely. Moreover, the 'new wealth' of the twentieth century have tended to purchase estates sufficient in size to be financially viable as production and consumption units, and maintain them as part of a broader asset portfolio, mindful that it is these factors that have underpinned the more resilient of the established estates. In the first half of the twentieth century, this renewal with new wealth was taken to be a mark of the waning position of the established landowning elite. More recently, the trend has been viewed more positively. Indeed, Denman (1957) offers the process of renewal as a justification for the survival of the landed estate system, with its accompanying attractions for owners, for it draws into the agricultural industry what are considerable and essential

sums of private external capital. However, as Sayer and Massingberd point out, relatively high rates of turnover indicate that the 'neo-squires' are buying estates as economic investments and because they convey social status, but not for the long term objective of achieving continuity in family ownership.

The experiences of private, individual estate owners can be usefully compared with those of other owner types. Taken collectively, the presence of the various 'traditional' estate owners (including the Crown, the Church, the universities, as well as the landed aristocracy) has declined through the disposal of extensive landed property (Massey and Catalano 1977). Yet, for those estates remaining, it is the more valuable land has been retained, and alternative investments have been built up; leaving them relatively better protected against economic vicissitudes than they were at the beginning of the century (Hamnett 1987, Sutherland 1988). A number of assessments were made of the challenge posed by those financial institutions which rapidly acquired estates in the 1970s (Northfield 1979; Munton 1977, 1984, 1985; and Newby 1985). They exposed the relative economic weakness of the private individually-owned landed estate, for these institutions wielded considerable financial resources, were able to earmark high grade agricultural land, and bring greater sums for investment and improvement. However, their rapid expansion ceased in the early 1980s, and, collectively, their acreage continues to account for a relatively minor proportion, around 2 per cent (Munton 1984) of agricultural land in Britain. In addition, the activity of the financial institutions offered some indirect support for the survival of the 'traditional' landed estate, for they highlighted the case for some perpetuation of the landlord-tenant tenure at a time of high land prices and narrowing entry onto the farming ladder (Northfield 1979).

ii) The loss and the retention of prestige and power

The fate of the owners of landed estates, and the aristocratic classes with which they were virtually synonymous in the nineteenth century, has attracted considerable comment. In Cannadine's (1990) appraisal, by 1939, and to a great extent by 1914, the landed aristocracy had ceased to represent the dominant national elite. Only fragmentary and transitory vestiges remain of the former prestige and power which once constituted the landowners' collective identity as the ruling class. For example, many owners still possess considerable land and wealth; yet, their relative economic status has dwindled, and a new propertied elite has ascended, dominated by the business and professional classes (Scott 1982). In the political establishment, a notable anomaly exists in the survival of the hereditary peerage, together with a House of Lords whose influence, as Adonis (1993) claims, is often underestimated. However, the peerage is now far less landed, and the landed interest as a whole has been increasingly marginalised from political activity. The continued presence of the Royal Family and a 'season' offers some basis of prestige for the traditional aristocracy, but a distinct and ritualistic landed 'society' has largely vanished.

For Thompson (1993), old forms of prestige and power have indeed dwindled away. Yet, to some extent they have been redefined. The elements of status and influence that remain relate to what constitutes the bottom line for the owners of landed estates:

The preservation of their wealth is the key not only to the survival of the landowners but also to the type and quality of their prestige at the end of the twentieth century, when they have convinced much of the public that their wealth is part of the national heritage (p. 4)

The sections that follow examine areas where this is powerfully expressed: the fortunes of country houses, the work of the CLA, and, crucial to both, the ideology of stewardship.

The country house

The fate of the country house in the twentieth century has been employed by commentators as a poignant symbol of the decline of private landed estates and their aristocratic proprietors, so much so that the historical significance of the country house has become overplayed, even mythologised (Cannadine 1994). The symbolism of the demise of the country house and the accompanying decay of landed society is certainly forceful in literature (Williams 1973); and the petering out of a great architectural tradition of country-house building is representative of the loss of confidence, wealth and coherence of a socially integrated and politically powerful class (Girouard 1978). Furthermore, decline is underlined in survey evidence. Returning to Clemenson's sample of 500 country houses and their surrounding estates of 1880, 17 per cent of these houses had been demolished or left ruinous (and remained unreplaced) by 1980, and a further 35 per cent had been transferred to a public body or to the National Trust. Only 27 per cent of houses remained in private ownership, were held by the same family, and were retained within a landed estate of more than 1,000 acres. This image is qualified to some extent by Clemenson. There has always been a degree of demolition (deliberate or accidental), and the replacement or the building anew of country houses has not slowed since the end of the nineteenth century (also, Robinson 1984). However, in Clemenson's record, this falls far short of the rate of demolition outright that abounded in the 1930s, and even more so in the 1950s and 1960s.

Equally, however, the country house has been a focus for two effective and overlapping modes of defence presented by the estate owners, which have served as a shield to safeguard their landed property as a whole: the preservation of country houses by their owners represents and justifies their ongoing role as stewards of the nation's heritage, and the opening of the country house also publicises the function of a heritage estate as a business enterprise rather than as a possession for private, individual consumption (Thompson 1991, 1993). Thus, the campaigning literature (notably, Cormack 1978, Cornforth 1974, Sayer and Massingberd 1993, and Strong *et al.* 1974) that has sought to popularise the failing fortunes of the country house has stressed: the most appropriate long term use of the country house is for to remain within private family ownership; the country house is more economically viable if integrated within a landed estate of a sufficient acreage (also, Butler 1981); and financial supports and concessions are essential in the effective preservation and the public recognition of the heritage function of the country house. The country-house lobby has been highly successful in mitigating fiscal proposals that have threatened historic buildings and landed property in general, a fact that stands out as reflection of the status and influence still enjoyed by landed estate owners (for example, Hewison 1987, and Paxman 1990).

Mandler (1997) describes the great turnaround in the twentieth-century fortunes of the country house as the 'Fall and rise of the stately home'. Of great importance, as Mandler acknowledges, is the role of the National Trust. Its course of development, which has not escaped criticism, led the way in cultivating perceptions of country houses as businesses and as popular heritage. In addition, by offering many former owning-families life tenancies, the Trust served to reinforce the place of the landed aristocracy as established stewards of the national heritage. Indeed, Sayer and

Massingberd put the case that the presence of the established family is an essential component of the heritage value of historic country houses. This position has been endorsed with the recent amendment made to rules governing the National Lottery. Applications for funding, which have, hitherto, excluded private individuals, are now available for country house owners.

The Country Landowners Association

This section examines how landowners in general have retained a level of status and influence, referring in particular to the role of their representative body: the Country Landowners Association. In Cannadine's (1990) history, the place of the CLA is not of great importance, and is rather a further symptom of the decline in the hegemonic power once enjoyed by the landowners. The Association emerged as a minority group in 1907, and was perceived at that time as representing a faction of the Tory party endeavouring to hold on to some vestiges of political influence on behalf of the landed interest. Moreover, even as the well-organised lobby group that the Association would become, its position in the corporatist establishment was far less influential than that achieved by the National Farmers Union, and its status was in no measure a substitute for that held by the landed establishment at the end of the nineteenth century.

In other accounts (Newby 1985, 1987; Self and Storing 1962; and Thompson 1993), however, a number of reasons are given why the development of the CLA should be interpreted as another reflection of survival through adaptation, rather than simply decline. First, the landowners abandoned their traditional but narrowing access to the political establishment through parliamentary representation, and redirected it via a well-organised body, not unlike that of the NFU. Through a central headquarters and a

network of regional branches, the CLA seeks to lobby government, to advise and to guide its membership, and to publicise its views. Second, the CLA has attempted to enhance its credentials by claiming to maintain a position independent of party, and by opening its membership to all 'classes' of owner to include the growing ranks of owner-occupiers. This means that the CLA better reflects the contemporary landownership structure, and counters the radical challenge that would be posed if it represented solely the large estate owners. The reservation here, is that the traditional estate owners do not now monopolise the membership, and their interests have not always been upheld as mainstream by the organisation. As a result, some of their specialist interests have required the formation of additional lobby groups: the Historic Houses Association and the Moorland Association (also, Wilson 1992).

Third, the CLA has chosen not to challenge but to shadow and, whenever necessary, to co-operate with the NFU as the principal representative of the agricultural interest. This stance has assisted landowners in representing themselves as being business-orientated (indeed, for some, representing themselves as farmers as well); keeping the question of their extensive ownership of land out of the limelight; and claiming a considerable share of those economic and financial benefits of the government supports secured chiefly by the NFU, but crucial to the post-war survival of the landed estate. Fourth, whilst farming remains largely within the remit of the NFU, the CLA has been able to concentrate upon ownership issues. Adopting a non-confrontational and defensive approach, the Association has been quite successful in exercising a restraining if not a pro-active political influence at those times when legislation has threatened to undermine landed wealth or property rights. The CLA has been able to claim that landed estates, as businesses, do not deserve unfair fiscal penalties and regimes. In addition, the

Association has been able to play the heritage card for landowners as a whole, by espousing the notion of stewardship as a core tenet in the ownership and management of estates.

The ideology of stewardship is crucial as a basis of collective identity and as a mode of defence for the CLA and landowners. This is illustrated well in two particular episodes. When Massey and Catalano formulated their classification of the landownership structure in 1977, the traditional landowners were seen as a distinctive fraction given the combination of defining economic and politico-ideological characteristics: the scale of the landholding, and the subsequent requirement for a rent relation; and the attachment to a specific tract of territory, with accompanying paternalistic duties. Massey and Catalano were writing at the time of the dramatic expansion of landownership by financial institutions. They, and others (Northfield 1979; Munton 1984, 1985; and Newby 1985, 1987), comment upon how this trend was perceived as a challenge to private, individually-owned landed estates - a new aristocracy to replace the old. Whilst the financial institutions attracted the stereotype of being solely economically motivated, short-termist and absentee, the traditional owners presented the notion of stewardship as a defence for their form of landownership. In reality, evidence at the time failed to demonstrate conclusively that the new institutions were much more economically and much less socially motivated than the traditional individual owners. However, it was a reflection of the power of the ideology of stewardship that the financial institutions, in their defence, acknowledged custodial responsibilities and practices. As they recognised, stewardship offered all large owners some grounds for the justification of what was often attacked as an anachronistic feature: large scale landownership and the accompanying rent relation of the

landlord-tenant system. The fact was also acknowledged that stewardship was not solely the basis for a defensive ideology, for the very nature of agricultural land as a long term investment requires an attendant custodial approach.

By the 1980s, different circumstances brought about a more emphatic promotion of the stewardship ethic by both landowners and farmers alike. In the light of agricultural overproduction and environmental damage, the custodial ideology was a rallying point for all types of owner in countering public concern relating to the changing character of the landscape. Shoard (1980, 1987) could launch a broad-ranging challenge to the role of the landowners as guardians of the countryside. In the ensuing debate, the landed interest presented an effective defence by restating and promoting their duties as the historic stewards of the nation's rural land resources, by offering some accommodation over environmental protection, and by falling back upon their access to the political establishment, notably, through the role of the CLA and NFU (Cox *et al.* 1985, 1988; and Lowe *et al.* 1986).

In Cannadine's (1990) account, the relinquishment of the prestige and power held by the landed national elite was a revolution that was remarkable for the absence of significant protest and opposition from the landowners as a group. Thompson (1993) suggests that this was perhaps a collective and conscious recognition that a retreat from the national stage would help to conceal and therefore protect their remaining landed wealth, and that the number of land sales and house demolitions that did occur acted as a helpful smokescreen; being bound together and represented as a dominant political, social and economic elite founded upon landed wealth was no longer acceptable. Furthermore, the withdrawal from the national scene also reflected the greater effort required at the level of the estate in order to secure survival. Meanwhile, the existence

of a representative organisation in the form of the CLA, and an ideology in stewardship, offer landowners some coherence as a group, and a basis for collective defence.

iii) Contrasting impressions from ‘community’ and ‘locality’ perspectives

The chapter so far has investigated how prominent features of decline and survival are expressed generally, that is, as they relate to the landownership structure as a whole, and to aspects of status and influence held at a ‘national’ level. Attention is turned here towards the rural micro-scale, and the many studies of country localities and communities that have been compiled over the last forty years. Trends in the evolution of such studies, and the contrast in their conceptualisations of ‘community’, ‘locality’ and the ‘rural’ make for interesting examination (for example, Bradley and Lowe 1984, Day and Murdoch 1993, Harper 1989, and Wright 1993). In this investigation, the community and locality studies discussed reflect further on changes in the landownership structure and in the prestige and power of landowners, as expressed at the local level; and how these relate in turn to other processes of countryside change in the post-war period. The studies were written at different dates, and were set in various locations and at different scales. Accordingly, they demonstrate how decline and survival, and change in general are spatially and temporally uneven.

Inexorable decline

A number of micro-scale studies underline further the impression of overwhelming decline, one characterised by the break-up of landed estates and the disappearance of the squirearchy. Indeed, decline is presented as an essential component of twentieth-century rural change. This is most strongly conveyed in a body of work carried out in the early post-war decades, and in upland and marginal farming areas. Williams' (1964) study of the fictionally-named Devon parish of 'Ashworthy' places great emphasis upon the relationship between the people and the land, and the ways in which this underlies community life. Thus, the break-up of an extensive landed estate and the demise of a leading landowning family was a key event in the transformation of the local social structure. For Williams, and for others (Nelson, in Staffordshire, 1968; later, in Yorkshire, Symes and Appleton 1986; as well as Williams' earlier work in Gosforth, 1956) the recent and major changes in landownership brought about with the break-up of estates are seen as a central feature of rural change. Transfers of ownership have been an essential element in generating the dynamism in local communities apparent in farming areas; alongside changes in relation to the family lifecycle, kinship and inheritance practices, and local mobility.

In a study of a larger area of Devon, incorporating the parish of 'Ashworthy', Martin (1965) focuses upon landownership and power. Historically, the landed estate owners could be identified as the leaders in a *gemeinschaft* (or 'community') form of local social structure, built upon kinship, attachment to place, and co-operative working relations. Here, power and status is founded upon landed wealth. By the early twentieth century, this regime was in certain decline as elements of *gemeinschaft* were being eroded (through improved communications, increased economic mobility, out-migration,

and the decline of local services), in conjunction with the erosion of the prestige of the landed elite (through economic difficulties, political legislation, and the weakening of deferential attitudes). In effect, rural communities were taking up the *gesellschaft* characteristics associated more with urban and industrial society (a shift also acknowledged in Littlejohn's study in the Scottish borders, 1963). Again, then, the emphasis is on the apparent magnitude of decline, and its place in the transformation of rural society.

In other studies, later in date, and located in the lowland south and east, the decline of estates and the landed elite is portrayed again as a firmly embedded constituent of rural change. In Ambrose's (1974) examination of a Sussex village, there has coincided the demise in the position of local gentry, the rise in the influence of local and central government, and, most recently, a large influx of a middle-class commuting population. This has brought about the loss in the local landowners' control over power, opportunities and provision. Control has shifted both down the social scale, and to centralised institutions above and beyond the locality. In an Essex village, Strathern (1981) also considers the decline of the squirearchy and new in-migration. In her investigation of community identity, Strathern found that as the landed estate system broke down, so followed the economic and social basis for what she calls 'real' or 'core' village membership. This system of relations relied on the direct and comprehensive control of employment and housing by the landowner, and the priority that it afforded to local kin groups. As this regime declined, and a rapid growth in the urban commuting population took place, a different notion, that of 'old' community identity, spread amongst a wider membership embracing all villagers of some long-standing (even if, originally, middle-class incomers themselves). In Bell's (1994) 'slightly feudal village' in

Hampshire, and in the contrasting Buckinghamshire villages examined by Murdoch and Marsden (1994), class division and the dialectic of deference now exists between the rural working class and the incoming middle class, whilst members of the former landed order that remain have become distant figures.

Although some of the studies cited emphasise the place of decline, a number recognise some unevenness in how far the process had advanced. Returning to Martin (1965), the rate of change related to the strength of the former squirearchic order (especially, the concentration of landownership, and the attitudes and roles of particular landed families), the character of the locality (for example, its remoteness, economic diversity, the social provision, and levels of deference), and the nature of landownership change (the extent, its chronology, and the new owner types). Thus, in some areas where landed estate owners did survive (even if their property and their prestige were much diminished), leadership was still expected of them; in others, retired officers or the large farmers provided natural successors; in certain parishes, however, there was a clear vacuum in the community power structure. In earlier work in Devon, Mitchell (1950, 1951) also recognises some contrast in the climate of general decline. The social and economic well-being of different villages would owe much to how far remaining landowners and other local vested interests upheld or abandoned the levels of development and provision fostered under the former squirearchic order.

Continuity and change

Another set of community or locality studies offer more two-sided accounts. They recognise the immense change occurring in the countryside, and the decline of landed estates and the squirearchy as a prominent component of this. Yet, there is also

much evidence to suggest survival in the position and power of landed estate owners. As Wilson (1992) observes: 'today, there appears to be considerable geographical variation in the nature and degree of influence wielded by landowners, making generalisation difficult' (p. 146).

The work of Havinden (1966) stands in marked contrast to the findings of the likes of Martin and Williams. Havinden's attention was attracted to the lowland arable zone, where farming had responded more rapidly and profitably to the large scale capitalist farming stimulated by the post-war food regime. He presents the Lockinge estate in Berkshire as an exemplar of survival through adaptation. Like many estates, its economic organisation had much altered, with considerable reductions in acreage, the extensive taking in-hand of farmland, the amalgamation of what were former tenant farms, and a centralised programme of mechanisation. This did not mean, though, that the estate that remained had abandoned other long-established ownership interests in favour of new forms of production, for paternalistic practices still persisted. Havinden shows how the estate's policies went some way towards checking what was seen to be one of the great threats to the viability of rural communities: population fluidity and out-migration. Alongside the rationalisation, the estate also endeavoured to retain a large and diverse labour force by maintaining and expanding a broad range of enterprises. At the same time, the estate was very active in increasing and modernising the village housing stock, and providing and encouraging a range of social amenities and activities.

Set in East Anglia, and one decade later, Newby and his colleagues (1978) were well placed to investigate the significance of landownership in the context of the 'productivist' agricultural regime, and a rural context that had also evolved further. A

process of in-migration had checked net depopulation, but had brought along with it an ex-urban middle class which has posed a challenge to the favoured place of the landowning and farming interest (a process described at an earlier stage by Blythe, 1969). In Newby's study, which was primarily about the basis of power in the rural community, the figure of the traditional squire has been largely swept away along with the accompanying tripartite system of landlord, tenant and worker. Newby *et al.* absorb remaining landed estate owners within an expanded and little differentiated group, capitalist in orientation, dominated by the owner-occupier farmers (a structure also demonstrated in the findings of a lowland Humberside study by Marsden, 1984). Some of the 'collectivistic' and 'altruistic' expressions of landownership associated most with the landed estate still persisted, but they are now employed by the owner-farmer group as a whole, and are used quite effectively in defences of their property rights and in the promotion of their political influence. Indeed, landowners and farmers have been able to retain considerable power in the class structure and in the local political establishment. The middle class, also property owners, lend support to the owner-farmer group on account of their property protection strategies, which promote low rates and anti-development (that is, large scale urban or industrial) policies. Simultaneously, the rural working class is kept in a position of dependency upon landowners and farmers, whilst those same policies curb the provision of extensive and low cost public sector housing, and transport services, thus upholding the relative importance of a localised, low wage and tied accommodation employment regime.

A similar picture of an entrenched landowning and farming interest is yielded in some studies in upland marginal farming areas. Wilson's (1992) work in the north Pennines shows how the landownership structure has remained remarkably stable over

the last one hundred years. This factor, together with the local importance of agricultural employment, and a weak presence of middle-class incomer groups has meant that the policies of landed estates have been a key factor in local economic and social development. Furthermore, the attitudes of local owners have been consistent and influential, as characterised by their objections to all moves which are perceived to be a threat upon their rights, represented, chiefly, by the challenge to landed and sporting rights posed by access and conservation interests. In recent years, owners have been less and less successful at countering the threat mounted by these interests, and in blocking moves towards planning designations that circumscribe their former freedoms. In an earlier study in Northumbria, Quayle (1984) observes that the differences in policies between estates is crucial. In one estate examined, neglect on the part of an estate owner corresponded with a local sense of decline and insecurity; whilst the high levels of social commitment and interest in local economic development on the part of a neighbouring owner, was mirrored in a sense of place characterised by feelings and expressions of community well-being. A range of other studies (Harper, in Staffordshire and Hampshire, 1987; Murdoch and Marsden, in Buckinghamshire, 1994; and Spencer, in Oxfordshire, 1993, 1995a, 1995b) comparing different villages also show how the presence of a landed estate (or the legacy from one broken up in the recent past) continues to exert an influence on local development, with repercussions for the welfare of the local communities. For planning authorities tend to reinforce established development trajectories. Growth is restricted in those settlements associated with a landed estate (currently or historically), where the landowner had maintained a tight control over the character of village and landscape development; whilst growth is

encouraged around those settlements with a more dynamic development history (also, in Sussex, Short 1993).

The ambivalent nature of change for landed estates and their owners is conveyed with particular poignancy in a study of a small number of gentry families in a part of Northern Ireland. Here, Shanks (1988) notes how the experiences of the estate owners were especially extreme. The dispossession of most of their land meant that they no longer constituted an economic class, and acute political marginalisation removed the basis for their function as an elite group. Yet, much remained to underpin a surprising resilience. Still in place were established friendship and kinship networks, inheritance practices and other family norms, and a powerful attachment to place. These continue to combine together in order to lend a cultural coherence to gentry members, and a determination to maintain their landed property which has survived.

b) *Property rights*

In his historical study, Offer (1981) emphasises the importance of property rights:

The arrangements which govern the allocation of land to particular people (and people to particular parcels of land) are still among the most potent determinants of the character of social relations, economic activity and political power. What remains true before the

emergence of capitalist property in land remains true in socialist societies, where it has been abolished. Land remains a principal source of authority and inequality (p. 1).

Indeed, Offer's work conveys the established political, economic and social importance of property rights in the British context. Writing more recently, Marsden *et al.* (1993b) call for property relations to be reintegrated into conceptualisations of contemporary rural change. They note how the status of landowners and farmers has been perpetuated in the countryside despite the decline in the relative importance of agriculture. The control of owners over landed property rights retains an influential position in determining the timing and manner of development, and serves to reinforce inequalities of opportunity and their influence as a local elite. At the same time, though, property rights are not fixed, but exist within a system of changing social relations which constantly creates, defines, allocates and legitimates them. Those with landed property rights are often called upon to defend them, which they frequently do with vigour, whilst others who claim an interest in land seek the social, legal or political sanction which transforms their claims into rights.

When Denman wrote 'Estate capital' in 1957, landowners still spoke of the various traditional inducements embodied in the ownership of a landed estate. Of primary importance were private consumption uses, the creation of an inheritance asset, socially responsible land management, and economic interests. Writing later, in 1978, Denman expresses concern for how the 'bundle' of rights held by private landowners (principally: to use, transfer, exploit, pass by succession, and claim ownership title) had become subject to greater popular challenge. He observes that there remained firmly in place a historically-rooted but ongoing philosophical debate about the virtues of private landownership as set against the broader extension of public ownership (also, Becker

1977, Bromley 1991, and Harrison 1987). In their texts on estate management, Walmsley (1969) and Nix *et al.*(1989) remark how this debate is ever present, although, in reality, a general nationalisation has remained rather remote. Nix and his colleagues, writing later than Walmsley, demonstrate how the range of impingements upon the private landowner have continued to widen. Whilst the state has not greatly increased its freehold control over property rights, its influence has been extended through other means.

Nix *et al.* identify three directions from which property rights are challenged. First, the landlord's freedom of action has been subject to heightening levels of legal restriction, especially with regard to tenure, planning and development, public access, pollution, conservation and employment. Second, considerable fluctuations in the levels of income and capital taxes, and the particular ways in which they have been imposed, have served to determine the ownership strategies of family estates. Third, the decisions and actions taken by landowners are subject to a far higher degree of open and critical scrutiny, by representatives of the state and by the public at large. As a consequence, the strategies of landowners have to be far more conscious of future political changes, and the legal and fiscal measures that might ensue; estate management must be more financially-minded with regard to maintaining income levels, and to establishing tax plans aimed at ensuring continued family ownership; and landowners must be more aware of public opinion (notably, in relation to the environment), and of the need to allow for provisions to meet public consumption requirements.

The sections that follow offer three perspectives. These represent a number of challenges, arranged in a broadly chronologically manner: the threats from taxation and tenure legislation dating from the end of the nineteenth century; the controls over

development that emerged after 1945; and the more recent demands pressed for by the access and conservation lobbies.

i) Taxation and tenure

In the last quarter of the nineteenth century there appeared the first of a series of measures on taxation and tenure - the legislative expression of a political resolution to the 'land question' (Thompson 1963). The measures were drawn up conscious of the implications for the continued existence of a landed estate system, and the wider distribution of property wealth and the power that stemmed from that wealth. The issue of increased security of tenure for the occupier questioned and challenged the perpetuation of the power relations embodied in the landlord-tenant system, a defining characteristic of the traditional landed estate. The system was based upon the principles that the aspirations, skills and capital needs associated with landowning are complementary, but different from that of the tenant; and that the security of the tenant should depend ultimately upon that farmer's economic performance (Nix *et al.* 1989). The effect of tenure legislation in the twentieth century has been to alter the balance of rights, for the statutory basis of tenancy arrangements has, until quite recently, increasingly favoured tenant security and decreased the freedom of the landlord. A succession of six Acts between 1875 and 1976 introduced compensation for improvements made by the tenant, protection against unfair eviction, recourse to arbitration over rent levels and contractual arrangements, and extensions to the duration of tenancy agreements. This legislative process is an expression of the weakening of the

historical position of the landowners, economically and politically (Thompson 1963). When the 'Great Depression' brought to an end the period of 'high farming' in the 1870s, landlords were perceived as being increasingly unable to fulfil their investment obligations as owners. In the fluctuating economic conditions since, concessions favouring tenant rights at the expense of owners have aimed to strengthen the incentive for tenants to invest and improve. They also reflect the weakening position of the traditional landlords in the political establishment, and the growing assertiveness and status secured by the farmers as the producers, through the NFU. These changes should also be seen as part of a more general process towards greater equality in society.

The legislative assault on the landlord-tenant system and the privileges and power of the landowning elite is more explicitly acknowledged with regard to specifically targeted fiscal measures. The introduction of Estate Duty in 1894, and, from the end of the First World War, marked increases in the rates of taxes upon landed income and capital encouraged many owners to sell their estates in their entirety. As Thompson (1963) notes here, the fiscal threat was of great importance, but it should not be singled out from the range of other economic, political and social inducements that brought about the disintegration of landed estates. The same set of fiscal measures have also served to circumscribe the rights of those owners endeavouring to retain some landed estate. For traditional landowners, these measures have disadvantaged the let sector, and challenged the objective of maintaining and transferring an intact estate as an inheritance. Nix *et al.*(1989) highlight the surcharge payable on unearned, and, therefore, rental income, and the fact that the sale of let land failed to qualify for 'roll-over' relief on Capital Gains Tax. In addition, they refer to the great alarm caused at the introduction Capital Transfer Tax (see also Cornforth 1974, Newby 1985, and

Strong *et al.* 1974), which closed the loophole that had allowed the avoidance of tax through gifting, and offered what limited reliefs that were available upon inheritance to ‘working farmers’ only. In effect, the disadvantages of tenanted land established through both tenure and fiscal legislation is reflected in a let acreage value which is priced significantly below that with vacant possession. This has, in turn, reduced the value of let land as collateral. In 1957, Denman wrote how the trend towards higher levels of taxation coupled with further tenurial restrictions had denuded the levels of investment and financial return which are, respectively, a duty and right of estate ownership. Sayer and Massingberd (1993), whose focus is on the country house, detail how the changing fiscal regime has been a powerful determinant of the range of options available for owners, that is, in relation to the occupation of their homes, the provisions made for their heirs, the control that they can exert over the management of their estate, and the degree to which the public are allowed access.

However, the response of landowners to successive fiscal and tenure measures, and the constraints upon their rights associated with them has been far from passive. As Marsden *et al.* (1993b) note:

One of the key characteristics of landowners throughout British history has been their ability to defend and then to adapt their interests in response to changing economic and social circumstances. This means that at the local level at least they have often been able to maintain a not inconsiderable presence, even if changes in the manner in which property rights are held and their extent have been profound (p. 70).

Those owners aiming to retain their estates have sought to recapture their rights in two ways. First, extra tax liability and the preferred tenancy agreements imposed upon the

traditional landlord-tenant system have been avoided by many landlords by taking let land in-hand, declaring themselves as 'landowning farmers' (Newby 1987). Thus, they have retained their estates, if by eroding the distinction between the traditional let estate and the holding of the owner-occupier. These legislative factors have been crucial in removing the incentives to let, irrespective of the additional advantages of taking land in-hand, such as economies of scale, rationalisation of the farm structure, and securing a greater portion of farm incomes (Newby 1985). Also, various forms of short-term, insecure share or partnership agreements have been entered into (as allowed under the terms of the Agricultural Holdings Acts), and arrangements made to divide ownership rights amongst family members. Both trends reflect strategies aimed at reducing tax liability and its threat to the continuity of ownership, and maintaining for landowners a greater control over the current activities and future management of land than under the landlord-tenant system (Marsden 1984, Munton and Marsden 1991, and Whatmore *et al.* 1990). It is worth noting that this trend in the manipulation of rights to secure economic and financial survival can be traced back to the 1882 Settled Lands Act. This crucial piece of legislation freed landowners from traditional restrictions upon estate management imposed upon by entailment. The Act was passed as a response to the apparent economic vulnerability of landed estates at a time of recession, and in the knowledge that it would accelerate their break-up. However, many of the more resilient and entrepreneurial of estate owners used it as a key opportunity to consolidate their holdings, leaving them better able to face the vicissitudes of the twentieth century (Thompson 1963).

Second, as Nix *et al.* (1989) relate, objections by landowners to tenure and fiscal legislation, coupled with changed political and economic circumstances, have brought a

series of policy reversals. In the early twentieth century, relations between the CLA and the NFU were antagonistic, the two organisations representing the opposing camps in the debate over tenure reform. In more recent decades, they have worked together to secure measures to their mutual benefit. Both parties expressed reservations about the 1976 Agriculture Act, which raised the security of tenure for tenants by up to three generations at a time when the growth in owner-occupation and soaring land prices had increasingly limited access on to the farming ladder (also, Northfield 1979). The 1984 Agricultural Holdings Act was a compromise which, for landowners, restored tenancy agreements to the term of one lifetime, and, for tenants, improved guidelines for rent arbitration. However, this reform of tenancy arrangements did not succeed in its aim of arresting the continuing shrinkage in the traditional let sector, or in diminishing the preference of owners for short-term and insecure agreements. Responding to these trends, the 1995 Agricultural Tenancies Act introduced the far more flexible Farm Business Tenancy, which allows for no security of tenure, minimum term, or statutory rent review (Stockdale *et al.* 1996).

Up to, and since, the climax of the fiscal threat in the mid-1970s, the CLA has also campaigned effectively to reduce the tax disadvantages incurred by the traditional let sector, and, with the NFU, to reduce general tax liabilities for all owners. This has been achieved by claiming that capital taxes aimed at wealth redistribution are unfair in penalising landed assets, given the fact that these assets represent rural businesses. In addition, the CLA have, with the representatives of the country house lobby, the HHA, promoted the argument that many landed assets also possess heritage value. Such claims have been more acceptable to the succession of Tory governments from 1979, which have espoused low taxation and inter-generational wealth creation, and helped foster the

rise of a heritage 'industry'; if not, directly, offering support for the preservation of the surviving landed aristocracy (Thompson 1993). In the same year as the Agricultural Tenancies Act came one notable reversal in established fiscal policy for estate owners, with full Inheritance Tax relief being secured for newly let agricultural property. Furthermore, the new Labour administration has not reversed the gradual lightening of the fiscal burden on the owners of country houses and landed estates of the last twenty years. An early and quite highly-profiled exception is the tighter enforcement of rules allowing access to view art objects that enjoy tax exempt status. A measure which is arguably a politically motivated measure rather than one which will have far-reaching implications.

ii) Landowners and local development

Since the end of the nineteenth century, the official positions assumed by the landowners in the rural development process, and the scope of their rights within it have been increasingly undermined. The landed establishment was gradually swept from its formal spheres of influence in rural administration, as an amateur parochial system was replaced by professional local government. This process was protracted, especially as landowners frequently remained in honorary positions. Overall, though, the trend was one of their marginalisation (Cannadine 1990). This has been especially evident since the end of the Second World War, when the influence exerted by the new rural administration, backed up by powerful legislation, has become more obvious. The 1947 Town and Country Planning Act not only heralded the introduction of a vast array of

statutory controls curbing the development freedoms once enjoyed by owners, but also consolidated the shift in power towards the administrative state. In particular, the legislation addressed the betterment issue, so that the financial considerations that inhibited state actions were substantially reduced. Instruments such as statutory land designations, local authority plans, compulsory purchase orders, and planning consent now define the scope of the development rights held by the private landowner (Nix *et al.* 1989). As Munton (1995, p. 272) notes: 'private property rights and the ways in which they are maintained and modified by the state are thus instruments of real regulation'. However, as Marsden (*et al.* 1993b) and Munton (1995) recognise, landowners still retain a level of status and influence in the rural development process; for land remains largely in the hands of private individuals, who continue to exercise a considerable hold over property rights.

Representation in the planning system

For Denman (1978), it is essential for landowners to retain a foothold in local administration. At one level, the establishment of a dialogue and working relations with the planning system allows landowners to be more conscious of, and attuned to wider development needs, whilst planners are made more aware of the economic interests of landowners. At a more fundamental level, the same representation is part of a defence against the ongoing threat that state controls over development, or, even, the nationalisation of freehold rights, might be extended. A successful rapport with the local authorities will assist in countering the challenge to owner rights posed by popular misrepresentations of the place of landowners in local development. For Denman, landowners can claim that they are not interested merely in reaping unearned windfall

gains, but are, instead, generally satisficers, are in pursuit of a wide range of land-use interests, and are aware that the care of the countryside is their responsibility. In a number of more rural areas (for example, East Anglia, Newby *et al.* 1978; and Devon, Stanyer 1975) landowners and farmers were been able to retain a fairly powerful position in local councils and the planning process through an established working relationship, at least until the mid-1970s. This position has weakened in recent decades, following local government reorganisation, rural re-population, and competition from other interest groups. Newby *et al.* (1978) explain how landowners used their position as a platform for a series of well-rooted, ideological justifications in defence of their ownership rights and in the promotion of their development interests (also, Rose *et al.* 1976): the 'altruistic' (that is, the self-sacrificial custodial responsibilities associated with the notion of 'stewardship'); the 'collectivistic' (the *noblesse oblige* shown by owners towards the wider economic and social good); the 'individualistic' (the use rights due to any owner of property); and the 'capitalistic' (the right to productively exploit).

Writing more recently, Lowe *et al.* (1993) and Marsden *et al.* (1993b) relate how the place of the landowner in rural development has been subjected to a renewed uncertainty. Over the post-war period there have undoubtedly been some major alterations in the level of authority exercised by the planning system over owner rights, as Goodchild and Munton (1985) outline. For example, in the 1950s the Conservatives reduced some of the impositions of the 1947 Act by removing the charge on betterment which discouraged owners from initiating development, and replaced existing use values by market values in assessing compensation for compulsory purchases. In 1975, by way of contrast, a Labour administration introduced the highly controversial Community Land Act, which extended to the local authorities the right to purchase compulsorily all

development land if in the public interest. However, 1979 marked something of a watershed. The history of the planning system since that year has reflected a deep-rooted and unresolved ideological uncertainty expressed by successive Conservative governments. A conflict emerged between the calls from the New Right for greater deregulation to encourage economic diversification, and the demands from a more traditional constituency within the party for greater regulation of development in favour of environmental protection. During the 1980s, proposals for planning reforms tended to demonstrate a preference for deregulation, but the passing of the 1991 Planning and Compensation Act marked an important change, with support shifting from the presumption in favour of private rights and development, to the raising of the status of local plans - documents that have increasingly promoted local collective environmental interests (also, Munton 1995).

As Marsden *et al.* (1993b) and Murdoch and Marsden (1994) observe, the net result of the ideological uncertainties and contradictory policy-making is that rural development has become more regulated, if in a more private sector-led, localised and contested manner, and the development trajectories adopted by rural areas have become more differentiated. A feature of this is that the noticeable unevenness in the historical decline in the influence of landowners in local development has been reinforced (also, Wilson 1992). Marsden *et al.* (1993b) present four 'ideal' countryside types, between which there are discernible differences in how far landowners are able to assert their rights. Put simply, in the 'preserved' countryside, the activities of the landowner are heavily restricted by the dominance of middle-class, anti-development and preservationist attitudes; in the 'contested' countryside, incomers are starting to challenge the political entrenchment and economic freedoms held by the landowning and

farming interests; in the 'paternalistic' countryside, large estate owners and farmers dominate the development interest through their fostering of a local dependency culture and a political system based upon localised and landed status; and in the 'clientalist' countryside, landowners retain a prominent place in a corporatist regime orientated towards the support of social welfarist forms of development.

The actions of landowners in the development process

When the course of the development process itself is examined, it becomes apparent that landowners maintain a crucial position within the planning system. Essentially, whilst the planning system regulates, its role in bringing forward land for development has remained limited; this right has remained largely in the hands of the landowner. As Goodchild and Munton (1985) relate, with particular reference to the urban fringe, a case had emerged by the mid-1980s for a greater recognition of the place of the landowner in the development process. Changing political attitudes had brought greater scrutiny of the established planning system, had sought to encourage private sector involvement, and enhance free-market conditions. As a result, the planning authorities still retain their commanding place in regulating how property rights are realised, but a greater prominence and scope can be recognised for the land-release activities of owners. In this environment, Goodchild and Munton found that the behaviour of landowners is subject to an extensive and changeable array of influences. Thus various landownership factors (for example, legal and occupancy status, personal circumstances, sources of wealth, and attitudes to risk) combine with site characteristics (such as extent, land use, location, and planning designation), and also with contextual considerations (for example, land price and prevailing fiscal, agricultural and planning

policies). In turn, there are then a range of financial, management and participation options available to the landowner, from the moment of choosing to sell land to the adjudication of the planning application. Essentially, the decision-making process pursued by landowners as actors in initiating and carrying through development is generally complex, can be highly significant, and even unpredictable.

Byrne and Ravenscroft (1991) comment upon the importance of the role of the landowner in the response to more recent incentives and pressures to diversify. Owners and farmers could attempt to meet, in new economic activities, falls in net income and investment returns; uphold, through their adaptability, their *raison d'être* as producers; attune land uses in response to environmental challenges; and employ elements of the farm economy rendered redundant in the post-war rationalisation process, notably, surplus agricultural buildings and impractical parcels of land. Decisions on whether or how to diversify are closely related to choices made by individual landowners with regard to rights held. For example, the conversion and sale of excess buildings has proven a popular option, but rests to a great extent upon whether an owner will consider any alienation of property. Whilst an option such as taking up grants for planting woodland accepts some loss of private rights to collective interests. Decisions over diversification also relate to how flexible landowners are in exploiting the divisibility of their rights. Changes in the allocation of rights amongst different owners, occupiers and users of land is, in part, a response, to tenure and fiscal legislation; in addition, such changes reflect a willingness or need to enter into external relationships with representatives of non-agricultural capital (such as banking, industrial, or particular development interests), in order to share in new development opportunities (Whatmore *et al.* 1987a, 1990).

As Marsden *et al.* (1993b) note, the level of initiative that can be demonstrated by the landowner is spatially variable, subject to the particular combination of leading interest groups, and the regulatory constraint exercised by the local planning authorities. A number of studies illustrate this. For example, in Spencer's (1993) study in Oxfordshire, and that of Murdoch and Marsden in Buckinghamshire (1995), acceptance of the development proposals of a landowner depends upon local variations in the severity of planning constraint, and upon relations with middle-class incomer groups, for whom maintaining the positional value of their homes is a key interest. In the contrasting villages examined in these two studies, the authors point out that in the villages which were or still remain part of landed estates, landowners, local residents, and the planning authorities face the difficulty of balancing the objectives of maintaining historic character and preventing stagnation. Indeed, Spencer, and also Mills (1980) and Short (1993), recognise in this perpetuation of local development control a case for reconsidering and re-applying the historical concept of 'closed and 'open' villages. In Scotland, often presented as an extreme, the motivation of landed estate owners is seen as decisive in altering land uses and bringing about development (MacGregor 1988, and Wightman 1996). Here, the role of the state is relatively more limited and incoherent, with its intervention limited to grants and subsidies rather than challenging property rights. In effect, as MacGregor asserts, the landed estate owners are the rural decision-makers.

iii) Environment and access

The regulation of private property rights by the planning system has played a role in mediating the third major area of challenge faced by landowners, the related pressures exerted by access and environmental interests groups. As Lowe and his colleagues (1986) relate, the post-war rural consensus that supported existing agricultural and countryside protection policies had broken down. Conflict over countryside issues originally reflected tensions between urban and rural interests; by the 1980s, conflict was rife as well between the rural interest groups themselves. A debate that rose to prominence posed the question whether landowners and farmers were meeting the collective responsibilities that accompanied the socially-sanctioned rights held by them as owners (Cox *et al.* 1988).

In the account given by Lowe *et al.* (1986), the shift in the conflict over countryside issues is mirrored in policy-making. In the immediate post-war period, the 1949 National Parks and Access to the Countryside Act represented some acknowledgement of the profile achieved by preservation and access movements in the inter-war period. However, the earlier Agriculture, and Town and Country Planning Acts of 1947 had established two governing principles: that agricultural production was to be prioritised, and that a prosperous agriculture would provide the best means of securing rural conservation. Thus, the 'burden of proof' was placed on the urban developer. Meanwhile, considerable status was conferred on the landed interest, as measured in concessions over rights, that is: rights to use and to change the use of land and buildings for the purposes of agricultural or forestry were exempt from development controls. Furthermore, production rights received sanction through state incentives.

However, by the 1970s, the post-war consensus that upheld the imperative of achieving greater agricultural output, productivism, was being increasingly challenged, given levels of agricultural over-production, related environmental damage, and the neglect of the provision for emerging consumption demands. Considerable evidence had arisen to question whether landowners and farmers were fulfilling the collectivist responsibilities that their custodial ideology claimed, and, moreover, some were even keen to challenge the very entitlement to the private owner rights for which their custodial ideology is an established defence (notably, Shoard 1980, 1987). As Bromley (1991) comments:

It is important to recognise that the current assignment of entitlements in land - and, by extension, in the policy arena - are simply artefacts of previous scarcities and priorities, and of the location of influence in the political process. To assume that these entitlements are necessarily pertinent and socially advantageous to the future is unwarranted. Shifting values and changing perceptions of the role of agriculture will surely bring about at least marginal shifts in property rights and policy entitlements (p. 201).

In response to the mounting pressures from environmental and access interest groups, the 1968 Countryside Act was passed extending the remit of the management and access agreements enshrined in the 1949 Act. Subsequently, landed interests took steps, notably, through their support for the formation of the Farming and Wildlife Advisory Group in 1970, to promote more effectively their custodial ideology, and their belief that conservation could be satisfactorily accommodated within a profitable and self-regulated farming industry. However, debate reached a climax at the passage of the 1981 Wildlife and Countryside Act through the Houses of Parliament (Cox *et al.* 1985, Lowe *et al.* 1986, and Newby 1985). The terms eventually included in the Act appeared

to favour landed interests. A number of new environmental safeguards and elements of compulsion were certainly introduced, but, overall, intense lobbying by the CLA and NFU succeeded in weakening the potency of the legislation, and its effects upon ownership rights. The influence of the two organisations secured the restriction of the spatial scope of the new regulations; upheld the ethic of voluntarism in the negotiation of management agreements; established the right to compensation for loss of profit following a management agreement or the rejection of improvement grants; and ensured that regulation would continue to be administered through the established corporatist framework in which the NFU and CLA maintained a firm foothold. The important gain made by the environmentalist cause was one of principle. The 1981 Act embodied a shift in the burden of proof. The environmentalists had been convincing in demonstrating the harmful effects caused by modern agriculture; it was now up to the landowners and farmers to show that the safeguards negotiated would prove effective in addressing environmental damage (also Bromley 1991).

Since the 1981 Act, owners have continued to protect and promote the principles of voluntarism, corporatist regulation and compensation. All the while, though, other measures and agreements have furthered the interests of the environment and access over those of production, whilst the onus has been on landowners and farmers to demonstrate the collective responsibilities that accompany their private rights, if necessary, by accepting further controls. The net effect for owners has been the blurring of farming and conservation objectives. This shift has been considered in a number of commentaries. Cox *et al.* (1985) demonstrate how the rapid expansion of FWAG through the early 1980s reflected an appreciation on the part of landowners and farmers that the Group could be used as a way of disseminating and underpinning their ideology

of stewardship, at a time when the persuasiveness of the ethic was on the wane. They show how FWAG served as a mechanism for self-regulation that could fend off further legislation, and that the Group was integrated into the corporatist regulatory regime preferred by the NFU and CLA. Writing a couple of years later, Cox *et al.* (1988) note how the welcome given by the CLA and NFU to the Environmentally Sensitive Areas provisions of the 1986 Agriculture Act was a further reflection of their preference for additional controls and agreements to be administered through the permissive corporatist mechanism. It also underlined the growing awareness of these organisations that having secured rights to compensation, the difference between the benefits of production and consumption objectives were no longer as clear. Environmental measures also offered a legitimacy to owner rights and a *raison d'être* for the farming industry, and area designations and the adoption of management agreements could enhance income flows and capital values.

Over time, the notion of the commoditisation of the countryside, as reinforced by compensation for loss of production rights, has become more pervasive, with profound implications for the issue of access (Cox 1993). There has emerged some accommodation over the entrenched positions of managed access, on the part of the CLA and NFU, and the right to roam, on the part of the Ramblers Association. Notably, representatives from the CLA and NFU assisted in formulating the proposals of the Common Land Forum, with regard to opening up access over commons (Wilson 1992). More generally, though, compensation combined with the need to diversify is compelling landowners and farmers to place a value on environmental goods. The implication of this being is the further privatisation of rural space, and greater restriction on what were formerly customary or *de facto* access rights. Indeed, Country Stewardship Schemes,

coupled with the repercussions of the 1994 Criminal Justice and Public Order Act for rural protest, have served to underpin private property rights as much as to allow for further access (Parker 1996).

c) *Summary*

The first half of this chapter discussed the experiences of private landed estates and their owners since the end of the nineteenth century. These experiences provide a fascinating narrative:

By hook or by crook, sometimes by both at the same time, great landowners, and many of the not so great, have survived into the final decade of the twentieth century. Some survivors are, no doubt, clinging onto their fingernails....Many, however, are extremely wealthy (Thompson 1993, p. 1).

The expressions of decline and survival that run sided by side are equally compelling. Illustrating the former, are: the contraction of estate size, and the destruction of heritage features; the extinction of the estates of the gentry; the displacement of the landlord-tenant system; the entry of the institutional landowners; the demise of the landed political establishment; the eclipse of country house and metropolitan 'society'; and the dwindling away of the local squirearchic order.

Evidence for survival is represented by: the strengthening of estates through the selective rationalisation and diversification of assets; the resilience of the 'great' landowners; the merging with the new dominant group of owner-occupier farmers; the continued renewal by 'new wealth'; the manipulation of the country house heritage; the effectiveness of the CLA; and the spatial unevenness of change. The chapter that follows turns to the first of the specific areas of research interest, those private landed estates and their owners that have reached the end of the century. Analysis will seek to establish how such estates and owners have accommodated the processes of decline, and attuned themselves to the processes of survival.

The preceding discussion of the place of property rights related to the owners of surviving landed estates, and to landowners in general. Perspectives on the effects of taxation and tenure legislation, the evolution of the planning system and the rural development process, and the growing assertiveness of collective interest groups showed how the rights of landowners had become subject to greater scrutiny, restriction and regulation. However, certain ownership strategies have allowed some of the limitations placed upon their rights by taxation and tenure measures to be circumvented; in more recent decades, there has been some lifting of the longer established impositions; landowners still retain a considerable hold over property rights, and, through this, influence in local politics and the course of local development; and the challenge mounted by environmental and access interests has resulted in some underpinning of owner rights and a regulatory framework acceptable to owners, alongside the establishment of further controls. The discussions that follows pull the two areas of interest together more fully, by bringing an understanding of the place of property rights to bear upon an interpretation of landed estate survival.

III

Survival and the manipulation of property rights

This chapter develops seeks to conceptualise the two principal and inter-related interests that reside at the core of the thesis: the survival of private landed estates and their owners, and changes in the division and allocation of property rights. A number of arguments are central to the conceptualisation. First, the survival of private, individually or family-owned landed estates has required their owners to ‘compromise’ on the ‘traditional’ characteristics associated with such estates and their ownership. Second, the strategic manipulation of property rights by the estate owner is central to the processes of survival and ‘compromise’. Broadening these two arguments, the conceptualisation also points out that an understanding of these processes of survival and compromise, and the processes by which property rights are manipulated, makes an essential contribution to the comprehension of the place of landowners in the changing countryside.

a) *Defining survival*

The preceding chapter examined various expressions of survival: the place still occupied by landed estates in the landownership structure, if considerably reduced and

adapted; the status and influence still held by landed estate owners, if considerably diminished and redefined; and uneven and local expressions of these processes. The conceptual framework developed here brings elements of these perspectives together, and presents a particular interpretation of change for subsequent empirical investigation. This interpretation suggests that the survival of private, individually-owned landed estates can be understood as a compromise of 'traditional' character. This is a line of argument that can be detected in much of the relevant literature. Thompson (1991, 1993), for example, indicates that the disposal of property and the retreat from public life was an acceptable price to pay for lessening the political vulnerability of the landed wealth that remained. Both Thompson (1963) and Cannadine (1990) record the eagerness with which many owners strengthened their economic position by selling land and reinvesting in financial assets. The same authors also refer to the opening of country houses to the public, which made their possession more viable and justifiable than if they were to remain solely an item of conspicuous private consumption. Indeed, many owners accepted the inconvenience of 'sharing' their family home with the public, and welcomed the entrepreneurial challenge that the fiscal system demanded and the new social and economic context expected. Owners of country houses and landed estates were not wholly detached from general trends which gave greater status to 'work', weakening the credibility given to the possession of 'independent means', and indulgence in *noblesse oblige* activities. Newby (1985) also emphasises how much the gradual abandonment of the landlord-tenant system by many landowners reflects the range of inducements and imperatives to turn to owner-occupation. 'Compromise', then, has been as much a willing seizure of new opportunities, as a regretful or reluctant reconciliation with the changing context. The intention of this discussion is to develop

this notion of compromise in a comprehensive and systematic manner, in a way that embraces those principal indicators of change that are well-established in the literature.

An understanding of the compromise requires some definition of what constitutes the idea of a 'traditional' private, individually or family-owned landed estate. Samples from the literature yield contrasting sets of characteristics. For example, Clemenson's (1982) survey associates an 'historic' landed estate with continued ownership by the same family, an estate 'heartland', the possession of 'heritage' features, and a size of more than 1,000 acres. Massey and Catalano's (1977) analysis places landed estates within a residual landed fraction demarcated by its system of tenure and capital provision, and historic ownership associations. The work of Havinden (1968) and Mills (1972, 1980) stresses the expressions of strong, local social and political control, which were prominent components of the nineteenth-century landed estate system and have, to some extent, been perpetuated (also Newby *et al.* 1978). The conceptualisation incorporates the various key characteristics cited such literature into an *ideal* type (see Fig. 1). The list of characteristics includes those aspects which are strongly associated with the landed estate system. The aspects given represent three groups of empirical indicators: the 'physical' (estate size and 'heritage' components), the 'functional' (economic diversity and private consumption), and the 'relational' (ownership continuity, the landlord-tenant system and *noblesse oblige* activities). In effect, the landed estate can be conceptualised as a multi-dimensional entity: physical, functional and relational. The dimensions must not be seen as separate, but inter-relating. For example, paternalism would be exercised through the landlord-tenant system, and accumulated through continuity of family association; the original construction of the prominent heritage components of a country house and amenity land reflected private

consumption, and the local social and political status of the owner; and the level of economic diversity might owe much to the scale of a landed estate. Implicit and explicit in this set of indicators, are those various ‘traditional’ owner motivations of which such aspects are an expression, notably: the maintenance of an asset for inheritance, a range of landed economic interests, private consumption uses, a sense of stewardship, and an awareness of local social responsibility (Denman 1957).

Figure 1: The ‘traditional’ private, individually or family-owned landed estate

<i>The characteristics of an ‘ideal’ type</i>	<i>Forms of compromise</i>
Continuity of ownership within the same family	Change of ownership
More than 1,000 acres in size	Contraction in size
Landlord-tenant system	Owner-occupation
Important heritage components	Disposal or change of use
Economic diversity	Rationalisation of existing economic activities
Private consumption by the owners	Commoditisation for public/commercial uses
Leadership in local political and social life	Withdrawal of involvement and influence

The type detailed takes the label ‘traditional’ as a recognition of the fact that any idealised image of the landed estate and its owner refers to one rooted in the past, as it existed prior to the process of general decline and adaptation setting in at the end of the nineteenth century. An historical observation must be made here, though. This *ideal* type would be strict even by nineteenth century standards, given the diversity that prevailed (for example, as illustrated in the accounts of Becket 1986, and Habakkuk 1994). Thus, to all the characteristics listed must be attached some qualification. First,

whilst many estates were 'historic', firmly associated with the continuity of family ownership through ancient lineages, others periodically changed hands as established families died out or experienced misfortune; there is an acknowledged arbitrariness and crudeness in setting a size threshold at which the tenanted landed estates of the gentry began, and the holdings of the owner-occupying yeoman farmer ended (recognised in much historical literature as being set at 1,000 acres); the predominance of landlord-tenant arrangements within the estate system was partially offset by the presence of home farms, in whose management many owners took an active interest; some extensive landholdings did not contain a house or a landscape of great architectural significance; the range of, and balance between production and consumption functions would owe much to the objectives of the owner and the estate's geography; and the levels of local social and political influence exercised by the landowner would relate to the relative importance of the estate in the local economy, and the commitment of the owner. Given this diversity, many of the landed estates of the nineteenth century would not conform fully to this *idealised* view.

It is important to state here, that this discussion does not seek to establish an 'ideal' type as if it represents or represented reality, conceptually or empirically. For such an ideal will serve only to demonstrate the inherent diversity as much as reflect the features that regularly occur. The investigation of the typology acts simply as an essential step in a conceptual process aiming to identify key processes of change, and the problems surrounding their interpretation. As Whatmore and her colleagues (1987a) argue:

Typologies should not be regarded as ends in themselves nor simply as a preliminary step in the resorting of social data, but rather as a potentially useful methodological tool providing a vital link between theory and practice (p. 22).

This thesis argues that the private, individually or family-owned landed estates that remain so in name do so because they still reflect with sufficient strength many of the characteristics associated with a 'traditional' ideal. The argument continues, that the survival of those estates since the end of the nineteenth century has required that some compromises be made over one or a number of the traditional characteristics.

Forms of compromise can be attached to each of the characteristics of the ideal type. First, the continuity of family ownership is a primary objective. Nonetheless, some of the estates that have remained intact and in the hands of private individuals or families have achieved this by the established proprietors selling up, and with the new owners bringing an injection of much-needed capital. It must be noted, of course, that this process of revitalisation through turnover is not unique to the twentieth century. Also, as the subsequent section discusses more fully, less extreme forms of compromise over ownership and occupation might be struck. For instance, the ownership of an estate could be transferred to a charitable trust, whilst continuity of occupation is maintained for the established family. Second, and a feature that contrasts clearly with earlier trends, is the general contraction in landed estate sizes. This has been undertaken in response to pressing economic and financial factors; moreover, for many, diversification into non-landed assets has served to support the landed resources that remain. In addition, acreages have dwindled hand in hand with the erosion of the social and political privileges that accompanied the possession of extensive landed wealth. Third, legislative pressures in particular have brought about the abandonment of traditional

landlord-tenant arrangements in favour of more direct farming, or at least more flexible tenure agreements. The result of this, alongside estate contraction and expansion in the size of owner-occupied farm units, has been the erosion of the physical and relational distinction between the tenanted estate and the owner-occupied farm. Prominent 'heritage' components comprising the country house and amenity land have been disposed of, or put to alternative uses (such as, the opening of a house to the public on a major scale, the conversion of a house for institutional use, or the intensive farming of former parkland).

With regard to the fifth characteristic, a broad range of economic activities was a reflection of the scale and diversity of many estates, and the wide scope of their owners' interests. However, with the need for estate owners to maximise income and to raise capital, the trend towards estate contraction, and the general processes of modernisation and more recent diversification have combined to alter the range of production functions. In this, a rationalisation of long-established economic assets and activities is especially evident, for example, in the disposal or change of use of those property interests which yielded low returns (such as woodland and let cottages), and the amalgamation of former tenanted farms. Sixth, various factors (for example, financial need, the conditions of tax exemptions or grant aid, the demise of the way of life associated with landed 'society', and the recognition of new market opportunities) have brought about the commoditisation of private consumption uses. This is most apparent in the decisions by estate owners to open their houses to the public and to offer sporting rights on a major commercial scale. Finally, the levels of local political and social influence exercised by established estate owners has diminished. This has come about for a number of reasons, including: the greater involvement of landowners in the management of their estates; the

reduction of property interests through estate rationalisation and contraction; the decline in agricultural employment; their retreat from the political establishment and public life; and challenge to their established positions posed by the rise of local government, the welfare state, and a new middle-class elite.

The forms of compromise outlined represent prominent features in the experiences of landed estates and their owners over the course of the twentieth century. However, it must be noted that some surviving landed estates have, in response to changes in individual or broader-ranging contextual circumstances, adopted certain ownership strategies that are the reverse of these trends. For example, as Clemenson (1980, 1982) recognises, a few landed estates have been able to expand or at least recover some of their acreage lost earlier in the century. Second, the continued weakening of tenure legislation and fiscal penalties might encourage some estate owners in owner-occupation to move back towards a form of landlord-tenant relation. Third, against the process of rationalisation is that of diversification. As Clemenson (1982) points out, an argument can be proposed that estates surviving along traditional lines - embracing a broad range of landed assets - lend themselves particularly well to more recent pressures and incentives to diversify, thereby meeting the new and varied economic and cultural demands being placed upon the countryside. In addition, the pursuit of particular development interests could involve a reassertion of local political and social influence, even if only temporarily, on the part of the landowner. Although the conceptualisation takes the general thrust of survival to be a compromise of traditional characteristics, such points are recognised, and evidence for strategies countering the general direction of change will be examined in the empirical work.

Central to the compromise over the physical, functional and relational aspects of the estate is a compromise over the owner motivations of which these aspects are an embodiment. Chapter 2 discussed the presence of a double discourse. On the one hand, stewardship has been presented as a well-established *raison d'être* for landowners, and emphatically so as a defence against political attacks on remaining landed wealth. On the other hand, a greater imperative has been placed upon the capitalistic dimension of landownership, both as a means of securing economic survival, as well as a way of presenting the defence that landed estates deserve fair legislative treatment as business assets. This is not of course to argue that landowners were not already highly capitalist in orientation (as Becket 1986 and Spring 1963 illustrate well). What is suggested here is that a form of compromise has been struck whereby the balance between the custodial and the capitalist has tipped in favour of the latter, given changes in the prevailing economic and social context. The framework indicates that the bases for the exercise of the steward-like practices associated with the 'traditional' landed estate have been weakened (even if stewardship as a political discourse has, conversely, been promoted more powerfully, and embraced by owners of land more broadly); whilst expressions of the capitalistic, although long in evidence, have been made relatively more prominent and paramount.

The characteristics of the ideal type and the compromises upon them convey implicitly this shift in the balance between the two key owner motivations. The increase in the rate of turnover of historic landed estates indicates that their attractiveness as an entity to maintain for inheritance purposes, and through which to foster local family connections has lessened; whilst their attractiveness for shorter-term economic gain has increased (Sayer and Massingberd 1993). The contraction of landed assets represents

the loss of areas with which traditional estate owners had built personal relations; and the corresponding reinvestment into non-landed assets reflects the imperative for securing the basis for alternative and more rewarding economic gains. The movement away from traditional landlord-tenant arrangements has meant the demise of a system through which the landowner exercised paternalistic relations; whilst one of the attractions of increased owner-occupation has been the acquisition of a greater share of agricultural returns under the productivist regime. Many landed estates have abandoned the custodianship of 'heritage' components; although others have exploited them for their revenue raising capacity, encouraged by public policy incentives and consumption practices. A rationalisation of economic activities has been dictated by economic pressures and financial need. Consumption functions originally developed and conserved for private family use have been commoditised. Landowners have withdrawn from positions of political and social influence; alongside which is a greater pre-occupation with the management of their estates. Essentially, stewardship has either dwindled or been commoditised.

The conceptualisation also recognises that the forms of compromise that have been required of surviving 'traditional', private, individually or family-owned landed estates mirrors the experiences of other owner types. For example, strategies designed to secure continuity of ownership are also an imperative for many long-established, owner-occupied family farm units, even if survival intact can only be realised through ownership being eventually transferred to a new family. The estates of other extensive landowners (such as the Church Commissioners and, more recently, some financial institutions) have contracted in size, accompanied by reinvestment in alternative, non-landed assets. The local political and social influence of landowners and farmers as

a whole has been increasingly undermined or withdrawn. Furthermore, trends in rationalisation, the demise of the traditional landlord-tenant system, and the commoditisation of private rights, and the rebalancing of owner motivations apply more broadly across the landownership structure.

b) The manipulation of property rights

This section turns to the second primary argument, which suggests that the survival of landed estates can be comprehended through an examination of the strategic manipulation of property rights by their holders. The preceding chapter showed how the property rights held by estate owners, and landowners in general, had become subject to increased constraint and public scrutiny over the last one hundred years, but that certain actions taken by owners had sought to circumvent or accommodate some of the ways in which their personal and private rights had been circumscribed. The following discussion develops a conceptualisation which shows how such actions, or manipulations of rights, have contributed towards securing survival.

Property rights are taken to be the benefits arising from an ownership or another form of interest in property (Bromley 1991). They are also best seen as a 'bundle' of rights, where one right is contingent upon others; and where the owner holds, through legal and social sanctions, most or all of the property rights in the bundle, although some might be claimed or shared out amongst other interested parties. In this way, rights can also be seen as social relations (Harrison 1987). The property rights, or benefits are

various. Denman (1978) focuses upon five rights, or powers: to use, to transfer, to manage, to pass by succession, and to claim ownership to title. Becker (1977) refers to the rights contained in the concept of 'full' or 'liberal' ownership formulated by Honore' in 1961, which lists seven rights: to possess, use, manage, draw income, appreciate the capital, enjoy security, and transmit. For Becker, though, property rights are most commonly associated with the rights to use, to transfer, and to exclude others. A similar summary of what are the key sets of rights is presented by Grove-Hills *et al.* (1990). This incorporates the rights of an owner to transfer, the rights of users to use (currently, or potentially), and the rights of an occupier to exclude others; the three sets of rights might, or might not be monopolised by the owner. This typology is adopted and elaborated upon in this study.

Grove-Hills and her colleagues go on to note how the ways in which rights are being constantly 'created, dissolved, redefined and recombined', and control over them 'asserted, challenged, negotiated and exchanged' providing a highly informative way of investigating aspects of rural change, of particular interest to their work, outcomes in the rural development process (p. 16). Yet, they continue, there is a noticeable lack of empirical analysis examining the strategies of actors with regards to their rights, and how those strategies represent a reaction to, and an attempt to influence, the evolving social and political context. Whatmore *et al.* (1990) observe how certain attempts to move rural studies away from a focus upon agriculture, had, mistakenly, encouraged the diminution of the importance of the rights held by landowners and farmers in cultivating rural development and conflict. The conceptualisation developed here recognises the centrality of property rights, and prepares the way for an empirical analysis which takes

as its focus the strategies of rights holders and the property relations associated with them.

This study has explored how fiscal and tenure legislation has challenged ownership strategies; how the statutory planning system has come to govern the scope for the realisation of development interests; and how pressure from the environment and access lobbies has brought greater controls on use rights, and accompanying demands that owners make a greater show of collective provision and responsibility. The interest in property rights shown in this research relates to how landowners and, more specifically, the owners of private individually-owned landed estates, manipulate their rights in this context. Manipulation refers to the ways in which property rights are realised and utilised in order to appreciate or to protect the benefits that those rights represent. For example, property rights can be created, exercised, left to fall into abeyance, or dissolved; and they can be monopolised, shared, or alienated. Manipulations can be motivated, or constrained, by a combination of factors. At one level, they are governed by the general context; as represented by those broader-ranging factors that condition, regulate and legitimate a property rights system, such as market forces, key legislation, and prevailing social attitudes and custom (Harrison 1987). Within this context, the holding of property rights, and the ways in which they are manipulated will be as much about the adherence to regulation and the exercise of responsibility, as the enjoyment of the opportunities and benefits. At another level, motivations or constraints include the estate-specific, such as a shift in a family's lifecycle, pressing financial needs, or the acquisition of an area of specialist legal or technical knowledge by the landowner.

The conceptualisation developed here shows how a close examination of decisions and actions involving property rights, and the motivations and constraints, provides an effective way of comprehending the survival strategies of landed estates and their owners. A framework is presented (Fig. 2), which is based on the notion that the various manipulations undertaken by the owner can be envisaged as either a concentration or a dispersal of rights. Concentration refers to actions undertaken which might result in a monopoly over existing or newly-created rights, for instance, most, into

Figure 2: Manipulations of property rights: key examples

<i>Rights holders</i>	<i>Principal property rights</i>	<i>Concentration of rights</i>	<i>Dispersal of rights</i>
Owner	Transfer	Family head as estate owner	Estate, wholly or in part: gifted, placed in trust, accepted as security by lenders, or alienated.
Occupier	Exclude	Family as sole residents of house	House let, or entrusted; owners wholly, or in part excluded.
		Owner as owner-occupier of farmed estate	Fiscal or family tenancy; traditional secure tenancy
User	Use	House for private family consumption	House open to the public, and restrictions on private access
		Sporting rights for private family consumption	Managed commercial shoot; or sporting rights let
		Countryside access for private family consumption	Public access through management agreement, customary use, rights of way, or open provision
		Owner as direct farmer	Farming through a form of joint management or tenure arrangement, or rights held in common

the hands of a single individual, such as a head of a family. Carried with that monopoly, though, are all the responsibilities that are attached to those rights. Dispersal is the distribution of rights (and their related responsibilities) amongst different persons or legal entities, creating, potentially, highly complex sets of property relations. Such concentrations or dispersals of rights represent responses to pressures. These pressures are determined by the various general contextual, and estate-specific factors outlined earlier. The manipulations given represent key examples, and do not attempt to offer an exhaustive list. They are organised into separate categories, as they relate to owner, occupier and use rights; although the different manipulations do of course interconnect. As subsequent discussions will show, the different and continually changing divisions and allocations of owner, occupier and user rights in relation to any given estate might be very great in number. It must be emphasised here that this framework takes an estate or owner-centred view, in support of the empirical enquiry that follows. It is not forgotten, however, that, in the background, are the various arms of the national and local state, the market context, and social attitudes and customs, creating, limiting and sanctioning the range of options available for landowners in the manipulation of rights.

The first of the examples listed in Figure 2 refers to the owner (or owners), and the rights of transfer. In their most concentrated form, the ownership of the estate and the accompanying rights to transfer property are held by a sole individual, given here as the head of the family. The various dispersals of the estate, wholly or in part, represent different forms of survival strategy. The gifting of an estate to an heir is an established safeguard against capital taxation. Passing with this gift, though, are the responsibilities of ownership; the ultimate responsibility being the heavy onus placed upon the current owner to preserve the estate for the next generation (Denman 1957). The placing of the

estate in a family trust also reflects the objectives of reducing tax liability, sharing ownership responsibilities, and securing continuity. The offer of freehold rights as collateral to lenders is an important strategy for owners more broadly; the purposes being the raising of capital and spreading investment risk. Indeed, continuity in family ownership is a factor that is particularly susceptible to this and other ways in which agricultural businesses have become increasingly dependent upon external capitals (Marsden *et al.* 1992; Whatmore *et al.* 1987a, 1987b). The ultimate form of dispersal is for the established owners to alienate the entire estate. The precise nature of this dispersal and the resulting property relations would vary depending upon the new ownership arrangements, for example, whether the estate was transferred as a block to the guardianship of the National Trust, or divided up amongst a set of owner-occupiers. Partial alienation by established owners, though, might reflect certain survival strategies, such as the disposal of low income-yielding properties, the sale of land to realise development values, and, as a consequence of such options, the raising of capital for reinvestment (whether in landed or alternative assets). Alienated with such property, or the local areas in which the property interests were held, would of course be the established paternalistic responsibilities. Owner rights can also be strategically re-concentrated. For example, family changes might call for the termination of a trust, and the re-monopolisation of owner rights by the head of the family.

The particular set of owner relations that are present at any one time, has, in turn, implications for the creation, division and allocation of occupier and user rights over estate property. For the party or parties (such as, the head of the family, the heir, or trustees) holding an ownership interest play a key role in determining how occupation and use rights are defined and distributed, not least because the owners themselves might

be the chief occupiers and users of the estate. In the first of the examples given under occupation, the owners (in this case the family) have chosen to remain in sole residence, and thus retain the rights to exclude. In one of the dispersed forms referred to, the house has been let. It would follow from this action, that the owners are excluded occupation. This could represent a crucial survival strategy, though, with the letting of the house raising capital, and the responsibilities of the running costs being placed upon the lessee. Under certain trust agreements (notably, early National Trust arrangements), the family might retain private occupation rights, although, in return, they would have ceded specified ownership and use rights. Turning to the farmed estate, the manipulation of occupation rights referred to here has formed the basis of a major strategy: the shift from the landlord-tenant system to owner-occupation, in response, in particular, to disadvantageous legislation. Within this broad trend, a range of shorter term and/or less secure tenure agreements have developed, permitting owners to retain more of the power to exclude (Whatmore *et al.* 1990). In the illustrations given, occupier rights are monopolised by the owner; at the other extreme, they are held by a secure tenant; at some point in between, a member or members of the family retain rights as *de facto* owner-occupiers, although ownership has been placed in a trust.

It follows, that the owners and occupiers play a key role in deciding the how use rights are divided and allocated. The manipulations listed represent various forms of action: the commoditisation of private rights; accommodations with fiscal and tenure legislation; provisions for public consumption demands. In the first example, use rights of the house can be monopolised by the family; or, offered to the paying visitor, at the expense, though, of the owners' freedom of access. Second, sporting rights can be retained solely for private consumption. Alternatively, through commercial shoots, the

estate continues to exercise management rights, but offers some use rights to clients; or, different again, use rights (and management responsibilities) are let more fully to a syndicate. Third, provisions for access rest a great deal on customary use and established rights of way. However, there might be considerable potential for collective access to be extended through the creation of permissive paths, or the adoption of a Countryside Stewardship Scheme, the latter compensating for the loss of private rights. Conversely, changes in ownership, land management or economic activities might erode or challenge customary or statutory access rights. Fourth, the increased complexity in farm tenure arrangements is mirrored in the subdivisions of use rights. At one end of the scale, the rights to manage and draw income (and the corresponding responsibilities of investment, improvement and maintenance) are concentrated in the hands of the owner through direct farming; at the other, a large portion is held by the secure tenant; at points in between, use rights (and responsibilities) are divided in joint management or share arrangements. The spectrum of property relations over common land is especially complex. Here, the allocation of management and exploitation rights amongst owners and common rightsholders shifts with changes in ownership, the economic demands of the rightsholders, and pressures from collective interests (Wilson and Wilson 1997).

The net result of such manipulations by estate owners, and by landowners more generally, is a complex set of property relations. This complexity is brought out strongly in a schema devoted to farm businesses developed by Whatmore and her colleagues (1990). They point to the numerous divisions of owner, occupier and use rights that are possible given the various forms of farm tenure and management arrangements that have emerged. Furthermore, such strategies are continually evolving in relation to changing circumstances at the individual family level, and the altering, general economic, political

and social context (also, Munton and Marsden 1991). The manipulation of property rights in support of survival strategies is an essential interest. For it is assumed that complexity and change in the division and allocation of property rights ought to find powerful expression in longitudinal studies of surviving 'traditional' landed estates, given their scale, the range of their landed assets and uses, the imperatives placed upon ownership continuity and the long term viability of the estate, and the long history of measures which have disadvantaged the landed estate system.

Returning to the first part of the conceptual discussion, property rights and their manipulation feature strongly in the forms of survival through compromise undertaken by the owners of private, individually or family-owned landed estates. For example, safeguards to the continuity of ownership bring strategies entailing divisions of owner rights; certain rights of transfer are realised through forms of contraction and rationalisation; the contraction and rationalisation processes will also involve a rearrangement of the network of property relations over the estate; the broad shift from the landlord-tenant system to owner-occupation embraces different attempts to secure a more beneficial allocation of owner, occupier and user rights for the owners; the change in the function of heritage components requires the re-allocation of occupation and use rights, and of accompanying responsibilities; private rights are foregone with the commoditisation of what were formerly private consumption uses; and the alienation of landed assets brings the relinquishment of the paternalistic responsibilities established towards areas in which property is held. Furthermore, an examination of the manipulation of property rights is essential for understanding the place of landowners more generally. The typology outlined in Figure 2 demonstrates how the actions of owners in respect of property rights are complex and continually altering, actions that

are responses to changes in individual circumstances, and to the restrictions, regulations and opportunities brought by broader political, economic and social factors. In addition, the typology indicates the scope that landowners have for exercising control over the distribution of property rights, a control which has profound implications for inequalities of opportunity, conflict between different interests, the acquisition of social status and political influence, and the course of the development process.

IV

Investigating a landed estate

a) *A single, historical case study*

i) **The selection**

The research sought to identify a number of 'historic', individually or privately-owned landed estates for empirical examination. Two essential criteria had to be met. First, it was necessary for any proposed case study to allow for a historical perspective. That is, the supporting empirical resources had to yield a coherent interpretation of both the past and present. As preceding discussions note, a comprehension of the survival strategies of landed estate owners demands an understanding of a series of key shifts in contextual circumstances over the past one hundred years. Second, potential case studies had to permit an investigation of both the landowner and the estate. Much of the literature focuses on one or the other. This attempt to interrogate survival requires that the actions of owners, and the outcomes in terms of the characteristics of landed estates, are examined in depth.

At the outset, it was decided to build on a body of earlier empirical work carried out in south-east Devon. This related to the survival of a set of three landed estates up to 1939 (Jackson 1992). These, and a series of other estates in the region were approached. However, only one of the estates could offer to meet the two key criteria. For the others, providing access to recent material was considered to be too problematic, owing to practical considerations and questions of confidentiality. The research, then, is based upon an investigation of the recent history of the Courtenay family's estate at Powderham, on the western side of the Exe estuary.

In preliminary empirical investigations, the merit of opting for a micro-scale analysis of a single case was confirmed. First, the enquiry had at hand a rich array of documentary and oral sources. This would be essential for an in-depth investigation of the complexity of estate survival strategies and manipulations of property rights. However, two practical questions arose with regard to the use of source material. The first was that whilst considerable information was available from the Powderham estate itself, and from other sources, gathering detailed documentary and interview material relating to a broad range of decisions, actions and contextual circumstances over a sixty-year period would present a considerable task in data collection. The data collection strategy has sought to meet this issue by making certain selective choices. The research has devoted most of its time to the examination of the Powderham Castle Archive (PCA), with a selection of other sources being used in a supportive way. This focus is well-founded, given the breadth and depth of the archive. The cataloguing of the Powderham archive for the National Register of Manuscripts has recently been completed, and it now represents a major historical resource. Certain features of the PCA are of considerable value to this study. It includes a comprehensive collection of

office files tracing the development of the estate up to the early 1990s; files of correspondence refer to the views of many of the key actors involved in the past running of the estate, a number of whom it has not been possible to interview; and the archive offers a centralised access point to material that sheds much light upon the changing local and national context, such as minutes of Parish and District Council meetings, regional planning documents, reports of the CLA and HHA, and cuttings from the regional and national press.

The sources that have been employed to support the extensive Powderham archive are, nonetheless, of great importance to this research. The recently released 1941-3 National Farm Survey housed at the Public Record Office (PRO) offers an external perspective of the estate for the very beginning of the period, commenting upon the estate's use and condition as an economic resource, and providing information that is not contained, or no longer survives, in the PCA. The West Country Studies Library (WCSL) at Exeter holds a comprehensive press cuttings archive. This has been essential in identifying the gravity of key events, for amassing general contextual material, and for gathering further external perspectives on the development of the Powderham estate. The other vital source comprises material from a series of interviews. The key actor in the case study, Lord Courtenay, has offered a number of interviews over the course of the research. Discussions have also been undertaken with the key figures involved in guiding the fortunes of the estate over the last few decades. In addition, a range of interviews have been carried out with the former estate workers, local residents, and representatives of local interest groups.

The second practical issue, is that despite the richness of the source material, there is, inevitably, much chronological unevenness. The PCA, the WCSL, and,

'naturally', the oral sources provide some information for the immediate post-war period, but are markedly more informative on the more recent decades. In response, the data collection strategy, and subsequent analysis, is weighted towards the second half of the post-war period, with the focus falling largely upon one key owner-actor, Lord Courtenay, whose active involvement in the development of the estate began in the late 1960s. Yet, this weighting is not a relegation of the significance of the earlier period. Material relating to the years from 1940 to 1970 will be introduced wherever appropriate to provide essential historical context, and highlight how events and circumstances contrast with more recent developments.

Alongside the quality of the empirical material, the second rewarding aspect of the Powderham case is that provides a compelling and informative example of the survival of a private, individually or family-owned landed estate. As the following two sections and subsequent empirical chapters illustrate, the Powderham estate has had to engage in a series of major strategies in the face of desperate individual circumstances, in response to local change, and in reaction to general economic, political and social forces. Indeed, this engagement has been, at different moments, vigorous, innovative and far-reaching.

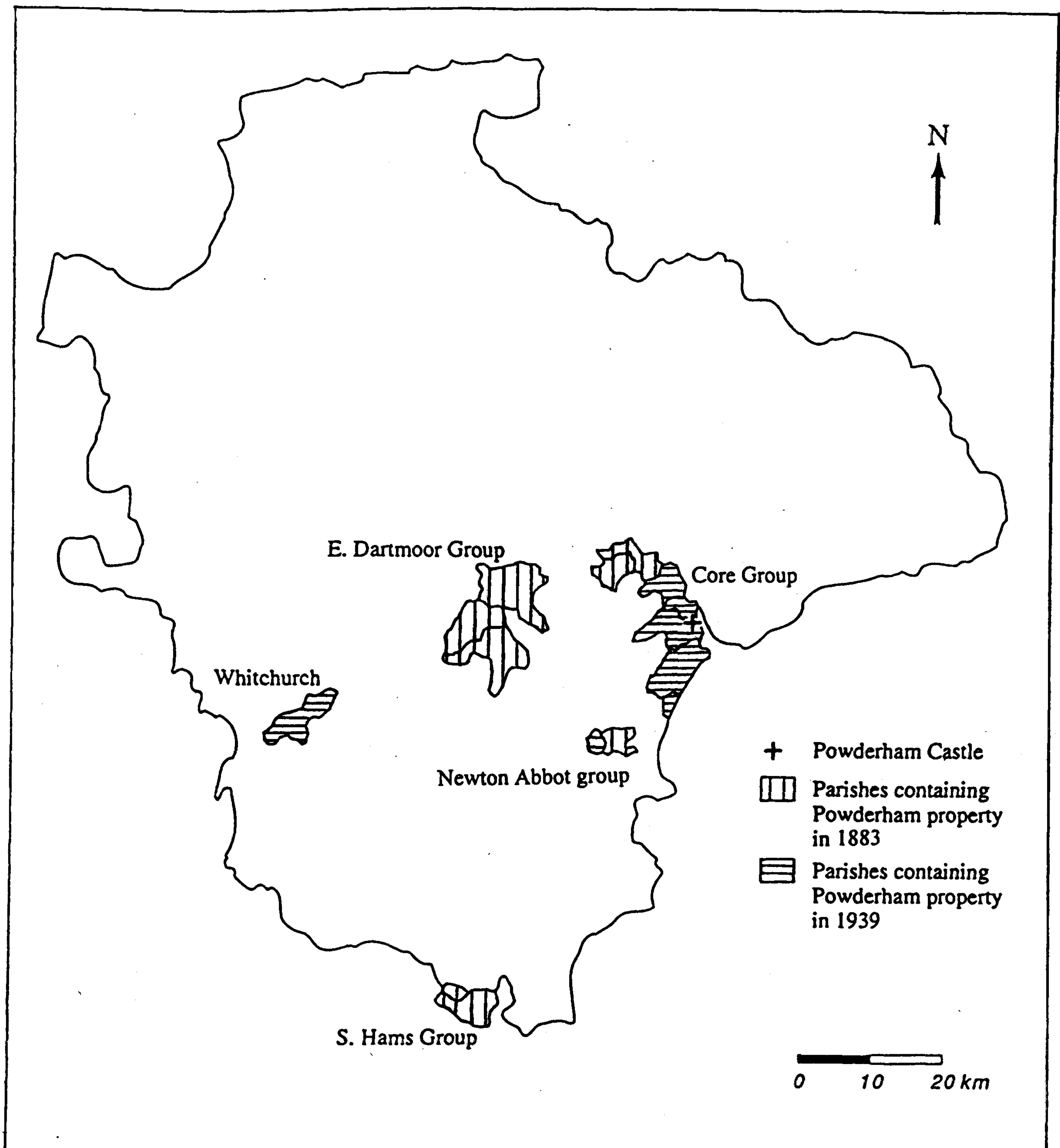
ii) The Powderham estate and its owners since the late 1800s

An earlier research project examined the history of the Powderham estate from 1870 to 1939 (Jackson 1996). Two features are especially evident from this period: a

massive restructuring of the estate in the early 1890s, and three assessments for death duties over the short period between 1927 and 1935. In 1870, the Courtenays, Earls of Devon, owned 15,752 acres across Devon, as well as some 33,026 acres in Ireland. Almost half was centred on the family seat at Powderham Castle, the family home since 1391. The remainder was located in four other parts of the county. The estate archives for the two decades following 1870 highlight two occurrences. First, the impact of the 'Great Depression' was felt heavily, marked by a doubling of rent arrears, and a subsequent cut in farm rents by an average of 12 per cent in the late 1880s. Second, in 1888, the eleventh Earl of Devon died. Under the terms of Succession Duty, the estate's value was assessed at £22,514, almost equivalent to the entire net rental income of the estate for that year. The response to these, and other factors, was a major restructuring of the Courtenay family's estate. In the late 1880s, the sale of substantial areas of property began in both Devon and Ireland. By 1894 the Devon estates had been halved in size to 6,469 acres. At the end of this process, the core of the estate around Powderham had been little altered, but the peripheral holdings had largely disappeared (Fig. 3). At the same time, as a matter of policy, monies were invested in stocks and shares, so that, by 1891, financial assets were yielding £47,198 per annum, approximately ten thousand more than the landed estate. After this transformation, the estate remained intact for the next half century. Indeed, its acreage in 1939 stood marginally higher than the figure for 1894.

The next key event or set of events in this period up to 1939 occurred in the inter-war years. Between 1920 and 1939, the landed estate struggled to remain viable. Gross rentals, averaging sixteen thousand pounds, were not sufficient to meet outgoings in most years. One of the largest costs was servicing a loan of £120,000 for

Figure 3: The contraction of the Powderham estate in Devon, 1870-1939



Note: The Core group of parishes incorporates the parishes of Kenton and Starcross, Exminster, Powderham, Dawlish West, East Teignmouth, and Ide; the Newton Abbot group, the parishes of Wolborough and Combe-in-Teignhead; the East Dartmoor group, the parishes of North Bovey, Manaton, and Moretonhampstead; and the South Hams group, the parishes of Marlborough and South Huish.

improvements to the agricultural estate. These losses were offset by the Courtenay family's financial assets, which, by 1927, had acquired a capital value of £97,349. Moreover, between 1927 and 1935, the capital value of these investments increased by £17,057, whilst the value of the agricultural estate fell by £14,373. Against this difficult financial background, in 1927, and twice in 1935, an earl of Devon died. The three assessments for Estate Duty totalled £37,084, adding significantly to the level of indebtedness. If the Powderham case is considered in the light of Thompson's (1963) account, then the Courtenays can be described as extremely foresighted in their early re-investment into stocks and shares, but extremely unfortunate in regard to assessments for capital taxation.

As Lord Courtenay (interview, 20 January 1997) recognises, the determination shown by several generations of the Courtenay family to maintain a landed estate centred on Powderham has continued into the post-war period. However, this objective has required further cycles of contraction, and has been hampered profoundly by the financial legacy of the inter-war period. Overall, though, Lord Courtenay maintains that: 'we have been doing a little better since then' (*pers. comm.*, 10 January 1997). The chronology (Fig. 4) presents a resume of notable events in the more recent history of the Courtenays and their estate, as a point of reference. It outlines a number of processes that will be examined in the empirical chapters, for example, changes in the role of different members of the family and other interested parties in the ownership and management of the estate, the further contraction and restructuring of the estate, an increase in the commercial use of the Castle, and high-level political activity.

Figure 4: Notable events in the recent history of the Powderham estate and its owners

1935	Charles Courtenay succeeds to the estate and the Earldom, aged 19
1939	Countess of Devon assumes the overall management of the estate through the war
1942	Hugh, Viscount Courtenay born.
1948	School of Domestic Science opens in the Castle Home farm created Earl elected chair of the Devon branch of the CLA Major property sales commence, estate reduces in half
1960	Castle opens to the public
1965	Estate placed in trust for Lord Courtenay; Earl remains as life-tenant
1972	Lord Courtenay elected member of the Devon branch committee of the CLA Lord Courtenay appointed managing agent of the estate by the trustees Earl retires from the tenancy of the home farm to be succeeded by his son
1975	Lord Courtenay elected member of the CLA Taxation Sub-Committee
1978	Lord Courtenay resigns as a District Councillor
1983	Trust terminated; Lord Courtenay becomes the owner of the estate Castle advertised to let Lord Courtenay elected chair of Wessex branch and member of the Council of the HHA
1985	Courtenays decide to continue as the occupants of the Castle
1987	Lord Courtenay elected chair of the Devon branch and member of the Executive Committee of the CLA In situ sale of bookcases to the V&A for £455,000
1990	600th anniversary of the Courtenay family's association with Powderham Castle Launch of the Castle as a conference and events venue
1991	Management consultants are recruited, and report on the future development of the estate
1992	Estate starts charging for mooring licences on the Exe Estuary

iii) The south-east Devon context

The Powderham case study allows for a highly informative investigation of three key processes that have confronted landowners generally and increasingly over the post-war period, namely, the pressures exerted by demands for further rural residential development, for greater access for the purposes of leisure and tourism, and for tighter conservation measures. These have brought with them a range of opportunities and threats for the rural landed interests. For the Courtenays, these processes, and the opportunities and threats to which they give rise, have found powerful local expression in the Teignbridge area of Devon, in which the estate is located, and, indeed, in the county of Devon as a whole. In this way, the local context projects strongly the sense of an increasingly contested countryside evident in the late twentieth century (Marsden *et al.*, 1993b, and Murdoch and Marsden 1994).

Throughout the post-war period, the district of Teignbridge has experienced the demands for fairly rapid residential development, primarily driven by in-migration (Devon County Council 1977, 1995; Teignbridge District Council 1993). Between 1931 and 1981, the Teignbridge district was the fifth fastest growing area in the county, behind the urban areas of Plymouth, Torbay, Exeter, and the district of East Devon. Between 1981 and 1991, it was the fastest growing of the five. A particular characteristic of this growth has been the in-migration of the retired. By 1991, 26% per cent of the Teignbridge population was retired, as compared with a countywide figure of 22%, and, nationwide, 18%. In response to these trends, Devon County Council embarked upon a policy of 'key settlements'. One of the main aims of the policy was to check the rate of residential development in those growth areas of the county by

confining expansion to a limited number of settlements. In addition, by promoting redistribution, the policy also hoped to stimulate growth in the areas that had long suffered depopulation (see Cloke 1979, 1983). For the area of the Powderham estate, the population and housing pressures that have faced the district of Teignbridge are reflected strongly in the post-war development of the village of Kenton, a settlement within the estate envelope. In 1964, the village was proposed as one of the district's seven key settlements. The result was the rapid growth of the village and an influx of retired and commuting groups. As later analysis will show, this expansion, and the later growth of Kenton has been a mixed blessing for the estate. On the one hand, it has allowed the estate to raise capital through property development; on the other, it has contributed to a weakening in the relations between local village residents and the estate and its owners.

A factor of central importance to south-east Devon, and the county as a whole, concerns the related interests of leisure and tourism. At the preparation of the first County Structure Plan (DCC 1977), it was noted that the West Country had become the leading holiday region of the UK, and Devon the most popular destination county in that region. In turn, Teignbridge was the fourth most popular area in the county for holidaymakers. Set alongside the decline in the agricultural workforce, tourism had become a key employer, such that any policy aiming to stimulate population redistribution would require that economic activities centred on tourism be promoted more evenly across the county. The Structure Plan Survey also noted that demand for leisure provision had increased markedly. This, combined with the growth of tourism, had contributed to a noticeable rise in conflicts of interest between different user groups in certain areas. The economic dependency upon tourism, and the increased competition

between users have helped to shape the development of the locality of the Powderham estate. The fortunes of the Exe Estuary demonstrate these powerfully. Here, rising demands for access and tensions between different activities have brought calls for greater management controls (DCC 1996). Subsequent empirical work will illustrate how the Powderham estate as a whole has moved from a focus on agriculture, to one on the tourism and leisure markets. It will be shown further how a dependency upon these sectors has come to affect the long-term viability of the estate, in particular, that of the Castle; and how the estate has been drawn into the conflicts between different user groups, most especially over the Exe Estuary.

More recent planning documents have pushed environmental considerations to the fore (DCC 1995, TDC 1993). In the mid-1970s, the local authorities had accepted that established designations had been sufficient in checking major damage to the environment, even if the scale of development was thought to be reaching saturation point for the areas of east and south-east Devon. Both areas, by virtue of both their regional economic importance and their high landscape value, were expected to face increasing pressures from in-migration, commuting, tourism, and industrial activity (DCC 1977). By the 1980s, the local authorities recognised the difficulty that had emerged between the need to promote development, in particular, to meet the ongoing decline in employment in the agricultural and defence industries, and the need to uphold a strong general presumption against development in recognition of compelling concerns for greater environmental protection (DCC 1995, TDC 1993). The difficulties and tensions arising from attempts to reconcile these two areas of need are mirrored in the area of the Powderham estate, again, with particular resonance over the Exe Estuary (DCC 1996). Here, the longer-standing designations of Coastal Protection Area and

Site of Special Scientific Interest have been added to by those of Nature Conservation Zone, Ramsar Wetland, and Special Protected Area. Thus, the perimeters for development opportunity and management activity have been tightly set.

The current Regional Secretary of the CLA (interview, 25 August 1997) emphasises the particular challenges that landowners have faced in Devon in recent decades. Issues of development, leisure and tourism, and conservation are, indeed, at the fore. The local authorities remain sympathetic to the landowning and farming interests in the county, but the build-up of numerous designations presents major hurdles to any development. The influx of retired and ex-urban dwellers into the countryside has brought additional scrutiny of the activities of landowners, but this has offered a trade-off in the amount of popular and financial support given to environmental schemes. Tourism in the region has been of great importance to farmers and landowners seeking to diversify, and a lifeline to many owners of historic landed estates. Demand for access has grown, but it has not brought the same problems faced by landowners in other regions. In Devon there is not the pressure from large urban areas, and an extensive and long-established network of footpaths exists.

iv) The organisation of the empirical material

The research will demonstrate that the Powderham case provides an evocative illustration of the active engagement in strategies designed to secure survival, whether these be attempts to modify the national policy context through political activity; or

actions taken at the level of the estate in response to changes in the national and local policy context, or in individual and local circumstances. In doing so, the case study chosen will be able to inform any reflection on the survival activities of landowners more generally. In order to articulate the potency of the Powderham case, the collection of the data, and its analysis, have been organised around a series of five themes or areas of study. These reveal the key characteristics and associated actions that feature in the estate's survival, and convey the major processes in which this estate, and estates in general, have been incorporated. Moreover, it will be shown that the analysis of these areas of study express cogently the central interests of the thesis: the concept of survival as a 'compromise', and the essential role taken by manipulations of property rights.

The first theme examines a range of processes, as they feature in attempts by the estate's owners to influence the wider context, through a strategy of political activity. This strategy has focused on representations to and through the CLA, and, to a lesser extent, the HHA. The second theme takes as its focus the fate of Powderham Castle, and refers to the problems shared by owners of historic houses alike; those of adapting their homes to major economic and social change, and, above all, securing the long-term viability of the building. This area of analysis raises a set of issues, including, the retention of certain family ownership and occupation rights, the change of use of important heritage assets, and the commoditisation of private consumption uses. The third theme, the evolution of the agricultural estate, is a mirror of a whole set of processes affecting the economic organisation of landed estates and the distribution of rural property rights, such as: the reduction in estate sizes, the shift in the tenure pattern, farm amalgamation and expansion, modernisation and rationalisation, and diversification. The fourth area of investigation considers how the disposal of property interests has

been paralleled by a weakening in the levels of the owner's involvement in the social life of local villages, and in local political activity, and how his development rights have been subject to greater challenge by incomer groups, environmental interests, and the local state. The final theme examines the important and extensive rights held by the estate over the Exe estuary, and how the financial imperative for the owner to diversify and to commoditise has exposed the tendency for conflict between landed, environmental and access interests in the late twentieth century countryside.

b) '*Action-in-context*'

In this way, the 'thematic' approach provides a structure of empirical paths for the investigation of the case study to follow. A further component of the methodology, 'action-in-context', supports the more detailed analysis. A body of recent work has promoted (Grove-Hills *et al.* 1990, Marsden and Murdoch 1990, Marsden *et al.* 1993b) and then followed up empirically (Lowe *et al.* 1993; Munton 1995; Marsden and Murdoch 1994, 1995) the application of 'action-in-context' as a method for interrogating local rural change, and, in particular, for exploring the land development process. As Marsden *et al.* (1993b) explain, divergence in development trajectories is a primary feature of the contemporary restructuring of the countryside, making the analysis of local rural change a key research objective. Indeed, they observe how the spatial unevenness in the surviving status and influence of rural landowners is an important component of this divergence.

As the accounts of Marsden and Murdoch (1990) and Marsden *et al.* (1993b) relate, 'action-in-context' emerges from a literature that has attempted to unravel the conceptual links between structure and locality, and structure and agency, a literature that has progressively lessened the level of determinism associated with structures, and enhanced the significance of locality and agency in understanding the processes underlying rural change. Marsden and Murdoch, and Marsden *et al.* do likewise, maintaining that an understanding of the local, as well as the rural must come through an analysis of how each is represented by actors in networks of power (for example, economic and political agencies, or class networks), and how those representations are translated into outcomes. As Marsden *et al.* argue, locality and rurality are 'the representations of the outcomes of past practices within networks...."meeting in places"' (pp. 152-3). These networks are structured, as can be the outcomes; however, the roles of actors and local situations in producing the structural regularities must be acknowledged and examined more fully. 'Action-in-context' takes as its focus the ways in which the representations of actors are made and pursued 'in situations'; it is concerned with: 'the bottom-up determination of what actors do. It is not dependent upon expectations that arise from a top-down characterisation of the nature of social relations, class composition and regulatory practices' (Munton 1995, p. 276).

An actor is taken to be 'a locus of decision and action, where the action is in some sense a consequence of the actor's decisions' (Hindess 1988, p. 115). Marsden *et al.* (1993b) draw upon the 'sociology of translation' (see especially Callon 1986) for the purposes of examining such actors and action. They urge that actors are 'followed' as they identify, represent and realise their interests through a network, and, in doing so, enrol and mobilise, or conflict with other actors. Marsden *et al.* also recognise the

utility of the notion of 'methodological situationism', whereby actors are not unified and rational; instead, social conditions ensure that levels of access to the resources that facilitate decision and action are different for each actor, and that such decisions and actions consider situationally-specific circumstances (see Hindess 1988, and Knorr-Cetina 1988).

Thus, action must be conceptualised as being taken 'in context'. Grove-Hills *et al.* (1990) refer to 'layered contexts': the 'strategic/national decision-making' level, the administrative district, and the area of the study itself. Here, context is a series of political-economic planes which set the 'perimeters of opportunity and constraint' (p. 25). The perimeters determine the ways in which these planes are cross-cut by the networks of actor-interaction. For Marsden *et al.* (1993b), context serves, again, to facilitate or constrain action. More precisely, though, context is the 'shifting distribution of economic, political and cultural resources' (p. 169) (notably, property rights, economic conditions, finance, and knowledge), which provide the 'tools and techniques that allow certain decisions to be reached and certain forms of action to be regarded as legitimate' (p. 164). Further, structural regularities do not determine action, but are, instead, 'interpreted' by actors in particular contexts. This gives rise to actions which demonstrate some indeterminacy, but that can yield structured outcomes at the 'micro' or 'macro' levels (see Knorr-Cetina 1988). Lowe *et al.* (1993) put forward the concept of 'arenas of regulation' as a way of inter-relating actors and context. Actors represent themselves through these arenas (for example, the arenas of the market and regulation) in their attempt to influence processes (economic, political and social) and achieve their outcomes. Through these processes and outcomes the context is structured. Marsden and Murdoch (1995), who pay particular attention to the spatial dimension and the

micro-scale, prefer the term 'actor-space' rather than context, for it emphasises further the situationally-specific, and 'the material, phenomenological and social components' associated with it (p. 372).

The 'action-in-context' methodology has been adopted and 'tailored' for the purposes of this piece of research. The key actor under close scrutiny is the owner of the estate, or, to be precise, those actors with principal ownership rights over the estate, such as the head of the family, the heir, other members of the family, and trustees. Although the empirical work is devoted most to the role of the 'owner' as the central actor, the analysis considers the role of more 'distant' actors who exercise rights in relation to the ownership, occupation and use of the estate, namely, local interests and the arms of the local and national state. The decisions and actions of particular interest are the various strategies undertaken by the owner to secure the survival of the estate, and the range of manipulations of property rights that underpin those strategies. Also examined are the various representations made by the owners (in particular, in the defence or promotion of private property rights and their manipulation) in estate, local or national-level networks, as required by such decisions and actions; and how these bring accommodation or perhaps conflict with other actors. The context of importance has a number of dimensions. It is the socio-spatial entity of the landed estate: an 'actor-space' which is comprised of a network of relations embracing the range of local actors holding ownership, occupation and use rights and interests. It is the outcomes of the past practices of that network 'meeting in the place' represented by the estate. Context is also the broad shifts in economic, political and cultural resources over the post-war period, of particular interest here, property rights; as well as 'the material, phenomenological and social' components of the family, estate and locally-specific.

An important way in which 'action-in-context' is 'tailored' to this piece of research is in the identification and examination of outstanding and, more especially, 'critical' moments. Through the five areas of investigation, as wide a survey as possible has been made of the various actions taken by the estate's owners over the post-war period, and the many contextual factors of relevance. However, only so much can be dealt with in depth. So, the analytical effort concentrates most upon a series of prominent 'critical moments' within the five themes. These moments or events are points in the post-war history of the estate when one or a number of particularly pressing circumstances came to bear, leading frequently to major actions being taken. Methodologically, such 'critical' 'actions-in-context' represent a series of micro-studies within the one case. Each will be examined in detail, and with reference to relevant lesser events. Taken together, the critical moments serve as a 'window', revealing the range and relative potency of the contextual factors, and the importance of the various actions taken for securing the survival of the estate. As the empirical work shows, some of the five themes under of investigation, such as the one concerned with influencing the wider context through political activity, embrace a succession of critical moments; others, such as the study of the Exe Estuary, revolve around one or two key events.

The 'action-in-context' methodology also assists in directing case study analysis towards wider application. In their approach to the land-development process, Grove-Hills *et al.* (1990) promote the combination of case study work and 'action-in-context'. They maintain that detailed investigations orientated around actors must be related to wider frameworks, that is, empirical work must give 'precedence to the contextualised situation of action' (p. 28). In this way the analytical validity of the case study method is strengthened; for action and context are then more fully revealed

and understood; and, from this understanding, wider processes are illuminated more effectively, and broad generalisations can be ‘logically inferred’ (p. 29; see also, Marsden *et al.* 1993b). The choice of one case study by this piece of research has posed the problem of representativeness. However, the application of ‘action-in-context’ provides the basis for a thorough analysis of the actions of the estate owner, in particular, with regard to strategies requiring a manipulation of property rights; and how these actions relate to the range of case-specific and wider factors that have a bearing upon the estate’s survival. Thus, by firmly contextualising the Powderham case, its findings can more effectively reflect on the experiences of landed estates and landowners more generally.

V

Influencing the wider context

The empirical examination of the Powderham case ‘follows’ the actor at two levels. Investigations at the level of the estate scrutinise the actions taken to secure the survival of the estate. This is the concern of the chapter that follows. The current chapter concentrates on the wider context, and attempts made to influence the broad-ranging processes bearing upon estate survival. The key actor here, and, indeed, in the empirical study as a whole, is Hugh, the present Viscount Courtenay. As the methodology points out, this is not to argue that his role was more vital than that of his father, the Earl of Devon, or of his mother, the Countess. For they, too, faced crises. However, the availability of archive material, and, for interviews, of Lord Courtenay himself, supports a focus on his actions. Moreover, his activities provide a highly informative account of complex and far-reaching survival strategies. This is reflected strongly in the following account of Lord Courtenay’s political activities.

The chapter concentrates upon what was by far the most intensive period of political activity for Lord Courtenay, 1970 to 1990. Over these years, he made a great many representations in the form of letters to the Country Landowners Association, the Historic Houses Association, local Members of Parliament, government ministers, the local and national press, and environment and access interest groups. Most of these letters relate to a close and high level involvement in the work of the CLA.¹ This

involvement took different forms: seeking legal advice from the organisation on matters arising from the management of the Powderham estate; lobbying the Association on issues of personal or local concern; supplying survey information or comments on certain subjects raised by the regional or head offices; serving as a regional representative of the organisation; or taking a specialist role on the one of the central committees of the CLA.

This part of the thesis is essential for contextualising the Powderham case. It does this in two ways. First, it examines how general contextual factors have influenced the evolution of Lord Courtenay's attitudes towards the roles and responsibilities of landowners, and the pressures that confront them. This prepares for the second empirical chapter, which will reveal how these attitudes are transformed into estate survival strategies. Second, this examination of the political activities of Lord Courtenay, and his changing views, reflect on the wider context and on the position of landowners in general. The following account exposes many of the key processes highlighted in earlier discussions. It offers a perspective on the role of the CLA, and how it represents both decline and survival in the power and status of landowners. The investigation also articulates the notion of stewardship, which represents a central ideological basis for the work of the CLA. In addition, this investigation examines how an increase in the regulation of property rights over the post-war period has brought various forms of opportunity and threat for the landed estate owner, and how different ideological stances are used by owners to defend their rights.

a) *Lord Courtenay and the Country Landowners Association*

Before examining the activities of Lord Courtenay, some note must be made of the campaigning activities of his father. The material on this area of Lord Devon's work is fragmentary, but it sheds a little light on the context of the early post-war period, and on a few years that were quite formative for the CLA. His campaigning work was limited to three years involvement in the CLA, at a time when the organisation of the Association was being transformed. In 1948, the Earl commenced a twelve month term as the Chairman of the Devon branch. During his term of office, he was prevailed upon, above all, to expand the regional membership, and to increase subscription revenue. For this, the Earl was supplied with campaigning material from the CLA's central office publicising the effectiveness of the Association in lobbying for legislative concessions in a hostile political climate. A section of the material argues that:

Such successes directly benefit the landowner financially, and far outweigh the increased subscription rates....The CLA, however, does not exist only for the purpose of obtaining concessions; its primary function is to protect the rights of the private landowner. Yet, it is only with the full backing and support of all landowners that we can hope to protect your rights should, for example, land nationalisation become an issue.²

Some minutes survive from the county meetings chaired by the Earl. These refer in brief to the prevailing political context, and some of the legislative pressures that landowners faced, in particular: the 1947 Town and Country Planning Act, the 1948 Finance Act, and the drafting of the National Parks and Access to the Countryside Bill. In 1949, the Earl's interest in the overall development of the Association was

recognised, and he was elected to one of the newly-created, specialist sub-committees based at the London headquarters. This sub-committee would be responsible for Association's organisation, and would oversee the recruitment of full-time county secretaries, regional representatives, and a central recruitment officer. Thus, the Earl played a part in the early expansion, professionalisation and centralisation of a political organisation that would be utilised later and far more fully by his son.

Lord Courtenay was considerably more politically-motivated than his father. As the former castle administrator, Col Delforce, points out, he inherited much of his mother's determined outlook, which contrasted somewhat with the quieter and more reticent character of Lord Devon. Furthermore, Lord Courtenay's political activities and representations could draw on a valuable, and highly appropriate education. Whilst his father had been a professional soldier, Lord Courtenay had studied Land Economy, and had trained as a chartered surveyor.³ In addition, as the current Regional Secretary of the Devon branch, Tim Brooks, observes, the desire for landowners to become involved at a high level coincided with a rapid growth in the Association. The key roles of the CLA in providing advice and information to its members, lobbying on their behalf, and promoting more generally and publicly the interests of landowners expanded markedly through the 1970s and, even more so, through the 1980s.⁴ The sequence of letters and documents detailing the various representations made by Lord Courtenay commence in 1970, when he became a committee member of the Devon branch of the CLA. He had joined the branch when he returned to Devon at the completion of his professional training, in 1968. The archive collection ends in the early 1990s, soon after his election to the branch Presidency. This followed three years service as the branch Chairman, and three years on the CLA's national Executive Committee. Before this, he had served for

six years on the specialist, central Taxation Sub-Committee. As Lord Courtenay recalls, his close involvement with the CLA coincided with a time when he, his estate, and landowners generally, were facing great pressures. He wanted to engage with these pressures at a high level, bringing his experiences, technical knowledge, and personal views to bear. From the early 1990s, Lord Courtenay's level of involvement in the Association started to wind down. Now, in 1997, he declares, 'I am almost out to grass'.⁵ Over the twenty years, his participation was considerable. Moreover, the period is a crucial one, for a range of key issues came to dominate the concerns of Lord Courtenay, landowners, and the CLA: taxation, tenure, conservation, and access.⁶

i) Taxation

Of the four issues, taxation was the most pressing and pre-occupying for Lord Courtenay. It will be shown in this account that he saw taxation as a vital political issue for landowners, especially through the 1970s, as well as an urgent concern for the future survival of his estate. In September 1970, he submitted a detailed memorandum on capital taxation to the CLA's central office, based on his personal views and his experiences as a land agent. It challenged the current CLA policy statement, calling for a far more radical agenda at a time when a new Conservative government was promising major reforms. Lord Courtenay outlined two areas of criticism. First, he questioned the CLA's support for the 45% abatement on the assessment of agricultural land for estate duty. This level of concession, he argued, was still insufficient to prevent large sums of

essential capital from leaving the industry. Furthermore, the abatement had not slowed the processes by which many landholdings were being forced to fragment, and the number of traditional tenancies available to rent to decline. Second, the Association had not recognised the relationship between the abatement and the rise in 'death bed' purchases, the effects of which were to over-inflate land prices and, more especially, to destabilise landlord-tenant relations. His proposal was to call for the abandonment of the questionable concession of abatement. In exchange, duty would be paid at the full rate, but not at death. Instead, it would be paid only when capital was actually become available to a landowner - upon the sale of property. In effect, he proposed the general adoption of the scheme which applied to woodland and to chattels of historic value.

The memorandum aroused considerable interest and was considered by the CLA's national Taxation Sub-Committee. However, it was rejected. In part, the Association wished to retain a defensive position, fearing that the promotion of more radical proposals might attract renewed scrutiny of the existing concessions, and bring about their removal. Instead, the CLA would press for an extension of the time over which estate duty payments could be made. In addition, the committee argued that the suspension of the abatement would be too extreme, causing stagnation in the land market and denying worthwhile returns from sales of property. Undaunted, Lord Courtenay entered into lengthy correspondence with the CLA's Taxation Secretary and with interested members of the sub-committee. His efforts brought a second memorandum, to coincide with the government's 1972 Green Paper on Inheritance Tax and Estate Duty, and in his election to the sub-committee for a three year term. The revised memorandum expressed even more emphatically his objections to the current

principles of capital taxation, and his concerns for their effect on the landlord-tenant system, and the agricultural industry in general.

At the same time, he acknowledged in a letter in August 1973 to another sub-committee member that landed estates currently attracted little sympathy given the prevailing strength of left-wing politics and the general public mood favouring wealth redistribution. As a result, any taxation proposals adopted by the CLA needed to be defended on wider grounds, including those that all sizes of landowner were now threatened by fragmentation, and this process was affecting the appearance of the countryside and the social and economic health of local communities. Again, though, the sub-committee were sceptical of the political acceptability of Lord Courtenay's ideas, and they were again rejected in favour of maintaining a more moderate line. Soon afterwards, the Labour Party put forward its manifesto which incorporated a Wealth Tax and a Capital Transfer Tax. With these proposals in mind, Lord Courtenay wrote to a fellow sub-committee member:

I get the impression that many landowners are so punch drunk with capital taxation, that they now regard it as inevitable in the climate of opinion engendered by the left wing, that they will be lucky to hand over half of their property. (6 September 1974)

In response to the Labour Party's proposals, Lord Courtenay wrote a lengthy letter to the *Western Morning News* (16 September 1974). In this, he employed a range of arguments. The first was personal: 'nobody can view with dispassion the destruction of what they and their forebears have striven to maintain and improve over a period, in my case, of some 700 years'. However, Lord Courtenay recognised that he did not expect much public sympathy for landowners. They represented only a tiny part of the

electorate, and a group into whose hands much wealth was concentrated, if only on paper. Instead, he turned to a point of view that he felt might appeal more broadly: 'the British countryside as we know it owes its unique beauty in large measure to the care of many generations of landowners, and to the fact that the system which has endured since the Norman Conquest has encouraged large holdings in individual hands'. For his third argument, he incorporated another area of current concern: 'nearly all of Britain's farmworkers are housed in tied cottages, and despite the political opposition to this system, it is difficult to see how it can be altered, since men cannot be attracted to work on the land if there is nowhere within miles for them to live'; yet 'when faced with high capital taxation the first thing a landowner sells is cottages, which fetch high prices to outsiders, in many cases merely as holiday homes, to the grave detriment of the community'.⁶ A final argument turned to the nation's passion for sport. He cited the popularity of horse racing, but also the threat posed to it by the new taxes, given the key role played by landowners in its support. In summing up his views, Lord Courtenay questioned the central principle behind the new proposals. In a concise, but more provocative version of the same letter, published this time in the *Daily Express* (7 October 1974), he wrote:

It is the stated policy of the Labour Party and for that matter of the Liberals, to introduce taxes whose sole objective is not to get us out of our present economic troubles, but to bring about what they consider a fairer distribution of wealth. This obviously appeals to the British sense of fair play, yet, strangely, it is the very inequality of wealth which contributes so much quality to life in this country.

In the event, the Labour Party were elected to office, and Lord Courtenay helped prepare the sub-committee's submission on taxation for the Parliamentary Select Committee on a Wealth Tax. His close involvement with taxation matters through the CLA allowed him, at one level, to raise his own personal concerns that arose from the new tax proposals. For example, in correspondence in July 1975 to the Taxation Secretary he offered comments on the limitations of a proposed amendment to the Finance Bill on capital gains and retirement. In the same letter, he also requested clarification of the Capital Gains Tax implications of his father's retirement, and his, Lord Courtenay's, succession to the tenancy of the estate's home farm.⁷ At a general level, he continued to question any submissive line that the CLA might take. For instance, in a letter to the chair of the sub-committee, he objected to a view expressed at a previous meeting, which argued that: 'it might be expedient not to defend too strongly the major estates....in other words, that they might be sacrificed on the alter of public feeling' (9 October 1975). Lord Courtenay maintained that the large estates were essential for the survival of the landlord-tenant system, and that irrational or emotive arguments must not compel the CLA to compromise. Also, Lord Courtenay drew upon his own circumstances in order to reflect upon the general arguments. For example, in a set of comments to the Taxation Secretary he outlined his personal objections to the principle of consanguinity then under review:

As an eldest son I am probably as consanguine as anyone and could be expected to welcome consanguinity reliefs. However, although I accept that family inheritance is acceptable to Tory philosophy and indeed to CLA philosophy, it does not I think follow that an inheritor who is not a close relative should in effect be penalised. This seems to conflict with what I consider to be the landowner's basic philosophy, that he is a life trustee with a duty to hand on his

inheritance, if possible in a better shape than he received it. In this context the relationship of that inheritor is irrelevant. It is the property that matters not the individual. (27 September 1976)

Two years into the Labour administration, Lord Courtenay could write in more optimistic terms. In an address presented to the annual meeting of the CLA's Cornwall branch, he gave an account of the recent work of the Taxation Sub-Committee:

The CLA through the Taxation Committee is regarded by politicians as a prime source of informed opinion and authoritative comment on matters to do with agriculture and landownership, and this applies to a surprising degree regardless of which party is in power. There is also a good liaison with Whitehall, and it is important for CLA members to realise the extent to which their organisation is listened to by Treasury officials....With the shortage of capital which threatens to hold back the much needed recovery of British industry, the Chancellor has good reason to have second thoughts, but in particular the application of the Wealth Tax to the agricultural industry is one which gives him particular problems, and there is no doubt that if and when the Wealth Tax appears, special concessions will have to be made for agriculture. It would seem that the message has got across and the CLA must take a great deal of credit for this. (14 April 1976)

In the same address, Lord Courtenay also praised the effectiveness of the lobbying activities of the recently-formed Historic Houses Association, whose efforts had secured the extension of exemptions for historic buildings and works of art. Six months later, he wrote to the Taxation Secretary suggesting that the political mood was such that the CLA might reflect again on his memorandum, or even more radical proposals:

I think that the current climate of opinion of great importance but I wonder whether we are not over the hump, or perhaps I should say out of the trough of egalitarian thinking. Is there not an increasing awareness that it is years of egalitarian thinking and taxation based on egalitarian principles that is the root cause of our economic problems. If the climate of opinion is tending this way should we not be questioning the need for CTT at all? (27 September 1976)

For some years after 1976, taxation lessened as a major pre-occupation for Lord Courtenay in his campaigning. The fiscal agenda of the Labour administration had steadily weakened, and he welcomed the new Conservative government of 1979 and, with it, the anticipation of reform. He was re-elected to the Taxation Sub-Committee in 1982, and in 1987 he was appointed to the CLA Working Party on Capital Gains Tax. Over these years, he continued to press for a more far-reaching line to be taken on fiscal reform, but, generally, he was drawn into far less correspondence over capital taxation matters. One new issue was taken up, though, that of Value Added Tax. He made the debate surrounding this tax his primary concern over the four year period from 1981 when he served as Vice-Chairman and Chairman of the Wessex branch of the HHA, and as a member of the Association's central Council. In a series of representations, he pointed out to both the CLA and the HHA that capital tax concessions did not address one of the principal problems facing the owners of historic houses, that of closing the gap between income received from opening to the public and expenditure on repairs and running costs. Lord Courtenay noted that the sum being paid in VAT on admissions made the difference between profit or loss at Powderham, and reduced the funds that might be made available for repairs. Given the change in the political mood by the late 1970s, he felt that a demand for zero-rating was a realistic one:

The heritage bandwagon is still rolling quite nicely, and I am conscious not to overload it. Nevertheless, if the government want to give some small help to the heritage, and to encourage us to have visitors, this is something they could do.⁸

In 1989, Lord Courtenay entered into another series of more emphatic representations on the subject of capital taxation. Concern was initially aroused upon hearing Nicholas Ridley's address to the annual meeting of the HHA, in which the Minister declared unsympathetically that the government would no longer 'bail out' owners who could not maintain their houses, and they should, if necessary, sell. Following the speech, Lord Courtenay wrote to the CLA's Taxation Secretary with the observation that this 'argument would have more validity if those who try to maintain estates with historic houses and contents were not subject to rates of Inheritance Tax, to insure against which, as I have pointed out, may cost more than the whole investment is yielding' (10 January 1989). In the months prior to the Conservative budget in 1989, Lord Courtenay urged the CLA through the Taxation Secretary to press further towards the abolition of Inheritance Tax. In the event, the budget introduced changes which Lord Courtenay took to be a serious reverse in the process of lessening the fiscal burden.

Lord Courtenay's view of the budget proposals featured strongly in his address to the CLA's Devon branch in May, and in two written attempts, via the local Conservative MP, Patrick Nicholls, to lobby the Treasury during the passage of the Finance Bill. Lord Courtenay took issue with the ending of the hold-over relief for Capital Gains on the sales of inherited assets, which were exchanged for Inheritance Tax exemption on lifetime gifts. As Lord Courtenay pointed out, death within the seven year period allowed for the transfer of gifts would bring double assessment from both

Inheritance Tax and CGT; furthermore, falling agricultural incomes meant that landowners could not afford the high cost of insuring their estates over the gifting period. Summing up, he declared: ‘under Inheritance Tax and the proposed abolition of hold-over, there is no way that I can afford to hand over to my son. I did not vote Conservative to be clobbered by socialist taxes.’⁹

Lord Courtenay acknowledged the concessions offered on the abolition of hold-over, which allowed a 10 year repayment, and the exemption of business assets (including, therefore, owner-occupied units). However, the continuation of the Treasury view that private landlords were not trading companies, and do not thereby qualify for business reliefs, meant that the let sector would continue to be disadvantaged: ‘I can only conclude charitably that the Chancellor had not considered the full effect on the agricultural sector of what he was doing’.¹⁰ Also, the budget did not appreciate the potential damage that could still be caused by Inheritance tax, given the sharp rise in the prices for building assets and the fall in farm incomes, for the Treasury maintained the principle of assessing tax payments on break-up value, rather than existing use value: ‘it is perfectly fair to have to pay CGT when you exchange an asset for hard cash but quite unacceptable when you are trying to keep land in the family for a meagre return and to the undoubted benefit of the rural community as a whole’.¹¹ This change was made worse for landowners like Lord Courtenay, who had not, under the previous year’s budget, been rebased for capital gains to 1982; for those who had inherited after 1982, gains were still calculated from 1965; Lord Courtenay had inherited in 1983.¹²

Lord Courtenay again questioned the very presence of a tax on inheritance, and the way it continued to be administered. In a second letter to his local MP, he observed:

I wish to disabuse the Treasury Ministers of the notion that by replacing CTT with Inheritance Tax they did us all a favour. In my view it was a totally retrograde step and took us right back to the bad old days of Estate Duty. If you have to tax capital on inheritance at all it is far better to tax it at an affordable rate which can be anticipated rather than a capricious tax at a punitive rate which can be avoided if you are clever enough or lucky enough. (26 June 1989)

Lord Courtenay's views about the state of the agricultural industry and the effects of capital taxation were also expounded in an unpublished letter to the *Daily Telegraph*. It was written in response to the paper's series on landowners: 'New Life for old money'. In his reponse, Lord Courtenay employed many of the arguments that he had used over the previous two decades:

The impression that the future is rosy for landowners needs substantial correction. In the first place only a minority of landowners are in a position to sell development plots or surplus old masters. For the majority any alternative to farming is hard to find and farming is now entering its worst period since the 1930s. Secondly, landowners are not dealers. They do not see their land as a commodity to be traded but as an asset to be cherished to earn them a living and ultimately to be handed to the next generation in at least as good a state as it was received. This attitude has over many years undoubtedly benefited our countryside while the same attitude applied to country houses and the treasures contained within them has equally benefited our heritage. New money on the other hand tends to look upon these assets as commodities and so unfortunately have successive Chancellors. (5 December 1989)

In response to a further letter from Lord Courtenay, and after receiving representations from other interested parties, the Treasury wrote to him noting his arguments. The reply outlined an amendment to extend hold-over relief to gifts of let land, and to reiterate the value of the provisions that had already been made. However,

Lord Courtenay remained dissatisfied with the proposals that were retained, and that minimal gains had been achieved through the lobbying process. In later letters to Patrick Nicholls, the CLA's Taxation Secretary and to the President of the HHA, he highlighted the significant problems that remained: that assets transferred to maintenance funds to free them from Inheritance Taxes still attracted Capital Gains upon disposal; that exemptions from both Inheritance and Capital Gains Taxes only applied to buildings and items of 'high' historic value, and brought with them binding conditions; and a crude indexing of Capital Gains still remained in place. In his letter to the President of the HHA, he declared:

I am frankly disappointed that having made such a good case you end up by asking for so little, in effect, only a few adjustments to the Maintenance Fund arrangements, which are of course welcome, but it is hardly very radical....As you know the CLA campaigned for many years against Estate Duty which was virtually Inheritance tax in another name, and I am sorry that they and the HHA appear to have gone quiet on it as though it had become acceptable which it manifestly has not. (14 November 1990)

ii) Tenure

The second issue to achieve particular prominence in the 1970s was the future of the landlord-tenant system. Initially, Lord Courtenay's concerns over tenure arrangements were employed in his objections to the exactions imposed by capital

taxation. In 1972, in the second of his memoranda addressed to the CLA's Taxation Sub-Committee, he wrote that:

The British landlord-tenant system is probably the best system of landholding the world has ever devised, especially in combination with the large estates which the tradition of primogeniture has encouraged. Estate Duty has largely destroyed the system and any taxation which furthered this destruction should be deplored.

Upon learning of the taxation proposals of the Labour Party in 1974, Lord Courtenay wrote to two of the Powderham estate's tenants about their implications.

The same points were then reiterated in a letter to the local Conservative MP:

We have on this estate a long tradition of sons, where they are capable, succeeding their fathers in tenancies. This is a tradition which I would support, though I would stress where they are capable, because this, in my experience, is not always the case. The result on this estate has been not only a high standard of farming but an excellent relationship between the estate and its tenants, which I am anxious to continue. It is with great regret, therefore, that I have now to inform two of my tenants....that I cannot see any prospects of the trustees of the estate being able to grant any more tenancies. (7 November 1974)

By the end of 1975, the landlord-tenant system had become a key issue in its own right for both the CLA and Lord Courtenay. An amendment to the Agriculture (Miscellaneous Provisions) Bill in 1975 proposed the right of succession to tenancies, a measure attracting the support of the NFU. Upon learning this, Lord Courtenay resigned his membership of the Union. In a letter to the NFU's Devon branch, he emphasised his support for the landlord-tenant system, but insisted that the Union was

misguided in their view that the right to succession would assist the let sector. He wrote that:

In a situation where planting costs for a hundred acres of potatoes are roughly equivalent to the gross income from five thousand acres of let land, and where estate records which I have seen show farm rents today being about double what they were a hundred years ago, one reason why letting is unattractive becomes apparent. Add to this the unequal treatment of let land as compared with owner/occupier land for purposes of both capital and income taxation and the continuing threat of political interference which hangs over the owners of let land. (30 December 1975)

Lord Courtenay's interpretation of the situation was that the NFU had bowed to pressure from the political left, and missed an ideal opportunity to review and negotiate over tenancy arrangements. He continued:

By supporting this amendment the Union is considering only the narrow sectional interest of tenant farmer sons and forgetting the interests of the many well qualified young men who wish to go into farming, but lack the finance to buy a farm of their own. What the Union should be pressing for is a full scale enquiry by the government into the means by which landlords whether private or institutional can be encouraged to make more farms available for letting...Instead of this however, the Union has chosen to abandon the wider interests of British agriculture and in the interests of a sectional minority to join on the first available political band wagon. In the light of such irresponsible behaviour, by the Union which I have supported up until now, I have no alternative but to resign.

These views were repeated in a strongly worded letter to the President of the NFU. A written representation was also made to the local MP, in which Lord Courtenay pointed out the political irony of the measure:

It is rather strange that a political party which is by way of being opposed to the principle of inheritance and has constantly tried by fiscal means to destroy, should now be seeking to create a privileged minority of agricultural tenants in England and Wales? It is perhaps their principle that to inherit that which is someone else's is right, or do they think that landlords are by definition bad, and tenants by definition good.¹³

In 1980, Lord Courtenay was appointed as the CLA's representative on the Conservative Party's Western Area Agriculture, Fisheries and Countryside Committee. In this capacity, he joined in fresh negotiations over tenancy reform. In the following year, he reported his views to the Conservative Party Central Office:

As you know, agreement has been reached between the CLA and the NFU on a package of suggested law reforms on farm tenancies....If this agreement is implemented it should give encouragement to young people who want to enter farming. The budget has opened the way to stimulate new lettings by lessening tax disadvantages, but this action on the tax deterrent, without doing something about the succession deterrent, will not be enough to have significant effect. (8 June 1981)

As tensions rose between the CLA and the NFU with the passage of the 1983 Agricultural Holdings Bill, Lord Courtenay joined in publicising the debate with a letter to the *Daily Telegraph* (14 October). A communication from the Devon branch's Regional Secretary welcomed the letter, but questioned the political wisdom of one of

Lord Courtenay's points that tenant farmers had become privileged under previous tenure legislation. However, in a reply to the Regional Secretary a few weeks later, Lord Courtenay had himself, by then, become concerned about the level of open discord. He voiced strong criticism of the respective leaders of the CLA and NFU, and expressed alarm at the damage the in-fighting was doing to the media image of landowners and farmers.

In 1988, after a survey of its membership on the issue of tenancy, the CLA produced a paper urging more radical reform. In the 1983 Bill, which passed into law in 1984, the secure term for new tenancy arrangements was reduced to one lifetime, as it existed prior to the 1976 Act. However, The CLA's paper argued that the 1984 Act had only partially remedied the situation, and further letting could only be encouraged through freedom of contract. This position was stressed by Lord Courtenay on a number of occasions, notably, at annual liaison meetings between the NFU and CLA's regional branches, and upon a fact-finding visit of the Agriculture Minister in 1990. In the regional liaison meetings in 1989 and 1990, the two organisations agreed that the most vital term in the development of a tenancy arrangement was the first 10 to 12 years; but, whilst the CLA still maintained that freedom of contact was necessary to revive the let sector, the NFU felt that a 25 year term was required to give confidence and security to new entrants. In 1993, Lord Courtenay resigned again from the NFU in protest at the continued impasse. In a local press statement, he considered the Union's attitude to reform to be 'negative and reactionary', claiming that:

There should be the right for two people to negotiate the terms of a contract that suit them best. Fallback conditions must of course be included, but the agreements ought to be more in line with business leases....The present legislation and taxation position means that landowners will

not let their land, preventing young people from getting started in the industry. (*Express & Echo*, 29 June 1993)

Lord Courtenay very much welcomed the Farm Business Tenancies introduced by the 1995 Agricultural Tenancies Act, which do not demand the security of tenure, minimum term, or statutory rent review process associated with existing tenure arrangements.¹⁴

iii) Conservation

Upto the mid-1980s, conservation issues had not featured that highly in Lord Courtenay's involvement with the CLA. In letters to the Regional Secretary in 1972 and 1982, he commented on Local Plans, welcoming their broad stances in favouring conservation and opposing development of an unsuitable character. However, he also emphasised the need to control public access, for grants to support the provision and maintenance of footpaths, and for opposition to any added interference with the activities of landowners. The latter point he reiterated in a letter to the County Planning Officer:

Your policy should recognise the degree of protection already given to this area by the Powderham estate and indeed to other areas by other landowners, and should not seek to restrict the estate's legitimate activities in agriculture and forestry or to dictate estate

management policy to landowners who are aware of their obligations in this respect. (10 September 1982)

Also in 1982, he returned his submission to a CLA survey on conservation, offering information from his own archives in support of the CLA case in the debate over the Wildlife and Countryside Bill. A collection of local maps, he felt, countered a popular view that countryside change was a recent event. In the area of the Powderham estate, far more upheaval appeared to have occurred in the late eighteenth and the nineteenth centuries than in the twentieth.

What triggered a far higher level of participation in conservation debate, was Lord Courtenay's involvement in 1984 and 1985 as a CLA representative in the Okehampton bypass consultation process. Although there was a wide range of considerations, Lord Courtenay discerned two leading, conservation arguments: the southern route through the Dartmoor National Park would set an important precedent that compromised National Park designations; whilst the much longer, northern route would cause more extensive damage to the countryside. In the debate, Lord Courtenay and the CLA chose to defend the southern route, arguing that this would cause the least upheaval for both the conservation and farming interests. He articulated this view in a series of letters to the *Daily Telegraph* and the *Western Morning News*, and in attempts to lobby interested organisations: the Campaign for the Protection of Rural England, of which he was a member, and the Devon Trust for Nature Conservation and the World Wildlife Fund, of which he was a regional council member.

In 1986 he gave an address to county Conservative Party representatives and workers at Powderham Castle, in which he expressed his awareness of, and personal reflections on, key conservation issues. He commenced by attempting to correct what

he saw as a series of false assumptions. The first involved the way in which public access and conservation had become viewed as synonymous, whereby farmers are depicted as against both and conservationists pro both. For Lord Courtenay: 'conflicts between farmers and conservationists make compulsive reading and viewing but often the reality is that the farmer or landowner is on the side of conservation and the conservationists are primarily seeking more public access'. He illustrated this point by reference to the cases of conflict over access to grouse moors, and over attempts to ban the military from Dartmoor. Lord Courtenay was actively involved in preventing the latter. Second, he welcomed the increase in the general awareness of conservation matters, but not the assumption that farmers entirely prioritise production over conservation: 'those of us who are true countrymen at heart, and this remains by far the majority, have not given unequivocal welcome to the developments in agriculture of the last few decades'.

With regard to a third assumption, it could not be assumed that overproduction would result in de-intensification and more conservation, given falling returns: 'the likely reaction of the industry to economic pressure is to produce more rather than less, and much as many farmers might like to undertake conservation projects they cannot do so if the money is not there'. Lord Courtenay outlined the commendable response of farmers and landowners to the rise of the Farming and Wildlife Advisory Group movement. However, he then returned to the costs of farming and landowning, and, in particular, what had become the highly publicised matter of compensation under the Wildlife and Countryside Act. He criticised the Friends of the Earth for their attacks on the economic activities of farmers:

Friends of the Earth seem to be more interested in ensuring that farmers don't get any money than ensuring the protection of the environment....after all, all you are doing is transferring the cost of that environment from the individual purse to the collective purse which seems to me entirely proper.

Lord Courtenay felt that the farmers were taking the blame for something for which the government should accept responsibility: 'it is only a matter of the government getting its act together and deciding to pay for those activities it wants to encourage and not for those that it does not'. That is, an end should be brought to the farcical situation whereby compensation assessments were based on operations (and potential grant aid) that might not have actually occurred.

iv) **Access**

From 1987, the emphasis for Lord Courtenay shifted from conservation to access. The matter of access had attracted the interest of Lord Courtenay earlier. At his first committee meeting of the Devon branch in 1970, Lord Courtenay raised two queries regarding access, and the committee asked that the Regional Secretary to make further enquiries to central headquarters on his behalf. The first answer confirmed for Lord Courtenay that local authorities did not have to consult landowners before erecting waymarking. The second established the fact that bulls had not been banned from fields with a right of way under the 1968 Countryside Act, but that it was an offence and

subject to a fine under Devon County Council bylaws. Learning this, he replied to the Regional Secretary:

This is yet another example of farmers giving way to public pressure, and convinces me that with the increased availability of certain parts of the countryside for public enjoyment, which in modern terms is not unreasonable, the corollary must be greater protection for landowners which is not made available. I very much hope that this is something which the CLA will stand very firm on. (21 July 1970)

Lord Courtenay raised the matter of bulls on rights of way again in 1979, when the CLA, NFU and the Ramblers Association agreed a proposal for temporary diversion orders administered through the local authorities. Lord Courtenay, meanwhile, protested to the CLA's legal advisor:

I get the impression that nobody at headquarters takes this matter seriously, and I can conclude that none of them or their tenants find themselves in the position as I do, where more than half the grassland on the farm is affected by footpaths. One of my main enterprises and a very successful one is a pedigree herd of single suckled South Devon cattle, and I can only continue to run this enterprise by totally ignoring the existing DCC bylaw, which prohibits the running of bulls on footpaths. If this were to become enshrined in a new Act, and thereafter somebody were to start to enforce it, it might result in my having to disband what I think I can justifiably call a famous pedigree herd....Furthermore, as a matter of principle do we really believe that our members should have to ask the local authority for permission to farm their own farms in their own way. I get the impression that you at headquarters in supporting this legislation are rather losing touch with realities at grass roots level.¹⁵

In 1983, recognising that the issue of access had become more pressing, the CLA surveyed its members for information relating to the matter. Returning his submission, Lord Courtenay concluded with a local view:

We are going to face increasing demands for public access in the more accessible areas such as this. If this is to be properly controlled then the funds for doing so must come from the public purse and not have to be provided by the landowner.

In his 1986 address to Conservative Party representatives at Powderham, he expounded further upon the problems surrounding increased access. He recognised that, currently: 'perhaps the main obstacle to greater agreement on access to the countryside is the attitude, which is all too prevalent, that the countryside is something created by God which all free men should have a right to stroll in at will'. He added that this increasingly popular view had become more prevalent amongst those living near to the Powderham estate, following the transformation of the nearby village of Kenton from a small rural working village to a large commuter settlement. However, he challenged this point of view with a personal perspective:

If I choose to sell the land which I now own and invest in a luxury yacht on which I could live with a sufficient investment portfolio to keep me provided for, I would live a much easier life. I would incidentally be bored stiff but I would not be faced with a constant demand from the public that they should be allowed free access to my yacht or a share of my portfolio. And even though after a family tradition going back more than 600 years I am unlikely to make that choice, I do have that choice. If I choose to invest in land I do so in the knowledge that the investment has certain drawbacks, the main one of which is that it involves a lot of hard work for a very small return. However, in return I have a way of life which I ought to be able to

enjoy without too much intrusion from others. Those who want free access to my land are really saying that they want to enjoy the benefits of my investment without having to incur any of the penalties.

In the same address, Lord Courtenay stated that he was not opposed to access arrangements, provided that they were negotiated and the costs provided for. Soon after presenting this address, access became a far greater pre-occupation for Lord Courtenay. This followed the publication of the Common Land Forum (CLF) report, and the debate to which it gave rise, and his appointment as the CLA's representative to the County Council's Rights of Way Consultative Group.¹⁶ By the time of his 1988 Chairman's address to the AGM of the Devon branch, the issue of access was dominant. He pointed to the contrast that prevailed between those whose main preoccupation was agriculture, whose economic future had become bleak, and that section of society, stereotyped by the 'yuppie', that had prospered and now entered the countryside for the pursuit of leisure. This had given rise to a crucial question:

Should we whose business is landownership be expected to supply a quite understandable demand from a largely urban public whose members by and large are far better off in income terms than we are, and be expected to supply that demand at our own expense and without receiving some payment for it. The answer to that question has to be no, yet supply that demand we must. As landowners we are in the business of supplying to the public at large what they need from the land. If they demand food we will supply food. If they say they require less food but more leisure we must supply less food and more leisure; but in either case we must supply it on a commercial basis and at a price which it will command, and just as with food production we must supply it in a manner which causes as little damage as possible to the natural beauty of the countryside and the plant and animal life which shares the countryside with us.

For Lord Courtenay, the key to a successful relationship was the greater recognition by the public of the rights of owners and occupiers; rights of access must be observed on the owner's terms, and with a preparedness to share in the liabilities accompanying those rights. Essentially, 'rights go hand in hand and what is not acceptable is more strident demands for rights, with no perceptible willingness to contribute to the maintenance or welfare of the countryside. We have had all too much of this in recent years'. Lord Courtenay maintained that good signposting and maintenance was in the best interests of both the rambler, and, in terms of effective management and good publicity, the farmer. Yet, at a time of increased public scrutiny, dwindling farm labour and incomes were detracting from footpath upkeep. Speculating hopefully:

I do not suppose it will happen immediately but eventually it must come that farmers and landowners will be paid for the rights of access placed upon them whether they like it or not, and what a happier time it will be when farmers welcome ramblers to their land because they are being paid for having them there.

In the same address, Lord Courtenay also noted that tensions had risen noticeably in the debate over access. He expressed his concern about the drift of the CPRE towards a more confrontational line, and, even more so, about the extreme intransigence of the Ramblers Association, and their denouncing of the principle of footpath diversion.¹⁷ Commenting on the attitudes of these organisations, he observed:

[They] belong to the dark ages when Victorian landowners and their evil gamekeepers set man traps to catch innocent ramblers....If they want to continue with their heads stuck firmly in the past that is up to them, but it is now 1988 and just as attitudes of conflict and confrontation

have no place in industrial Britain....so they have no place in determining the future of the countryside.

Lord Courtenay also acknowledged that the issue of access had caused tensions amongst landowners themselves. Earlier, he had written to the Regional Secretary expressing his concern about the CLA's support for the CLF report, which proposed an increase in public access to common land for leisure purposes, through the negotiation of management agreements. Lord Courtenay questioned whether the implications of increased access on conservation and the local shooting economy had been fully considered. He articulated these concerns in a number of letters to the *Western Morning News*, which included an exchange with the chair of the Open Spaces Society; to the regional World Wildlife Fund, which agreed to endorse his view that the environmental impact of the CLF proposals should be more fully researched; and to the chair of the Moorland Association, offering his support for the group's opposition to the CLF report and its provisions for increased, if negotiated, access. Lord Courtenay's views were reiterated in his 1988 address. On the subject of the grouse moors, he stated:

It cannot be right to risk destroying a valuable, fragile, ecological resource capable of producing substantial income in a sustainable manner which not only does no damage but enhances that resource, by displacing those who are prepared to pay substantially for their recreation in the interests of those who are not....Nobody is saying that there should be no access to common land. There is plenty of room for compromise....which can give maximum benefit to ramblers and minimum damage to sporting and ecological interests.¹⁸

On the subject of common land in general, Lord Courtenay added:

It is worth asking and reminding ourselves, what is common land anyway? It is essentially land owned by one party on which other parties, which may include the owner, have rights in common with each other. No more or less. It is not and never has been publicly owned land.

Concluding his appraisal of the access debate, Lord Courtenay declared:

It is up to all concerned including those who signed the (CLF) report, among which of course is the CLA, to think this through again before any legislation is enacted which might do damage that cannot be undone.

Since the early 1990s, and his retirement from formal positions within the CLA, Lord Courtenay has continued to make public representations of his views, notably, in his regular contributions to features and to the letters' page of the *Western Morning News*. In more recent years, a range of new issues have attracted his attention. Amongst his latest correspondence, it is the issue of access that continues to figure most prominently. He has written much following the new Labour administration commenced a consultative process on the right to roam, drawing on the lines of argument he had articulated through the late 1980s.

b) *Landowners and wider representations*

This chapter investigates the key actor, Lord Courtenay, and, in doing so, forges a link between that actor and the wider context. This contextualisation is achieved in two ways. First, the analysis examines the views of Lord Courtenay, and how they have evolved in the changing political, economic and social context of the last three decades. This will inform the following chapter, which examines survival strategies at the level of the estate. Second, the analysis places Lord Courtenay and the Powderham case in the broader context by considering how the attempts made by him to influence wider-ranging processes reflect on the changing position of landowners generally.

This thesis argues that an understanding of the survival of landed estates and their owners requires an examination of the activities of landowners both in wider networks, and at the level of the estate. It has been pointed out that much of the literature on the place of landowners tends to focus attention on one of the two levels. For the Powderham case, a strategy of political activity and wider representations has been of great importance, most especially for Lord Courtenay. He has made a great range of appeals, based on his own personal interests and circumstances, and on his views on the interests and experiences of the owners of country houses and landed estates. This strategy reveals a great deal about Lord Courtenay as an actor. First, he has very strong interests in, and deep knowledge of, certain important issues, most especially, taxation. His close working relationship with the CLA has allowed him to articulate, and to keep himself very well-informed on, these areas of interest and knowledge. His level of awareness, particularly a detailed and critical understanding of key legislative measures, has assisted him greatly in the management of his estate.

Lord Courtenay's wider activities also sheds light on certain personal characteristics. In much of his work in the CLA, he has readily adopted extreme and confrontational stances, whether these are in the promotion of far-reaching, even radical, change, or in the vigorous defence of a *status quo* position. He accepts that his viewpoint has frequently diverged from the more moderate, public line articulated by the CLA. But, he argues that his past readings of the prevailing mood have suggested to him that the Association was often, and unknowingly, 'pushing at an open door'.²⁰ It will be shown that his tendency towards extreme and confrontational positions is mirrored in his activities at the level of the estate, for some of his decisions demanded great transformations to take place, others were met with considerable controversy and conflict, whilst some were highly conservative.

The account of Lord Courtenay's various representations outlines his views on a series of key issues. In addition, it exposes a fundamental ideological dilemma that underlies each. This dilemma is the problematic relationship between the capitalistic and custodial owner-motivations. In earlier discussions, it was noted how the balance between the two motivations had tipped in favour of the former. This represented, it was argued, a major 'compromise' on the characteristics of landowning associated with the ownership of 'traditional' landed estates. Survival had required that a greater imperative be given to a capitalistic outlook. Indeed, in Lord Courtenay's view, the demands and opportunities brought by economic and social change, a harsh fiscal regime, and certain tenorial legislation, had required that the capitalist approach take priority over the stewardship approach. For example, fiscal measures, in combination with rising prices of land and artworks, had brought about the break-up of historic landed estates, to the detriment of the nation's heritage and the well-being of rural

society. Likewise, the effects of tenure and taxation legislation, and an agricultural revival, had created disincentives for the landlord-tenant system, a system which had a custodial dimension of bringing new entrants into farming. However, the relationship between the custodial and the capitalistic is a contradictory one, and two approaches are not always incompatible. This can be recognised in some of Lord Courtenay's later writing on environmental issues. In one sense, provision for conservation and access conflicted with production objectives. Equally, though, adequate compensation for environmental measures offered a valid, if different, economic purpose. Lord Courtenay's positions on capitalism and stewardship will be explored further in the next empirical chapter. This discusses how his attempts to reconcile the two motivations find expression in the formulation of estate-level survival strategies.

The current chapter also seeks to reflect on the position of landowners more broadly. Returning to the central perspectives of this research, the account given of Lord Courtenay's political activities sheds light on a prominent element of the decline-survival debate: prestige and power. It was discussed how the influence of the landed establishment had dwindled. For Cannadine (1990), the landed classes had almost entirely retreated from their hegemonic position in local and national government. Moreover, he gives little attention to the rise of the CLA, whose presence, for him, further underlined the degree to which their influence had declined. Thompson (1993), by contrast, saw the abandonment of formal office by landowners as a conscious and astute comprehension of the prevailing social and political context, and the emergence of the CLA offered a more appropriate and effective form of representation, and a level of compensation for loss of political power. Lord Courtenay did occupy formal positions in local government, and the next chapter will investigate his activities and ultimate

retreat from this area of activity. The focus here, though, is on his role within the CLA which was by far the more demanding of his efforts.

The literature on the CLA is, arguably, quite limited. Perhaps a reflection of the fact that its political significance is insufficiently regarded or understood. There are no 'standard' works on the Association. Instead, the place of the CLA has been viewed in relation to particular issues or legislative measures, or as a component of more general studies of the changing fortunes of landowners and farmers. The research, here, is important because it yields a fascinating and illuminating account of an individual's relationship with the Association, providing what amounts to an 'insider's' view. This view is, of course, an individual one. Lord Courtenay clearly had much faith in the organisation, and offered a high level of commitment to it. In addition, his stance within the organisation reflected the particular flavour of his views. Nonetheless, the account of Lord Courtenay's activities is an informative one. It is beyond the scope of this research to trace the effectiveness of his strategy of wider representation in terms of influence on CLA policy, government legislation, or the opinion voiced through the regional press. However, it can be said of the work of Lord Courtenay, and that of the CLA as a whole, that their efforts to effect change were clearly considerable and determined, and that these efforts brought significant results as well as much frustration.

Lord Courtenay's participation is most informative on the Association as an organisation. For his writings reveal a number of the key strengths, weaknesses and contradictions that Newby (1985) outlines. Lord Courtenay appreciated the way in which the organisation had evolved into a professional body, providing different forms of support to, and representation for, its membership. Yet, he had difficulty in accepting certain other dimensions of its stance as a professional organisation, that of maintaining a

non-confrontational, non-party line. Second, Lord Courtenay recognised the need for the Association to embrace a franchise that more fully represented the ownership spectrum. But, he expressed his concern on those occasions when the interests of the large, 'traditional' estates were being marginalised (also Wilson 1992). Further, Lord Courtenay appreciated the importance for landowners to align with farming interests, drawing upon the strength of the NFU, and on the defence that landowners, too, have business concerns. However, he spoke out at those times when this accommodation with the NFU could not be reconciled with that of upholding the interests of landowners. Lord Courtenay's participation in the CLA also sheds light on the central importance of the ideology of stewardship as a basis for collective defence. Indeed, in the mid to late 1970s, he argued that the CLA was slow in recognising the momentum that been achieved by the 'heritage bandwaggon'. In addition, he recognised the place of stewardship in the debate over compensation for environmental practices, and in reconciling production and consumption interests. Lord Courtenay also realised that it occupied a vital place in arguments for thwarting pressures for increased access, for he saw increased access and conservation objectives as mutually incompatible.

This investigation of the various representations made by Lord Courtenay also supports an examination of the place of property rights. His correspondence outlines how a series of legislative measures had brought increasing pressures and constraints on landowners, with profound implications for the survival of country houses and landed estates. In practical terms, the effects of taxation, tenure and environmental legislation on the actions of owners will be considered in greater detail in the subsequent chapter. Here, the discussion concentrates on the ideological level, pointing out how the arguments presented by Lord Courtenay shed light on the range of defences put up by

landowners in defence of their property rights. In their study of landowners and farmers in East Anglia, Newby and his colleagues (1978) concluded that: 'there is no "ruling-class ideology as such in rural areas, but rather a cluster of often unrelated and sometimes conflicting belief systems' (p. 325). Their work presents a fourfold classification of justificatory ideologies. These are much in evidence in Lord Courtenay's public and political discourse. He recognised the 'capitalistic' justification - the 'natural' rights that derived from labour. In his discourse he would frequently combine the landowning and farming interests, declaring that landowners, too, are economically-motivated, owning businesses which should not be unfairly disadvantaged. He also articulated the 'collectivistic' justification of rights, that, in a system of 'natural' inequality, owners demonstrate 'noblesse oblige' in their voluntary social activity, and that 'noblesse oblige' flows 'inevitably' from their landownership and agricultural enterprises. Lord Courtenay adopted such a line in his concerns for the impact of fiscal and tenure legislation on the survival of the traditional landlord-tenant and tied cottage systems. In addition, he stressed the 'altruistic' ideology of stewardship, most especially in references to the fate of country houses. This ideology down-played personal ownership and gain, and emphasised the compelling argument that landowners are merely 'life-tenants', 'caretakers', whose guardianship of the national heritage is a selfless objective above that of securing personal reward. Finally, Lord Courtenay recognised that his property could be defended on those 'individualistic' grounds that underpin the ownership of personal property more generally, that is, the owner's intimate personal attachment. By extension, this argument incorporates the right to deny others from violating one's property, an argument applied most evidently in debates over the right to roam. For Lord Courtenay, and for landowners alike: 'these ideologies are

the servants of those who use them, not vice versa, and the occasion of their use will most likely reflect the demands of any given situation' (Newby *et al*, p. 335).

It is instructive to consider the two ways in which this research differs from that of Newby and his colleagues. Whilst Newby concentrated his empirical focus on large owner-farmers, this study is concerned more specifically with the owners of historic, 'traditional' landed estates. The two, of course, overlap, and Newby did not exclude traditional owners from his broader study. Yet, it is worth giving particular emphasis to a point referred to in the East Anglia study, that owners of historic landed estates, such as Lord Courtenay, could claim that their well-rooted commitment to stewardship was especially legitimate and compelling. This piece of research also post-dates that undertaken by Newby *et al*. By the late 1980s, Lord Courtenay acknowledged that the context had altered and, with it, the arguments that could be employed. Now, environmental legislation offered compensation for loss of production rights. Furthermore, providing for access and conservation had the effect providing new purpose for landowners and farmers, and, as a result, underpinning their ownership rights (see Cox 1993, and Parker 1996). There was scope for reconciling the capitalistic and stewardship approaches. Lord Courtenay's manipulation of these ideological stances, and his attempts to reconcile them when they conflicted, find further expression in the account of landed estate survival that follows.

Notes to chapter V

1. PCA, B1-A, Country Landowners Association; C-11A, Castle, Historic Houses Association.
These files are comprised largely of correspondence, but also include annual reports, information circulars for members, publicity leaflets, minutes of committee meetings, and local and national press articles relating to the CLA and HHA, and to issues relating to land and historic-house ownership.
2. Circular from the President of the CLA, 10 Nov 1948. The concessions referred to included increased drainage grants, modifications to the Development Charge, increased compensation for requisitioned property, and the continuation of preferential treatment for woodland for the purposes of taxation.
3. Interview, Col. Deforce, 21 Jan 1997
4. Interview, 10 Jan 1997.
5. Taxation, tenure, conservation and access were Lord Courtenay's greatest concerns. Although, two other issues drew him into correspondence of some length. The first is the role of local government, which is referred to in the later examination of the estate's relationship with local villages. The second is the Conservative policy of the right to buy council houses for their tenants. This, Lord Courtenay challenged given its likely effect on the supply of affordable rural housing.
6. On the issue of tied cottages, Lord Courtenay participated in a CLA survey on the subject, writing to his tenants for their assistance, and expressing his opposition to their abolition.
7. The Taxation Secretary's reply noted that the Earl, retired but remaining partially involved, would qualify for relief under the amendment, and that Lord Courtenay qualified for 'working farmer' relief as a life tenant under a discretionary trust.
8. Letter to the chairman of the Tax and Parliamentary Committee of the HHA, 8 Nov 1978. The matter of VAT continued to feature in representations made by Lord Courtenay, especially as Conservative governments brought successive rises in the rate. Also, the CLA remained sceptical about succeeding in this area, wishing to focus attention on capital taxation, and recognising that governments would be unwilling to set a precedent with a selective concession on VAT policy.

9. Letter to Patrick Nicholls, 26 Jun 1989.
10. Address to the AGM of the CLA's Devon branch, 3 May 1989.
11. Letter to Patrick Nicholls, 10 Apr 1989.
12. The findings of the CLA Working Party on CGT were published in the 1988 MacNicol Report.
This proposed the ending of the indexing of capital gains, to be replaced by the assessment of short term gains within the income tax net. However, the 1988 budget only reindexed the gains of assets inherited before 1982 to a 1982 price base.
13. 30 Dec 1975. In the same letter, Lord Courtenay again made the link between taxation and tenure: 'this is perhaps a plot on the part of the government to bring the value of agricultural tenancies within the scope of CTT. A tenancy which dies with the tenant is of no value to his heirs...but if a son inherits the tenancy by right, the value of that tenancy may well be subject to CTT'.
14. Interview, 13 Oct 1995.
15. A reply from the legal advisor sympathised, offering to note all individual objections. Essentially, however, the Association was eager to conclude the negotiation of a general agreement, and one which would be to the satisfaction of the majority of landowners.
16. The main problem that emerged from Lord Courtenay's work on the Rights of Way Consultative Group were the differences of opinion emerging between the CLA and the British Horse Society (BHS), of which he was also a member. These surrounded the downgrading of 'green lanes' to bridleways. The BHS was concerned that their declassification would bring about their neglect by farmers. Lord Courtenay, meanwhile, claimed that this was an opportunity to meet the rise in the threat posed by off-road vehicles and motor sports.
17. Lord Courtenay, a member of the CPRE, wrote to the *Countryside Campaigner* and the chair of the Devon branch of the CPRE. In these letters he protested about the pro-access and confrontational stances that had been adopted by the organisation.
18. Lord Courtenay added that, regionally, grouse shooting was no longer a major issue: 'landowners on Dartmoor and Exmoor are denied this potentially valuable land use in large measure because there has been for some years *de facto* uncontrolled access on the commons of the south-west, now enshrined on Dartmoor at least in a legal right under the Dartmoor Commons Act'. In a letter to

the local Euro. MP in the previous year, Lord Courtenay expressed his reservations about the Act, pointing out that it had set an important precedent.

19. Other issues which have drawn correspondence from Lord Courtenay include the decision of the National Trust to ban the hunting of stags on Exmoor, the reasons for, and need for, the countryside march', and the role of the House of Lords in representing rural interests.
20. Interview, 25 Aug 1997.

VI

The Powderham estate and its owners in the post-war period

This chapter is an investigation of survival strategies at the level of the estate. It comprises a series of four narrative accounts of the changing fortunes of the Powderham estate and its owners. Through these chronological perspectives, key actors are followed and their actions examined. Each of the narratives is concluded with a discussion section which reflects on the central arguments of the thesis.

a) *The Castle*

i) **The search for solutions**

This first account considers the fluctuating fortunes of Powderham Castle as the Courtenay family home and as a central asset of their estate. It will be shown how survival has rested upon a process of commoditisation, which has given rise to considerable tension between different actors, owner-motivations, and notions of stewardship. In addition, the account demonstrates how survival strategies have

embodied major shifts in the distribution of property rights, that is, between different key actors that have played a part in deciding the fate of the Castle, and between the interests of the private, the public and the state. The chronology dwells most on a series of important events which represent critical turning points in the Castle's post-war history: the establishment and failure of the first commercial enterprise, a School of Domestic Science, just after the war; the opening of the building to the public in 1960; the attempts made in 1982 to quit the Castle, and to seek a tenant; and the launch of the Castle in 1990 as a venue for conferences and commercial functions. These events reflect changes in the personal circumstances of the family, and, closely-related, the impact of the set of broad-ranging factors that bore on the fortunes of historic country-house owners.

Through the first half of the twentieth century, Powderham Castle had been reserved for the exclusive use of the Courtenay family, with the exception of the early 1940s, when part of the Castle and grounds housed a military transport unit. In 1948, the family embarked upon the first commercial experiment with the Castle, a short-lived School of Domestic Science. The story of the school's establishment and its subsequent failure reflects how the Courtenay's judged, or rather misjudged, what the role for the Castle should be within the social context of the 1940s and early 1950s.¹ The driving force behind the scheme was the Countess of Devon, who had been largely responsible for overseeing the running of the estate during the war. In 1944, the Countess presented her ideas about domestic training in an article in *The Times* (December 10). She questioned the view that the heightened shortage in the supply of service staff for private houses was solely a practical problem for employers. The Countess emphasised concerns of an altruistic nature:

To my way of thinking, the real gravity of the situation lies in the fact that many hundreds of girls are missing what used to be the finest training to be obtained anywhere in the domestic arts - that provided in the country houses - and they are getting nothing in its place.....The results are already very noticeable in the country districts. In my childhood nearly every housewife in the villages had been in domestic service, and the standard of comfort and cleanliness was very high, in spite of their poverty.....I would like to see small home schools of practical domestic training started in all the big houses, now half or wholly closed, for girls of every class when they leave the Services; to teach them the art of home-making, either prior to marriage or as a career.

In the same article, the Countess offered a range of views for the readership of *The Times* to consider. Essentially, she perceived the 'big' country house to be an important resource. Such houses could no longer attract regular junior staff for a career in service, but there remained a skeleton of senior domestic staff who still had great expertise to impart. The establishment of domestic training schools would revive for many large country houses their viability as family homes, as well as offering an appropriate learning environment. In addition, the country house environment could provide modes for social improvement above and beyond those forms of instruction that were solely practical in nature:

Pupils are to derive the fullest pleasure from the beautiful surroundings in which they find themselves. One of the things I enjoy most in anticipation is the delight I feel these girls would take in good books, music, games, and other recreations which would be available to some of them for the first time.

A series of replies to Lady Devon's article were printed in *The Times* (December 24, 1944), whilst others were sent in some number directly to Powderham Castle. Those

who offered support for the views of the Countess also recognised the need to find a future for country houses, and that this might be found by exploiting certain positive values that the country house was seen to represent. Thus, those educated in such schools of domestic science would learn much from their introduction to the benevolent working relations, the fine domestic craft tradition, and the high standards of domestic discipline and housewifery fostered by the country house. Other correspondents were more critical. Some maintained that country houses now belonged to a social order that was passing away, and of questionable utility as a training resource for the general populace; whilst others were of the opinion that the Countess did not appreciate the ingrained stigma associated with domestic service, nor that advances in household appliances were rendering it an anachronism.

Three years after the publication of the Countess's original letter, the School of Domestic Science opened for its first intake of pupils. However, the school's programme had moved somewhat away from the utilitarian and egalitarian intentions aspired to in 1944. In the first place, the school was being marketed at parents from the upper and upper middle classes, and from overseas, and had taken on the character of an international finishing school. In addition, whilst the curriculum was composed primarily of practical lessons in cooking, cleaning, laundering and sewing; it was also supplemented by a range of other forms of optional instruction and leisure opportunities: painting and drawing, various foreign languages, riding and stable management, tennis and squash, ballroom dancing, an invitation to join the hunt on Saturdays, and further finishing in Versailles.

Some explanation for this change in the school's guiding principles is offered in an unpublished letter to *The Sunday Times* (dated 19 February 1947), and in an article

published in the *Western Morning News* (13 March 1947). These state how start-up costs had risen following the failure of applications for grant funding, and with the need to recruit professional staff. Yet, it remained the intention to press on with the development of the establishment with the Countess, as the Principal, in overall charge, and with the Earl to take responsibility for finance and administration. Four years later, however, the school closed. The enterprise ran at a loss of more than one thousand pounds in each of its years of opening, having required an initial capital investment, through a bank loan, of £13,381. As Lady Hadley, a contemporary, recalls, the small number of pupils did not justify financially the size and high standard of the staff that had been recruited. In addition, the size and design of the Castle prevented the school from opening as a far larger and more profitable establishment. Moreover, by the late 1940s and early 1950s, those requiring the finishing of their daughters could send them once again to traditional locations on the continent. Moreover, there were now more opportunities available for young women to take up university places.²

The failure of the School of Domestic Science did not long discourage the Courtenay family from experimenting in an alternative, if less ambitious, use for the Castle. The school's curriculum had provided for riding lessons. Three years later, facilities at the Castle had been developed, and there opened a riding school which ran for fifteen years. Once more, the driving force behind the scheme was the Countess, an enthusiastic horsewoman. Although it lasted longer than the School of Domestic Science, it too closed with its failure to reach the economic potential that had been hoped for. The establishment of the riding school was a second determined endeavour, but, again, a misjudgement of market opportunities. For Col. Delforce, the Estate Archivist and former Castle Administrator, the School of Domestic Science was

backward-looking: 'it was always going to be a non-starter, it was based of a concept of life that had ended with the war'. With the riding school, the Courtenays were too forward-looking, for the mass market in outdoor leisure activities was still at an embryonic stage: 'they were ahead of their time with the riding school, it would have made a bomb today'.³ This was compounded by the fact that the enterprise lacked sufficient management expertise.

The Courtenays became more successful at realising the economic potential of the Castle after it opened to the public in 1960.⁴ Its opening was the culmination of two sets of circumstances. The first was the search for a viable future for the building following the failure of the School of Domestic Science. A number of options were considered. Soon after the closure of the school, the family considered the possibility of transferring the Castle to the National Trust. The Trust accepted their application, but required an endowment of £60,000 to meet maintenance costs. The Courtenays were unable to provide the sum, and were unwilling to sell further property to raise it. A second option was to abandon Powderham Castle and its surrounding estate in its entirety, and move to the small secondary estate at Walreddon near Tavistock. This measure was considered too drastic, and, instead, the Walreddon estate was sold.

In 1952, the year that the School of Domestic Science closed, speculation in the local press suggested that Powderham might join the small number of major houses that had begun to open their doors to the public. The Courtenays acknowledged the opportunities provided by this option as way of meeting overheads, but it was a second set of circumstances that eventually forced a decision. This was the discovery of severe structural problems, requiring major grants to fund the repairs, and, with those grants, the need to provide for public access. Following preliminary investigations in 1956,

there began a series of inspections and offers of funding from the Historic Buildings Council. These funds sought to ensure the structural soundness of the building and make essential fabric and content repairs prior to public viewing. The first grant came in 1959 for £7,000 together with a maintenance allowance of £500 per year for the next three years. By 1976, the programme of repairs had been completed, and a further £24,527 had been awarded. The grant allocations required the Castle to be open for at least one day a week over the summer season. In two press features on the Castle in the 1960s, the Courtenays admitted that their privacy had been sacrificed with some regret and after much thought, and that opening up their home had brought considerable intrusion and constraints. However, they felt that these considerations were outweighed by the opportunities that the grants and opening up presented for meeting repairs and costs, and that an altruistic satisfaction could be drawn from allowing public access. Consequently, the Castle was to be opened every day rather than the one day specified by the HBC, the family's private flat was opened for one day a week, and the Countess took an active role in managing the enterprise and showing the public around.⁵

In 1965, the Powderham estate was placed in a discretionary trust in favour of the Earl of Devon's son, Lord Courtenay. This decision reflected family circumstances and the need to reduce fiscal liability. Col. Delforce, who had been at Sandhurst with the Earl and had remained a close friend, recalls that the efforts of Lord Devon on the estate over the preceding seventeen years had begun to take its toll on his health and enthusiasm. The option of gifting the estate to the Earl's heir was turned down by the family, for Lord Courtenay was still a student at Cambridge, and the five year period which had to pass before lifetime gifts became exempt from Estate Duty was perceived to be too much of a risk. Consequently, the discretionary trust was set up for a twenty

year term, and gave immediate exemption from Estate Duty in the event of the Earl's death.⁶ However, this decision also transferred considerable powers to a board of four trustees, which included the rights, 'as if sole owner', to sale, lease, mortgage, to authorise improvements or developments, to demolish, or to appoint to the National Trust.⁷ For the life and work of the castle, though, there was considerable continuity. The land agent that had been appointed in 1952 to oversee the estate's administration became one of the four trustees, and a family friend acted as another. The Devons remained in occupation as tenants, taking a leasehold on a flat in the Castle, whilst the Countess continued to manage the Castle 'showing'. The lease gave the Devons some security of occupation, but it was also a further measure aimed at reducing tax liability. If they had remained in occupation free of charge, this could be interpreted as the retention of a form of freehold interest in the flat, and made subject to capital taxation.

It was not until the mid 1970s that the Countess, in her 60s, stepped down from her leading role in the management of the Castle.⁸ Her place was taken up, in part, by her son, the present Lord Courtenay. He had completed his training as a land agent and returned to live at the Castle in 1968, whereupon he began to assist in the running of the estate, and started working in Exeter for the firm of land agents, Stratton Holborrow, who had been appointed by the trustees to manage the estate. In 1972, Lord Courtenay was appointed by the same land agency firm to be their agent for the Powderham estate. The trustees also found a replacement for the Countess in her specific capacity as the manager of the Castle 'showing'. In 1974 they recruited a professional with management expertise, Mr Ferguson-Elliott. Through the work of the Countess, Lord Courtenay, and Mr Ferguson-Elliott, the 1960s and 1970s brought considerable success in terms of attracting visitors. Between 1960 and 1978, the numbers fluctuated

considerably, but the trend was generally upwards. Towards the end of 1972, the *Daily Telegraph* (16 October) reported that the summer of that year had been the most successful year for country houses, and that Powderham, in receiving 51,153 visitors, had ranked fourth in a 'stately homes league'. In 1977, Powderham came first in the league with 52,548 visitors, although its highest figure of 61,546 was achieved in 1974.⁹

From the late 1970s, a series of problems emerged which culminated in Lord Courtenay's decision at the end of 1982 to abandon the Castle as a family home and to seek a tenant. This drastic course action attracted considerable media attention.¹⁰ One area of difficulty was the coincidence of falling visitor numbers and spiralling running costs. After admission figures of 52,548 and 56,767 in 1977 and 1978 respectively, numbers fell to 42,591 and 43,803 in 1979 and 1980, followed by slumps to 27,617 and 24,971 in the subsequent two years.¹¹ In earlier years, a hot summer season could cause a marked reduction in visitors, with the Devon beaches drawing large numbers. By the early 1980s, though, a general decline appeared to have set in. Also, from the mid-1970s, running costs started to rise alarmingly. In a series of letters to the CLA's Taxation Secretary and the Chair of HHA's Taxation and Parliamentary Committee, Lord Courtenay referred to the effects of increasing wages, insurance and other costs, although his greatest concern was with the damage caused by the introduction of VAT, and its doubling in 1978. The gravity of the situation was exposed in 1982. In earlier years, special exhibitions and open air events had pushed up visitor numbers. In 1982, a maritime history exhibition at the Powderham failed to offset the dwindling admissions or address rising costs. Over the ten years between 1970 and 1979, the Castle had run at a total loss of £36,380; the loss in 1982 alone was £65,000. For Lord Courtenay, this was no longer sustainable. It threatened to bankrupt the agricultural estate, and recent

losses had already required sales of a number of cottages and parcels of land for development. Lord Courtenay called a press conference at which he explained his decision to let the Castle:

The main thing is to cut out the loss but ensure the Castle's future. It was recently worked out that the estate income of 100 years ago would be the equivalent of about £13¹/₂ million today. If that were the case there would be no problems. Agriculture is in a depressed state at the moment and we cannot afford to bear the financial drain of the castle any longer (*Express & Echo*, 8 June 1983).

A second area of difficulty concerned the management of the Castle. By 1980, Lord Courtenay had become increasingly dissatisfied with the existing management regime, and wished to exert greater influence over the Castle's future. Ever since 1965, the trustees could impose the final word over the manner of development at the Castle. For example, in 1981 they called for an end to the English Civil War re-enactments and certain other forms of open air events. These had been successful in bringing in more visitors, but the trustees felt that the damage they caused to the farmed areas of the parkland was no longer acceptable. Also, the management operation set up by the appointee of the trustees, Mr Ferguson-Elliott, was geared to gates of fifty to sixty thousand visitors annually. These had been achieved successfully in the early and mid-1970s, but by the early 1980s admissions no longer justified the level of staffing and other running costs. The growing discord eventually led to the resignation of Mr Ferguson-Elliott.¹² Following this, Lord Courtenay sought a successor who would be answerable directly to him. The trustees, unhappy about this change in management arrangements, were unwilling to sanction the move. Thus, when Colonel Delforce was

recruited, he was responsible to and paid by Lord Courtenay. Towards the end of 1982, the new Castle Administrator reported on the bleak outlook. The root of the difficulties, he noted, was that attractions in Devon had increased fivefold since 1972, whilst visitor numbers to the county as a whole had started to fall. He concluded that the answer was either to contract the operation and reduce costs, or to embark upon what would be a costly expansion and diversification of Castle enterprise. The report was ignored by the trustees, and Lord Courtenay was, at that moment, unsure of which route to follow and unable to act.

A further dimension to the management difficulties related to the family's domestic arrangements. When Lord Courtenay returned to Powderham, he occupied the converted, former stable block, and remained there after his appointment as agent for the estate. This meant that responsibility for much of the day to day running of the Castle continued to fall upon his mother. However, with a young wife and family to consider, he was not ready to take on the full burden of the Castle. By the early 1980s, Lord Courtenay felt that taking a more active role in running the Castle would require him to change places with his parents. Lord and Lady Devon would move to the stables, whilst Lord Courtenay, his wife and children would live in the Castle. But, when the necessary conversion and upgrading was costed out, Lord Courtenay anticipated that the work would meet resistance from the trustees, and he felt that the sum was too great a commitment given the falling visitor revenue and the uncertainties surrounding the Castle's long term future.

A third area of difficulty related to the discretionary trust. The trust was to reach the end of its term in 1985, but Lord Courtenay took the decision to wind it up three years early. This was done in order to give Lord Courtenay the greater managerial

control he desired, and the freedom to take major decisions over the Castle's long term future. In addition, the decision reflected fiscal considerations. In 1969, discretionary trusts lost their exemption from capital taxation. As a result the estate would attract a large charge at the winding up of the trust, despite the various exemptions for buildings and contents, and reliefs on land and business assets that had been introduced over the years since 1969. The decision to bring forward the termination of the trust was taken because the annual losses being incurred by the Castle were eroding the capacity of the estate to fund the imminent assessment without recourse to major sales of property.

Thus, the decision taken by Lord Courtenay to let the Castle was the culmination of a series of economic, fiscal, operational and personal factors. Two years later, after the failure of negotiations over the tenancy agreement, the advertisement to let was withdrawn.¹³ A number of organisations had approached the estate proposing a range of options: a language school, a conference centre, a hotel, or subdivision for residential accommodation. The discussions broke down over the terms of the lease. At the outset of negotiations, Lord Courtenay expressed a number of preferences. First, a leasehold period of twenty years would be the ideal, thereby allowing his son to return to occupy the Castle at an age when he could enjoy it and perhaps develop it. Second, it was hoped that some family accommodation could be retained for his parents at the Castle, and that the Courtenays might be permitted some access to the building for certain family events. Third, Lord Courtenay wished to retain access and use rights for the purpose of hosting commercial shoots. A further condition of the lease was that the new tenant would have to continue to accommodate the public access conditions that had accompanied the acceptance of repair grants. These terms could not be agreed to by any of the prospective lessees in a way acceptable to Lord Courtenay. Moreover, the

upheaval involved in taking up any of the options was considered too great a wrench by the family as a whole. In addition, the Castle's management under Lord Courtenay and Col. Delforce was successful in its attempts to reduce running costs to a level appropriate to the lower visitor numbers. By cutting staff, reducing the opening periods, and postponing repairs, the enterprise started to return towards break even point.

The reversal of the decision to let the Castle still left the problems of addressing the estate's tax affairs and finding a long-term, viable solution for the building. The fiscal concerns included paying the taxation resulting from the winding up of the discretionary trust, and reducing further the estate's tax liability. At the winding up of the trust in 1983, Lord Courtenay faced an assessment for CGT and CTT. The matter of CTT was the most problematic, and became the subject of protracted negotiations with the Inland Revenue. The estate sought retrospective conditional exemption on the grounds that much of the property was of great historic, scientific and landscape value. Indeed, in a letter to the Regional Secretary of the CLA in 1982, Lord Courtenay welcomed the newly-proposed, local Nature Conservation Zone, in that it would support the application for extensive conditional exemption. However, approval of the application eventually hinged on increased provision for public access, and the preservation of the Powderham Castle Belvedere. In 1983, Lord Courtenay wrote to the Chair of the HBC complaining that the Department for the Environment had reviewed the minimum opening requirements of the Castle, and extended them from the original twenty days per year to sixty. Although the Castle had in practice been open for more than twenty days per year, this did not justify an enforced extension to sixty days. For

the Courtenays, the existing opening provision had become uneconomic, and the formal extension would hamper the estate's ability to find a tenant for the Castle.

On the subject of the Belvedere, the estate took the view that the building had become ruinous. However, the HBC required that the folly, graded II*, be restored, and offered a grant of £50,000. This was seen as unacceptable by Lord Courtenay for a number of reasons. First, the estate would have to make up the full figure for the restoration with a contribution of £13,106. The payment of this sum was considered to be unreasonable given the fact that a substantial amount of CTT had to be found on parts of the estate that would not qualify for the proposed exemption, that any available capital was required for farming and estate operations and for re-accommodating the family upon leasing the castle. Repairing the folly would require the sale of other property. Second, the estate would also have to accommodate sixty days of access to the Belvedere per year, and the costs that accompanied this. Third, Lord Courtenay wished the issue of the Belvedere to be excluded from any agreement over conditional exemption. Even if the folly was repaired, he did not want to formally accept the obligations of its upkeep, and see any future deterioration or inability to fund maintenance to threaten the removal of the estate's conditional exemption. In his letter to the HBC, Lord Courtenay concluded:

I feel that I am being inexorably pushed in a direction that I do not want to go, and may in the end forget about conditional exemption even after all the progress that has been made, and meet the tax and other capital requirements by the sale of non-income producing assets, in other words the main contents of the Castle. The Treasury would be better off and, so, possibly would I, but it would be another sad blow to heritage. (20 June 1983)¹⁴

Alternatives to conditional exemption were also rejected. For example, the option of placing the estate or selected property from the estate into a maintenance fund would bring relief from CTT for that property. However, a number of concerns surrounded such funds, namely, the fund's assets had to be managed by trustees and run for at least six years before the exemption came into effect; income yielded from assets within the fund would still be liable to income tax; disposals from the fund to raise capital would still be assessed for CGT; and business assets placed in the fund would lose their roll-over relief, because trusts are not treated as trading concerns for tax purposes. Another option, that of transferring the Castle to a private charitable trust, was seen as an even greater sacrifice. On this subject, Lord Courtenay wrote to his solicitors:

I am not overwhelmed with enthusiasm for the idea mainly because up till now I have retained almost total freedom of action with regard to the future of the estate and the Castle....Clearly if we went down the private charity road that freedom would be lost. I do however see the very considerable tax advantages. These advantages would be to the benefit of the castle and its future, not necessarily to myself and my family, and I think we are a major consideration! (24 March 1989)¹⁵

As a result, the Powderham estate has not been able to secure any extension to its capital tax exemption, nor was it able to negotiate exemption from the exit charge from the discretionary trust. By 1985, though, Lord Courtenay had recognised that a favourable market in art works could provide the funds for meeting the combined assessment for CTT and CGT, and for providing additional funds for the Castle without imposing any further strain on the agricultural estate. In a letter to the *Western Morning*

News, in which Lord Courtenay commented on a disappointing budget and the pitfalls of negotiating conditional exemption, he added:

With the considerable rise in the value of antiques in recent years the contents of most historic houses represent a very considerable amount of money. Even without the additional burden of capital taxation many of us are having to ask ourselves the question whether we can continue to have so much capital tied up in objects which not only yield no return but require an increasing amount of expenditure in maintenance, insurance, security arrangements etc. (21 March 1985)

Some works of art had been sold earlier in the post-war period. A collection of 124 antiquarian books were sold in 1960, and a set of silver plate was sold in 1965. However, the series of disposals that took place from the late 1980s was far more significant.¹⁶ A French ormolu firegrate was sold in 1987 for £140,000, a record for a fireplace; two baroque chairs were sold in 1990, for which Lord Courtenay commissioned two replicas; and some tapestries were sent for sale in 1991, but they did not reach their reserve and were withdrawn. The most important sale, though, took place in 1988. This was the sale of a pair of bookcases made in 1740. The sale attracted much attention, for, at £455,000, it was the largest figure yet paid for a piece of English furniture sold in Britain. In addition, it set a precedent as the first sale *in situ* of furniture to settle CGT rather than, as hitherto, entirely in lieu of tax on death. This precedent was considered to be something of a coup for Lord Courtenay. This sale of the object to the Victoria and Albert Museum was below the market price, but the arrangement avoided CGT payable on the sale of the object itself. Furthermore, the sum would go a long way to providing the £1 million figure that was required to settle the taxation charge on the winding up of the trust, to pay off other accumulated debts on the estate,

to fund major improvements, and to set up a maintenance fund (although negotiations to set up such a fund would eventually break down). Initially, Lord Courtenay's objective was merely to raise money, but was pleased that the bookcases were to remain *in situ*, as an attraction and part of the Castle's contents.. The agreement that the bookcases remain *in situ* arose primarily because the Victoria and Albert Museum saw practical problems in their transportation and ultimate display.¹⁷

The second approach to the problem of the Castle involved finding a new development direction. The dependence upon tourism was no longer sustainable. The visitor numbers had halved in the late 1970s, and by the late 1980s they had halved again to around 12,000 per year. An unsolicited and speculative report from a management consultant in 1982 proposed an upgrading and major expansion of tourism facilities and special events to meet the falling numbers. For Lord Courtenay, however, this would amount to the creation of a theme park which would destroy the family home atmosphere which was its main attraction and, as the experience of other country houses had shown, would rapidly date. Equally, though, he recognised the problem that Powderham would have in attracting more visitors without resorting to more popular and artificial attractions. In a letter to an inspector from the HBC, he referred to the poor success of the maritime exhibition that the Castle was hosting and the general nature of the tourism market, observing:

Unfortunately, the more cultivated visitor, especially those coming from abroad, do not penetrate very much into the West Country....It is interesting and disappointing that our historical exhibition has not succeeded in stirring up much interest from the public....I am afraid that the version of history which many visitors prefer is that which they see on television, and therefore an exhibition of costumes from one of the television series is a better attraction

than a genuine historical exhibition. Worse still is the jolly medieval banquet accompanied by plump wenches, which is totally bogus but very popular. (19 August 1992).

Another report was presented in 1982 by Col. Delforce. He suggested that the facilities should be upgraded, but that any development should be in keeping with the important 'homelike atmosphere', and some further access to private apartments and service sections should be permitted. An additional and more radical suggestion was that the Castle enter the profitable area of hosting business promotions. At the time, however, the trustees were reluctant to invest. They ruled out the idea as being both too costly, and being 'trade'. As the Colonel recalls: 'I was brought in from industry, but I wasn't allowed to do what I wanted to. There was a complete lack of awareness of what was commercial'.¹⁸ After the break-up of the trust, the resistance to further commercial development came from Lord and Lady Devon, who were still resident in the Castle. For Colonel Delforce, the days when the owners of country houses could greet visitors and 'casually stroll around drinking tea' was a thing of the past.¹⁹ However, the Colonel continued to press his views, whilst Lord Courtenay became increasingly convinced that an acceptable and viable market had emerged for country houses to be used as venues. Indeed, as Chairman of the South-West Regional Branch of the Historic Houses Association, he chose it as the subject for their 1988 AGM. As Col Delforce reflects with amusement, it was a question of the tone of this area of enterprise. His choice of the first corporate event, the launch of the remodelled Daimler Sovereign, was crucial in persuading the Devons of the acceptability of the new development direction. By 1988, Lord Courtenay had exchanged places with his parents, moving into the Castle with his family, and the Castle had hosted its first conference, trade show and product launch.²⁰

In 1990, the castle celebrated its 600th anniversary as the home of the Courtenay family. Two press releases in that year demonstrate how the estate had reconciled itself to the fact that it must develop the potential of the building to the full, and do so in two directions, that is, as both a commercial venue and as a historic family home:

Powderham Castle enters the field of corporate entertainment to become an exclusive and prestigious venue for conferences, product launches, receptions and a whole range of other activities. This the latest challenge in the Castle's long history is an exciting departure from past traditions. (29 January 1990)

It remains what it has always been: a real home, loved and enjoyed by successive generations of Courtenays. The Castle is certainly grand and elegant, but it is also homely and warm, an unusual combination which surprises and pleases visitors, who were perhaps expecting the more usual museum-like stately home. (24 May 1990)²¹

In the same year, Lord Courtenay appointed a management consultancy to advise on maximising the economic potential of the estate as a whole. With regard to the Castle, the consultants proposed the appointment of a specialist agency. That agency produced a report and, subsequently, one of its employees became the Castle Enterprises Manager. The report and the subsequent work of the new manager, Mr Tim Faulkner, have completed what Colonel Delforce considers to be a revolution in the work of the Castle, putting in place many of the required changes that he had foretold some ten years before. Tim Faulkner reflects on the dramatic shift in the management approach:

The position we inherited was declining visitor numbers and a fledgling events business, neither of which was really paying its way, and that was really it. But the attitude completely

changed when they took on the management contract. This is the interesting thing. They had an expensive consultant telling them what to do, and quite often when you're paying good money for some particular advice and experience you don't try and cut corners. So the whole atmosphere changed, and it was very much 'right, we're commercial now, we'll go after everything and charge the right money'.²²

The key to the new approach was marketing, and a massive advertising budget of £35,000, a figure that would have been unimaginable in earlier years. The raising of the profile of the Castle as a major functions business and visitor attraction required a commensurate expansion and upgrading of facilities. The report also recognised that such policies threw up a long standing problem: 'the eternal dilemma in operating this kind of business is between privacy and profit'. In general, however, more demands have been placed upon the Castle as a historic home. The opening season was immediately extended; the opening times were increased from five afternoons a week to six full days, with Saturday reserved for functions and events; and, 'recognising that what Powderham needed was more of a structured experience, that people needed to be entertained', guided tours of the Castle and the grounds were introduced.²³ The report anticipated that these and future developments would add to the pressure of numbers. It was hoped, though, that measures such as the conversion of unutilised rooms and out-buildings, and improvements to the grounds would also serve the purpose of taking some of the pressure off the main building and its principal rooms. This has been followed up with the establishment of a small museum, and the restoration of historic garden areas.

Tim Faulkner recognises the dilemmas that have arisen with the new ethos. The greater number of visitors and functions has taken its toll in increased wear and tear of

fabric and, occasionally, irreparable damage to valuable objects. Yet, equally, he can claim that the Castle is in a better condition than ever. There is now no delay effecting minor repairs, and, where necessary, commissioning an expert. Furthermore, sums are available as well for major restoration projects.²⁴ The enterprises manager also recognises the dilemma regarding private family occupation and use:

One of the criteria was that whatever we did bore in mind their [the family's] feelings and their ability to live in the Castle. But we're really being driven by the need to generate enough money to keep the Castle maintained, and its very hard to say we won't do anything this Saturday so that the family can have some privacy if that means that we'll lose £3,000. I think it's as hard for Lord and Lady Courtenay to make that decision as it is for me as their commercial manager. So the upshot of that decision is that we take just about everything we can, and it's made their lives quite hard to the extent that they've considered moving out during the summer. But, on the other hand, for the first time ever the Castle is in a profit situation.²⁵

The re-orientation of the Castle as an enterprise has certainly brought about a fairly dramatic turnaround in fortunes. In the first year under the new management arrangements visitor numbers were doubled. Since, they have doubled again, returning to the levels that were a feature of the 1960s and 1970s. At the same time, fees from private and commercial functions begun to exceed visitor receipts. An unexpected boost came in the mid-1990s with the selection of Powderham Castle as a principal location for the film *The Remains of the Day*. Merchant Ivory Films paid a substantial fee, and the surrounding publicity greatly assisted visitor numbers, event bookings, and helped launch the Castle as one of the first private venues to host weddings.²⁶

As Lord Courtenay reflects, for most of the post-war period the estate wavered over the level at which to exploit the Castle, and the type of exploitation that should take place. The early approaches to the commercial use of the Castle reflected the personal interests of family members as much as responses to financial need. However, the Castle had to be developed to the full or not at all, and in recent years the estate has opted decisively for the latter. The result is that the objective of making the Castle pay and no longer act as a drain upon capital resources and the agricultural sector has become a realistic one. Indeed, today, in 1997, greater economic certainty surrounds the future of the Castle than the Agricultural estate. A reversal of the position that has prevailed for the last forty years.²⁷

ii) Reconciling the economically viable and the personally acceptable

The story of Powderham Castle in the post-war period is one of high-points, 'critical' moments, and the actions of certain determined individuals. In this, it echoes Mandler's (1997) chronology, an account which relates the activities of a series of colourful characters in a prevailing political, economic and cultural context that underwent a series of major shifts. The age of welfarism of the 1940s and 1950s, in which country houses secured public financial support, gave way to the age of affluence of the 1960s and early 1970s, in which many owners basked in the heady days of country house visiting. This, in turn, gave way to the current period, in which, given the mania for conservation, a fetish for heritage, and more favourable views towards inherited

wealth, owners of 'treasure houses' have been able to counter political and legislative assaults launched upon them, and have secured for themselves an accepted place in British cultural life (also, and especially, Hewison 1987).

As a micro-scale study, the Powderham case, and its particularities, can only reflect so far on the experiences of country houses and their owners in general. However, links can be forged with the broader context in two ways. First, the Powderham case provides an outstanding example of survival through compromise. Central to this and, indeed, to the survival of a great many country houses, is a process of commoditisation. As the following summary highlights, this has brought a series of fundamental tensions between particular members of the family, between members of the family and those appointed to act in the family's interests, between private and public rights, and between custodial and capitalist motives. The case also demonstrates how a focus on the manipulation of rights, and their accompanying responsibilities, can be employed to interrogate and to evaluate the commoditisation process and the survival of country houses, and, in addition, to reflect usefully on the future of the country house.

Two general trends in the reallocation of property rights are apparent. The first is the cyclic distribution and redistribution of inter-related ownership, occupation and management rights and responsibilities amongst members of the Courtenay family, a set of trustees appointed to act in the family's interests, and management employees or agents. These shifts can be seen as the periodic concentration and dispersal of rights, with members of the Courtenay family monopolising or ceding rights and responsibilities as circumstances have altered. The process has been driven by the coming together of changes in the family lifecycle with those factors determining the survival strategies designed by the family: financial crises, changes in fiscal legislation, new economic

opportunities, and the need for fresh injection of expertise (whether brought by a member of the family or from external sources). Considerable tensions have arisen between the various ownership, occupation and management interests when survival strategies have had to be redrawn and, in conjunction, rights redefined. Particular difficulties emerged over the issue of how far management control should be retained by the Courtenays or handed to management employees or agents; and how far a particular generation of the Courtenay family should pass ownership rights to the next, whilst retaining responsibility for Castle developments in the immediate future. Indeed, the value of this piece of micro-scale research is that it puts into sharp focus these family-level tensions, and demonstrates how the personalities of local actors are as crucial as broad contextual processes in determining the fate of country houses. Much of the literature that examines the importance of changes of ownership and management at the estate level, such as Sayer and Massingberd's (1993) analysis of the altering fiscal regime, is concerned with general processes. The result is that an appreciation of the role of the local actor is obscured.

The second general trend is the steady loss of private family use rights in favour of public access rights. This has come about in two ways. First, the acceptance of grant aid passed the responsibility for major and pressing repairs to the state, but brought with it the establishment of minimum rights of public access. Second, the family gradually accepted the fact that financial considerations required that public uses be prioritised over the private. Originally, access was sanctioned very much on the Courtenay's terms, that is, access was restricted to a level that was not considered too detrimental to the function of the Castle as a family home, and commercial enterprises were closely related to family interests. From the 1960s onwards, financial need and new economic

opportunities deflected this approach, and by the early 1990s the family had accepted that the maximisation of the Castle's commercial potential came foremost. Ultimately, the Courtenays recognised that the Castle had to operate as a self-contained economic enterprise.

This trend in the reallocation of rights has also brought obvious tensions in terms of how to best balance the private and public uses of the Castle, and to reconcile the custodial and capitalist motives that underlie those uses. Two areas of conflict are especially noticeable. The first has existed between the family-specific custodialism of the Courtenays, which has prioritised the viability of the Castle as a family home for future generations, and the public-orientated and state-endorsed custodialism that has prioritised the viability of the building as a heritage attraction. At the time of the Castle's opening, the Devon's were sensitive to the changing social context, and acknowledged that their acceptance of financial assistance and their opening to the public was for both altruistic as well as personal, financial reasons. Later, Lord Courtenay saw certain custodial responsibilities and access requirements defined by English Heritage or by the Inland Revenue as an unacceptable imposition on his rights. He felt that certain conditions being proposed placed some limitations on the economic viability of estate activities and the levels of management control that he wished to exert and to eventually transfer to his son. In the classification presented by Newby *et al.* (1978), the ideology of stewardship emphasises a selfless sense of duty towards the wider good. For traditional landowners, this cultivated, in the Burkian view, through the sense of family stewardship perpetuated through inheritance practices. Country houses were not the concern of Newby and his colleagues. But it can be pointed out in this study, that the case of historic country house owners gives particular emphasis to an important

contradiction. The role of the state is accepted where it underpins ownership rights and family inheritance, notably, through grant assistance and certain exemptions from capital taxation, but not where it challenges personal or family management and use rights, through the imposition of excessive constraints.

The second area of tension and, indeed, compromise, that stands out is between the primary custodial objective of the Courtenays of retaining the Castle as the family home, and the capitalist objective of developing the Castle as a viable economic asset - upon which preservation of the building ultimately depends. Periodically, certain members of the family have questioned the trend towards commercialisation and the threat that this has brought to the house's *raison d'être* as a acceptable family home. It is a great irony that an important foundation for the commercial success of the Castle is that it has been able to trade off the fact that it remains a private family home. Over the course of the post-war period, that very commercial success has turned the function of family home into more of an illusion. For Hewison (1987) and for Tinniswood (1989), the notion of country houses as a living place has been made central to the political representations and commercial promotion, whilst, in reality, they are a memorial to what is no longer possible.

This research focuses on a particular house of artistic and architectural importance, at least regionally, and on a family that has been in residence for an extraordinary length of time. Nonetheless, a general statement can be made about the future of private, individually or family-owned country houses. The study reinforces the fact that the fate of country houses is a spectrum of experiences. Up to the 1950s, destruction, abandonment and decay were the most evident trends. Now, in the late twentieth century, the range of experiences appears very diverse (see Littlejohn

1997). In this, the degree to which houses surviving in private hands have accepted commoditisation and compromise vary considerably. This study demonstrates that as much rests on the role of the owner in securing his/her preferred allocation of property rights, as the roles of the state, the market, and society in creating, sanctioning or undermining those rights.

Notes:

1. PCA, C13A/Castle/School of Domestic Science, and A12A/Accounts/School of Domestic Science.
For a more detailed account of the significance of the school, see Jackson (1999, forthcoming) ‘ “Debutants learn domestic tricks in ancient castle”: solutions for country houses’, *The Devon Historian*.
2. Interview, 20 Jun 1996. Lady Paulina Hadley is the daughter of the Countess by her first marriage.
3. Interviews, 29 Oct 1995 and 19 Jun 1996.
4. PCA, C6A-C8A/Castle/Administration, Maintenance and repairs, Miscellaneous and sundry.
5. *Express & Echo (EE)*, 26 Apr 1952, and 29 Sep 1966; *Western Morning News (WMN)*, 27 Jan and 16 Apr 1960.
6. Interview, Lord Courtenay, 20 Jan 1997.
7. PCA, F2A/Family and personal.
8. The Assistant Archivist at Powderham, Dorothy Presswell, emphasises how the formidable and energetic character of the Countess was crucial in the development of the castle in the post-war years; interview, 22 Mar 1996.
9. *EE*, 1 Nov 1977.
10. *The Field*, 30 Apr 1983; *EE*, 7, 8 and 10 Jun 1983; *Daily Telegraph*, 8 Jun 1983, and 11 Feb 1985; *WMN*, 8 Jun 1983; *Dawlish Post (DP)*, 10 Jun and 19 Aug 1983.

11. In 1980, it was reported that Powderham had fallen to 37th in the stately homes league, although its fall in admissions was not as sharp as that experienced by some houses (*EE*, 2 Dec).
12. *E&E*, 28 Nov 1980; *WMN*, 29 Nov 1980.
13. *EE*, 18 Aug 1985; *Dawlish Gazette (DG)*, 29 Aug 1985; *DP*, 30 Aug 1985.
14. More recently, the estate has attempted to solve the problem of the Belvedere through negotiations with the Vivat Trust. The Trust would assume responsibility for repair and upkeep as part of a lease. Also, grounds for a more extensive conditional exemption are dependent upon the recognition of the place of the estate in the local landscape, a fact which might eventually be acknowledged in an agreed Exe estuary management plan. Interview, Mr Peter Child, Buildings Conservation Officer, Devon County council, 1 Aug 1996.
15. See Sayer and Massingberd (1993) for a detailed critique of conditional exemption, maintenance funds and private family trusts.
16. *EE*, 25 and 27 Jan 1960, and 29 Jul 1992; *WMN*, 23 Feb 1965, 15 Mar 1988, and 29 Jul 1992; *Daily Telegraph*, 16 Mar 1988.
17. In the course of the negotiations, a disagreement arose over whether the estate or the V&A should be liable for the responsibility of insurance. Lord Courtenay wrote to the insurers: 'it is their (the V&A's) decision not mine that the bookcases should remain at Powderham although for reasons of historical association I fully support that decision and am very happy to continue to have them here and to make them available for members of the public to see.... Understandably, however, I am not prepared to be put to considerable expense on account of their remaining here having not considered such an expense justifiable when they were mine' (21 December 1987). The case of the Channon bookcases is cited in Sayer and Massingberd (1993) and Littlejohn (1997).
18. Interview, 29 Oct 1995.
19. Interview, 20 Mar 1997.
20. Col. Delforce, interview, 21 Jan 1997.
21. In a critique of the National Trust in its centenary year, Powderham Castle was singled out as one of a small number of major country houses that had been able to maintain the personality and intimacy that the Trust had tended to erase or fossilise (*Sunday Telegraph*, 29 Aug 1993).
22. Interview, 26 Aug 1997.

23. *Ibid.*

24. Both Col. Delforce (interview, 26 Aug 1997), now the archivist, and the assistant archivist (interview, 10 May 1995), acknowledge the commercial imperative, but do express great concern at the levels of damage brought under the new regime.

25. Interview, 26 Aug 1997.

26. The increase in the number of press articles on developments at Powderham reflect the degree of change, especially in the early 1990s: *EE*, 17 Jun and 8 Jul 1988, 14 Jun 1990, 27 Mar, 5, 18 Apr and 18 Jun 1991, 30 Apr 1992, 24 Apr, 18 Sep and 13 Nov 1993, 8, 10 Feb, 13 and 19 Mar 1994, 30 Mar, 13 Apr and 7 Aug 1995, 13 Apr 1996, and 5 Jul 1997; *DG*, 31 Mar 1990 and 15 Jan 1995; *WMN*, 23 Jun and 4 Oct 1990; *The Times*, 14 Feb 1992; *The Lady*, 7 May 1996.

27. Lord Courtenay, interviews, 13 Oct 1995, 20 Jan 1997.

b) *The agricultural estate*

i) **From extensive estate to large home farm**

The narrative that follows describes the gradual transformation of the agricultural estate of the Courtenay family from the end of the Second World War up to the present day. By agricultural estate, the study investigates the development of the tenanted and home farms, the woodland and plantations, the sporting rights held over the estate, the agricultural uses of the parkland, and the estate cottages attached to these functions. The agricultural sector of the estate has long represented the most important economic component, as Lord Courtenay recognises: ‘today agriculture remains the primary activity of the estate though in a very different form than that of twenty or even ten years ago’.¹ The post-war metamorphosis of the Powderham estate sheds much light on the validity of the concept of survival as a compromise, both in terms of the physical, functional and relational dimensions of a landed estate, and in terms of key owner motivations. The account also reflects on an argument developed earlier that complexity and change in the division and allocation of property rights will be expressed with particular strength in the changing fortunes of surviving, ‘traditional’ landed estates, given their physical size, diverse economic make-up, the priorities placed on perpetuating family ownership and maintaining long-term economic viability, and the long history of legislative measures which have been to the disadvantage of the traditional landed estate system.

Up to the Second World War, the character of the estate had remained largely unchanged for over forty years. The last major reorganisation came with a dramatic halving of the estate in the early 1890s from 15,733 to 7,996 acres. This occurred at a time when extreme financial difficulties coincided with the hostile economic and political climate of the late nineteenth century. At the start of the Second World War, the estate of the Courtenay family was comprised of the three portions that remained following the sales of the 1890s (see Fig. 3). The principal section was the core area which surrounded Powderham Castle itself. This was a strip of landed property along the western edge of the Exe estuary, which stretched from the south-western edge of Exeter at Alphington, to Dawlish Warren at the estuary's mouth, and covered most of the three parishes of Powderham, Kenton, and Starcross. The territorial extent of the core block totalled 6,446 acres in 1940, incorporating 4,991 acres of farmland divided amongst 21 tenant farms, 59 tied cottages attached to those farms, and an additional 65 acres let to a farmer from outside of the estate. In addition, most of the 980 acres of land held in-hand was at that time being used for agricultural purposes. This included 734 acres of woodland and plantations, and 181 acres of parkland, which was being part grazed by cattle. The estate also administered 26 in-hand or rent free cottages, which were occupied by employees working either on the agricultural estate (in relation to forestry work, gamekeeping, or the upkeep of the park and gardens) or in the Castle, and by retired senior staff.² The two other portions of the Devon estate, near Newton Abbot and Tavistock, were disposed of soon after the end of the war.³

In 1941 an official from the Devon County War Agricultural Executive Committee visited the estate in order to assess capacity for food production. For the most part, the condition of the farms and the farmland, and the tenant's farm

Table 1: The Powderham core estate, 1940-93: agricultural estate

Category	1940	1945	1950	1955	1960	1965	1970	1975	1980	1985	1993
No. of farms tenanted	21	21	20	16	10	9	7	7	5	4	1
Acreage of farms tenanted	4,991	5,033	4,826	3,910	3,005	2,782	2,400	-	-	-	538
Acreage externally let	65	65	74	135	12	0	0	-	-	-	39
Acreage of woodland let	0	0	0	187	187	187	187	-	-	-	187
Acreage of home farm	0	0	89	146	431	446	416	-	-	-	1,399
Other acreage in-hand	980	978	867	668	631	625	625	-	-	-	715
In-hand/free free cottages	26	24	28	28	20	23	27	17	11	-	12
No. of minor smallholdings and non-agricultural lets	360	322	292	148	90	64	68	73	75	42	34
Total estate acreage	6,446	6,450	6,215	5,282	4,426	4,118	3,664	-	-	-	3,000*

* Approximate figure given
 - Figure not found

Figure 5: The agricultural estate in 1941

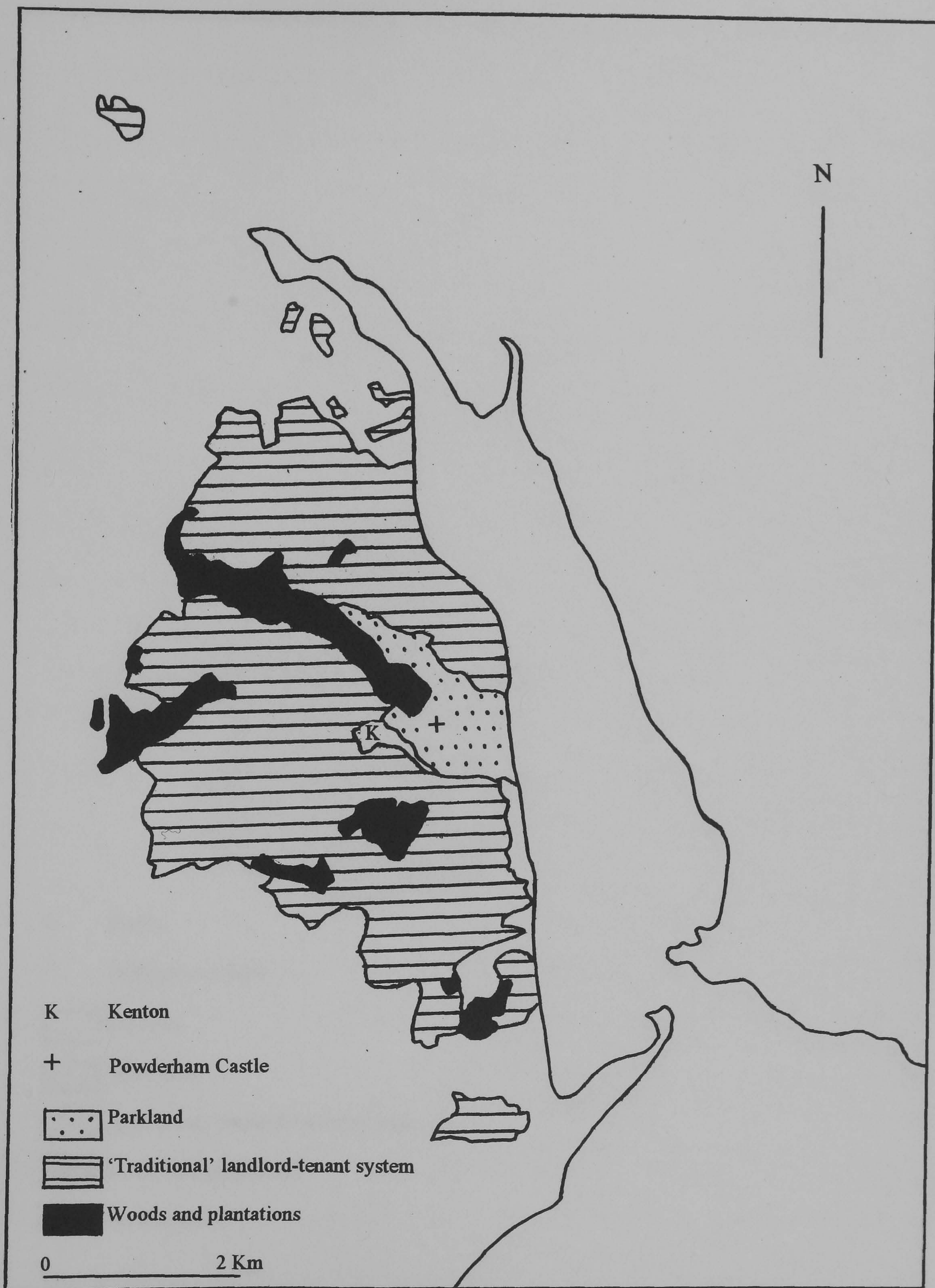
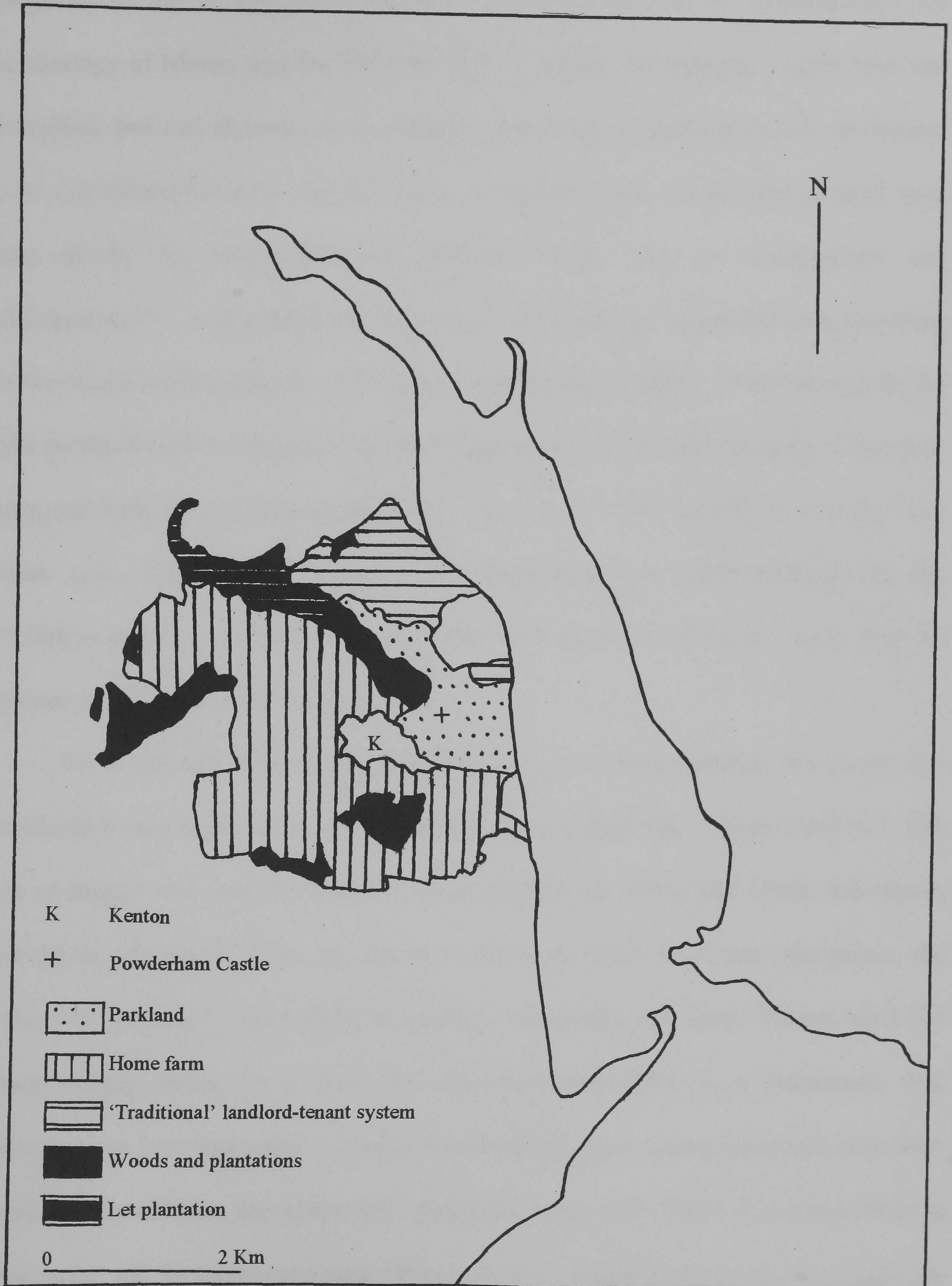


Figure 6: The agricultural estate in 1993



management capabilities earned 'good' appraisals. However, there were three exceptions where the National Farm Survey returns for the estate report cases that did not qualify for the 'A' assessment standard. Two farms received 'B' classifications, one for shortage of labour, and the other for lack of capital. In contrast, a third farm had diversified, and was engaging in an enterprise which was considered greatly detrimental to its agricultural function. In the words of the inspecting official: [the farmer] 'gets "easy money" by letting huts and caravans on the farm to "weekenders" and holidaymakers'.⁴ At the time, the Courtenays were actively supporting such provision for the tourist market, and the estate drew a small income from the annual licence for the right for this farmer to run a caravan park. This, though, is the only example of farmland being put aside for recreational purposes. There were other facilities for tourists and leisure uses, for example, leasehold agreements had been made available for the establishment of a golf course, a restaurant, and day huts, but these were sited on in-hand 'waste' land at Dawlish Warren.

From the late 1940s, after a half century of relative stability, the estate was transformed once again, over a period of four decades (see Tab. 1, Figs 5 and 6).⁴ The rate of change was uneven. It was its most rapid in the 1950s and 1980s, but slower through the 1960s and 1970s. By the late 1940s, as Lord Courtenay recognises, the estate had reached a 'particularly low point'. Generally, the future looked bleak for estate owners: 'there was a depression after the years of the Great Depression, then came the war, and then came a Labour Government, it just seemed like one thing after another'. In addition, the estate still carried the heavy debt which had arisen from an 'enormous' bill for inter-war estate duties.⁵ At this 'critical moment' for the estate, the Courtenay family embarked upon a major programme of sales. One option considered

was that of selling Powderham Castle and the land surrounding it, and transferring the family seat to the small Walreddon estate. However, the Courtenays were unwilling to break their tie with their Powderham home.⁶ Instead, the estate opted for the fairly common strategy of prioritising the sale of property which was peripheral, whether in location or in economic value. As a consequence, the sections of estate at Walreddon and near Newton Abbot had been sold in their entirety by the early 1950s. Similarly, the areas of the core block which were reduced most were at the northern and southern extremes. Thus, the estate's tenant farms and related farmland sold at this time were located in the parishes of Alphington, Exminster and Dawlish East; the principal purchasers being the existing occupiers. The sales also included most of the 135 acres of land let to farmers from outside of the estate.

The decision in 1948 to restart the process of estate contraction was accompanied by the commencement of a new and equally important policy: the gradual but fundamental restructuring of the in-hand sector of the estate. In 1940, this included the Castle's garden, its surrounding parkland and deer herd, a number of woods and plantations, and a range of estate cottages. In 1948, a small home farm of 26 acres was established. This would be run by the Earl of Devon himself. The home farm was set up initially as a 'hobby', based on some disused buildings and land at the edge of the park, and a few fields taken out of tenancy agreements. The early objectives of this farm were founded upon the establishment of a pedigree herd of South Devon cattle, and its rearing for produce, breeding and competition. To assist in this development, a specialist farm manager was recruited. Subsequently, the home farm enterprise expanded steadily in size and into arable production. This followed the falling vacant of a number of tenant

farms. The land and buildings not earmarked for sale were incorporated into the home farm. By 1960, the extent of the home farm had reached 431 acres.

The new direction heralded by the establishment of a home farm soon brought some scrutiny from the local press. Initially, this reported what was recognised as a test case being put before a land tribunal. The Powderham estate claimed that the park around the Castle ought to qualify for derating, as a consequence of its policy of reducing the deer herd and increasing the use of the parkland for cattle grazing. Subsequent reports related reassurances from the Earl of Devon that the deer herd was not to be eliminated entirely. He acknowledged the widespread, public appreciation of the herd's amenity value, and pointed out that the deer played a useful role in the land management of the park. Later, the local press reported the verdict of the tribunal which dismissed the estate's claim. In the view of the presiding officer, the park's continued use for deer grazing, for riding and walking by the Castle's occupants, and as a site of ornamental timber outweighed the argument that the park had been effectively incorporated into a home farm.⁷

There were also a number of other changes to the in-hand sector between 1948 and 1960. Its total acreage declined slightly with the sale of the most distantly located woodlands, in the parish of Dawlish West; and the sale of Dawlish Warren, further to the south, which was being rented or leased variously to the District Council, a golf club, beach hut users, and a cafe owner. A further 158 acres of woodland were removed from the in-hand administration of the estate when Powderham New Plantation and No Man's Plantation were tied into a 399-year leasehold agreement with the Ministry of Agriculture and Fisheries. This agreement, established when landowners felt threatened by the possibility of woodland nationalisation, is reflected upon critically by Lord

Courtenay. In economic terms, the rent is fixed at a meagre £0.12/acre; in management terms, the estate lost its control over planting strategies. However, the estate has insisted upon some consultation, and has secured planting schemes that are more diverse and take a longer view than those typically preferred by the Forestry Commission.⁸ Another four acres of parkland was to be administered separately following its allocation to a new riding school. The final component of the in-hand sector comprises the service cottages administered by the estate. As the estate contracted, their number also fell. There was a minor and short-lived increase in their number in the 1950s, representing the transfer of a few surplus tied cottages after the sale of tenant farms. The cottages were managed only temporarily by the estate office before being sold themselves.

A newspaper feature on Powderham Castle in 1960 (*Western Morning News*, 25 April) offers a brief impression of a landed estate in a period of transition. The article records the rapid growth of the show herd of South Devons, and their success in competitions, along with the expansion and development of the home farm as a whole: 'this is now one of the most highly mechanised farms in the county, and every year changes in the face of the countryside may be observed as old crumbling banks are bulldozed out to enlarge the fields.' At the same time, the account maintains that the more traditional is in evidence with the five large and progressive tenant farms, four of which have passed from father to son, whilst another is let to a former fellow officer of the Earl: 'when one gets away from the rush of summer traffic and into the tenant farms, one may still detect an ancient feeling of happy feudalism around here'.

The ten year period from the late 1940s to the late 1950s had brought major changes to the size and organisation of the agricultural estate. The next twenty years, up to the late 1970s, saw a slower rate of change, although the direction of change would

remain largely unaltered. The home farm did not expand, but there was further contraction of the estate as a whole. The three tenant farms that fell vacant in the 1960s were sold rather than amalgamated into the home farm. These were located at the northern end of the estate, some distance away from the home farm enterprise which was a product of farm amalgamations in the southern part of the estate. The farms falling vacant since the end of the war were either sold in their entirety, or absorbed wholly into the home farm. Very little was reallocated to surviving tenancies; some 80 acres in the 1950s, and 65 acres in the 1960s. Another area of farmland, some fifty acres adjoining the northern edge of the park, was also transferred to the Diocesan Board of Finance as glebe. Despite the change of ownership, these fields continued to be let to the same tenant, and the Board appointed the agents of the Powderham estate to oversee its management. Again, the number of cottages held in-hand rose and then fell as some of the tied accommodation attached to the three farms became temporarily a direct responsibility of the estate before being sold. Lord Courtenay observes that the slowing of the rate of sales was some reflection of economic changes, recalling that the gloom of the 1940s and 1950s gave way to agricultural revival through the 1960s and 1970s. This is echoed in the estate's rental ledgers, which record a rise in farm rents by 92% through the 1940s and 1950s, and by 240% through the 1960s and 1970s.

A more striking aspect of change in the 1960s and 1970s was the series of major alterations to the ownership and control of the estate. Through the Second World War, and in the years that immediately followed, the estate was administered for the Courtenays by their own resident agent. In 1948, the Earl became more actively involved, if primarily with regard to the newly-created home farm and with the assistance of a farm manager. In 1956, administrative responsibilities were passed externally to a

land agency firm following the retirement of the Courtenay's agent. Five years later, this firm broke up, and general administration was transferred again to a different land agency, Stratton Holborrow. The key change took place in 1965 when the ownership of the estate was placed in a discretionary trust, and overall control became the responsibility of a set of trustees. As discussed in relation to the Castle, the principal objectives of the trust were to reduce capital taxation liabilities and, with the help of the sales that took place, to reduce further the large estate debt that remained outstanding. The result was that Stratton Holborrow, who were reappointed as the agents to the trustees, assumed greater responsibilities for the management of the estate. Meanwhile, the Earl of Devon, now a life-tenant, accepted a lesser role, although he retained responsibility for the running of the home farm. The balance in the level of family influence tipped again in 1972, when Lord Courtenay, who had become an employee of what was now Stratton Creber, was appointed as its agent for the Powderham estate.⁹

The period from the late 1970s to the early 1990s brought far greater and swifter changes to the agricultural estate. By 1993 (see Tab. 1) the number of tenant farms had fallen from seven to one, and the acreage of tenanted farmland was reduced from 2,400 to 538. Nearly 800 acres of this land was sold at the northern and western edges of the estate, leaving only one outlying fragment.¹⁰ The larger part of the formerly tenanted land was added to the home farm, which increased in area threefold from 416 to 1,399 acres. A small amount of land, some 39 acres, was let on a short-term basis to a farmer outside of the estate. The acreage held in-hand, but not as part of the home farm enterprise, increased slightly, as some land from the home farm was returned to the parkland area for the purpose of activities based at the Castle. The only noticeable

slowing down of change has been in the halting of the gradual reduction in the number of cottages administered in hand.

A range of factors have combined to effect these and other related changes over the last twenty years. Lord Courtenay emphasises the need for the estate to raise capital, the frequency at which the remaining tenancies have fallen vacant, the impact of tenure legislation, and responses to technological advances and new economic opportunities. It can be argued, though, that the most dynamic factor has been the present Lord Courtenay himself. Lord Courtenay's father, the Earl of Devon, began his contribution to the development of the agricultural estate as a 'hobby', following a short career as a professional soldier. Nonetheless, he demonstrated considerable enthusiasm and commitment in the early expansion of the home farm enterprise. By contrast, when Lord Courtenay was appointed as agent to the estate and took over the tenancy of the home farm in the early 1970s, he brought to bear a background of relevant academic and professional training, as well as a high level of personal motivation. As the former Castle Administrator, Col. Delforce, notes, earlier changes in ownership and control had brought a fairly concerted approach to the management of the estate. The arrival of Lord Courtenay brought a level of discord. He became convinced that he was not free to ensure that the estate received the 'best deal' from Stratton Creber, given that he was a representative and partner of the firm. In the early 1980s, in order to assume more of a 'hands on' role, and encouraged in this by Col. Delforce, he resigned his partnership. Around the same time, he added to his responsibility for the home farm the ownership and running of one of the farms that had just fallen vacant, which he purchased directly from the trustees. Soon after, the trust reached its first break out point of 21 years, and

the ownership and control of the agricultural estate was transferred to Lord Courtenay. Since, 'he has cracked the whip and got things done'.¹¹

By establishing a tighter control over management of the estate, Lord Courtenay was able to introduce some of the changes he felt were necessary to address two pressing considerations. The first was the need to raise urgent capital in order to meet losses at the Castle and to reach a final settlement over the estate debt. For this, he sanctioned the considerable sales of land and property that took place in the early 1980s, and the objective of raising the necessary funds was achieved by the end of the 1980s. The second was the need to maximise more fully the economic potential of the agricultural estate. As Lord Courtenay notes of the current economic situation: 'agriculture has not deteriorated as fast as expected, but soon we are going to have to live in the real world; subsidies are not going to be maintained, and nor should they'.¹²

Two changes brought by Lord Courtenay stand out as particular breaks with the past. The most poignant came in 1987 when he decided to sell the pedigree herd of South Devons. This represented the ultimate parting from the amateur tradition upon which the home farm was originally founded. Although the stock produced a good return, the herd would require a threefold expansion and considerable outlay in both stock and buildings for it to be as profitable a use of resources as the estate's arable sector. Furthermore, the sale of the 66 strong herd provided the estate with valuable capital. At auction, the stock realised an unexpectedly high price of £94,000.¹³

A second vital step was taken in 1990, when Lord Courtenay employed a firm of management consultants to advise on what would subsequently be the most recent stage of estate reorganisation. Their report recommended the further consolidation and rationalisation of the home farm and, more importantly, a major change to the way in

which the agricultural estate was managed. They proposed the creation of a large share farming partnership for the home farm enterprise. Under this arrangement, Lord Courtenay now provides the land, buildings and the seed and chemical inputs; whilst a farmer, based in mid-Devon, provides the machinery and labour, and manages the home farm. The farmer-manager pays an advance fee for the use of the land, but also receives, as an incentive, the larger portion of the profits. For Lord Courtenay, the benefits are twofold. First, the local conditions lends themselves to high risk crops; under the contract arrangement, the profit is shared, but so is the risk. Second, the new contract was designed to bring fresh expertise. As Lord Courtenay admits: 'I am getting a little out of date'.¹⁴ Moreover, the arrangement has worked well and profitably since. In addition, the consultants recruited a new farm manager with specific business expertise, David Curran, to take over more of the administration of the agricultural enterprises as a whole, and the consultancy firms continues to financially monitor the performance of the estate.¹⁵

Alongside the role played by Lord Courtenay, a number of other key factors have dictated the pace and manner of change between the late 1970s and late 1980s. Least predictable, but crucial, six tenant farms fell vacant in rapid succession soon after Lord Courtenay assumed the tenancy of the home farm. As Lord Courtenay recalls, this was largely to do with age structure. The tenure pattern had been well-established, with most of the tenant farm families being of long-standing on the estate - 'the cosy days'.¹⁶ However, over a short period, a number of tenant farmers died or reached retirement, and there were no close family members in existence, of the right age, or in a position, to take up the tenancy. There now remains just one 'traditional' tenancy of 538 acres, held by the Mortimer family at Exwell Barton. For the Archivist at Powderham, this feature

has assumed a certain historical symbolism; for the Mortimers were one of the most long-standing of the tenants, in occupation since the late eighteenth century, and are now the last family to live and work on the estate within the bounds of the old parish of Powderham. For Lord Courtenay, there is undoubtedly a level of personal attachment to the tenant family, as well as a sense of satisfaction to be derived from perpetuating this tradition. These considerations aside, such a tenancy would probably be relet given current circumstances, whilst previously it would have been automatically amalgamated into the home farm. In part, this is because an ideal economy of scale has been achieved by the home farm; also, the option of letting has become a more attractive one with the introduction of more flexible tenure arrangements in 1995.

A number of reasons guided the decisions not to relet the tenant farms as they fell vacant. Some sections of the former tenanted farms were sold to meet capital requirements, while technological advances have allowed the home farm to absorb economically the additional acreages. However, Lord Courtenay places most emphasis on the importance of alterations in tenure legislation. The 1947 and 1948 Acts were significant, but the passing of the 1976 Agriculture (Miscellaneous Provisions) Act was even more so; by this point 'people started to wonder why no one was letting farms anymore.'¹⁷ The latter Act had a major bearing upon the decision not to relet the farms that fell vacant, and to amalgamate them into the home farm instead. The disappearance of traditional tenancies on the estate has been paralleled by another trend. The restrictive nature of tenure legislation, and the inducements for keeping the land in-hand has also encouraged the establishment of a series of short-term, but ongoing tenancy arrangements, as allowed under the 1948 Act. Lord Courtenay and the new management have been flexible and innovative in exploiting tenure regulations. The

most important is the share agreement that covers the home farm enterprise. Others introduced in the early 1990s were a let of 39 acres to a pig farmer on a two year cycle, and a minor let providing 10 acres for turf cutting. Lord Courtenay very much welcomed the scope that 1995 legislation offered to landowners and farmers alike, and, through David Curran, the estate has actively sought further arrangements: 12 acres are let to a strawberry grower, 100 acres are rented by a chicken farmer for growing fodder crops, and a small amount of grazing land is let to a new resident of one of the former tenanted farms. Lord Courtenay recognises the striking turnaround in tenure relations since the late 1970s: 'in fact, there are as many tenants on the farm as there ever were, but they are distributed differently, most have got their farms outside'.¹⁸

A series of other changes have taken place since the late 1970s that parallel the rapid expansion of the home farm, and the reorganisation of tenure arrangements. A range of alternatives have been followed with regard to estate buildings. A dozen cottages and houses remain in-hand and are offered rent free to meet the accommodation needs of estate personnel. A number were sold in the late 1970s as staff numbers and the estate as a whole contracted. Subsequently, this reduction has bottomed out. A second set of buildings are those farmhouses and cottages formerly attached to tenant farms.¹⁹ When Lord Courtenay commenced his tenure of the home farm, the matter of farm buildings had become increasingly problematic, for many were surplus or outmoded in terms of the current agricultural needs of the estate, and listing protected them from major alteration. Equally, they had become inconvenient in their location. Some of the key buildings were placed in the middle of the village of Kenton, whilst others were well to the south where the home farm had originally established itself, creating operating difficulties that were exacerbated by increasing traffic congestion in the summer months.

A number of courses of action have been taken. First, some of the farmhouses and cottages have been sold providing a valuable source of capital.²⁰ This was especially apparent through the 1980s as the estate sought to settle its tax affairs and the debts arising from the maintenance of the Castle. Second, the estate responded to various opportunities to diversify. Four cottages and one of the farmhouses were converted in response to the market that had emerged for holiday accommodation. Alternative uses have been tried or are proposed for the redundant farm buildings that remain: the stabling of horses, an enterprise run by one of Lord Courtenay's daughters; towed caravan storage; and, most recently, a major farm shop complex.²¹ Third, with the introduction of the Assured Shorthold Tenancy in 1988, and the new security and commercial potential that this offers for the landlord, the estate has chosen to let rather than sell many of the surplus cottages. This includes the buildings that had been converted for holiday accommodation.²² Fourth, the approval of plans for the construction of a central equipment storage site will to relieve the estate's logistical problems.

The estate has also responded to conservation legislation. Set-aside has been accepted effectively into the agricultural estate, with its form being adapted as needs have changed. Originally, 304 acres of the home farm area was included in a five year set-aside agreement, largely hilly and less productive land on the western side of the estate. However, with the success of the contract arrangement, 170 acres of the set-aside has been re-incorporated into the home farm enterprise, and the remainder has been changed to a flexible agreement. Far more problematic for the estate was whether to adopt a stewardship scheme. The obvious location for this was the parkland, where a scheme could embrace the area occupied by the deer, the greater part. together with

those areas that had been turned over to arable in the post-war period. For Lord Courtenay, though, creating rights for public access posed a challenge to his general view which questioned whether greater access could be reconciled conservation objectives. However, such a scheme was seen to be compatible with plans to make more access to the parkland available for expanding activities at the castle, notably, in the form of tractor rides for visitors.

Lord Courtenay has also turned his attention to developing the commercial potential of the other components of the agricultural estate: the forestry, the sporting rights over the agricultural estate, and the deer herd. The estate sawmill has been let, residential shoots have been developed for syndicates and foreign visitors, and the management of the deer herd, under threat in the 1950s, has been attuned to meet new market opportunities.²³ However, as the budget projection produced by the management consultants in 1993 highlights, these aspects of the estate do have valuable revenue potential, but remain outweighed in significance by the extensive home farm.²⁴ As David Curran observes, for the forestry and the deer herd the productive years are balanced out by the costs incurred in the bad years, whilst it is not realistic to conceive of the shooting as an economic enterprise. Lord Courtenay recognises that more could be done to develop these aspects and achieve a greater return, most obviously, by letting them out. However, with these activities Lord Courtenay aims to strike a balance between securing occasional returns from them, and managing them himself for his own personal enjoyment. As he remarks of the shooting:

That could be let quite profitably, but I would rather run it myself as part of the activities of the estate and as part of the enjoyment of having it. If you were looking for a return from your

money you would put it in a building society anyway. You've got to derive some personal enjoyment out of it or there would be no point having it.²⁵

In a guide to the Castle produced in 1995, Lord Courtenay gives a short description of the much changed form and function of the agricultural estate:

In common with many other smaller estates the majority of the land is now managed as a large farm, the area of which now substantially exceeds that let to tenants. Periodic fellings and replanting of woodlands as they mature produce valuable if somewhat occasional income, but, as with most estates, alternative enterprises are constantly being sought, even if they are somewhat different from those of earlier centuries.

The latest and most striking alternative for the agricultural estate also follows advice given by the management consultants. Planning proposals have recently been accepted for the conversion of 142 acres of the home farm into a golf course.²⁶

ii) *Transforming the traditional*

It has been pointed out that the notion of decline and survival is problematic, for the processes of survival embody both continuity, and forms of change which represent a necessary, even desirable, abandonment of certain elements of traditional landed estate ownership. This thesis argues that an understanding of the processes of survival is best achieved by conceptualising the fortunes of the private individually or privately-owned as

a spectrum of experiences in which estates and their owners have, to greatly differing degrees, compromised on the 'traditional'. This is illustrated in the strategies adopted by the Courtenays, who have made a series of physical, functional and relational compromises common to the activities of private estate owners more generally. Taxation assessments, financial difficulties arising from the maintenance of a country house, and other capital needs have required a great contraction in the size of the estate. Second, reduction in the estate's size, tenure and fiscal legislation, and the need for greater economic returns has brought about the substitution of traditional landlord-tenant arrangements with owner-occupation. Third, the diverse 'historic' nature of the estate, as it existed in the immediate post-war years, reduced as the estate declined in size and as financial needs demanded rationalisation. Fourth, the process of commoditisation has been extended in order to develop more fully the productive potential of certain elements of the estate, at the expense of the consumption benefits enjoyed by the owner.

However, as earlier arguments also pointed out, some difficulties arise from applying such 'established' measures of change to draw conclusions on levels of decline and survival, because more recent circumstances have allowed for some reversal in certain modes of compromise. Two feature in the Powderham case. First, according with the trend anticipated by Stockdale *et al* (1996), the 1995 tenure reform has encouraged a greater return to the rent relation, if under quite different arrangements than those required by 'traditional' tenancies. Also, acknowledging Clemenson's (1982) argument, the physical character of landed estates lend themselves to the adaptation and diversification that is appropriate and desirable given the varied demands placed on the late twentieth-century countryside. The conceptualisation of survival as compromise

emphasises the importance of owner-motivations as much as quantifiable indicators. The degree of compromise relates to balances being struck between production and consumption objectives, and between short term gain and the long term stewardship of the estate. The experience of the Courtenays over the post-war period has been that of prioritising production but not entirely sweeping away consumption benefits; and prioritising immediate economic gain in order to retain the estate, whilst remaining conscious of the duty to preserve inherited characteristics for the next generation.

An investigation of the changing division and allocation of property rights allows for further examination of the processes of survival through compromise. First, as with developments at the castle, the characteristics of change can be related to both broader political, economic and social factors, and, clearly, to key redistributions of inter-related ownership, occupation and management rights amongst members of the Courtenay family, and parties or agencies acting the family's interests. The greatest transformations took place in those periods when pressures seemed to bear most heavily on the estate and, simultaneously, when the Courtenays monopolised ownership and management rights most and could, therefore, most readily effect change. Moreover, major shifts in the reallocation of ownership and management rights mirrored shifts in prevailing property ideologies. This was acutely apparent when Lord Courtenay challenged the regime established under the trusteeship, demanding that far greater imperative be placed upon short-term gains and capitalistic objectives. By contrast, rights have been transferred to a management consultancy and their appointees who, in their search for new forms of commoditisation, have raised questions over the objectives of a number of the estate's activities, in that they exist, in part, to provide private consumption benefits for the owner.

Issues concerning property rights and ownership motivations are also most striking in relation to the reallocation of occupancy and use rights. The general drift from the traditional, secure tenancy to direct-farming is clearly apparent over the post-war period. However, periodic changes in the family lifecycle, alterations in fiscal and tenure legislation, and the scale economy of the Powderham estate have encouraged considerable complexity and mutability in the evolution of tenure arrangements. In this, the case mirrors the dynamism at the level of the farm family, as exposed by the likes of William and Martin, as well as the innovativeness and flexibility shown towards the division of rights at the level of the farm business, as revealed, more recently, by Whatmore *et al.* (1990). Furthermore, the disappearance of many traditional tenanted farms, the perpetuation of one 'historic' farm tenancy, the creation of a large home farm, and the emergence of a great range of short-term lets reflects the different compromises being struck between the different ideologies outlined by Newby and his colleagues (1978). Decisions over the distribution of occupation and use rights embody an awareness of the 'collectivistic' and 'altruistic' benefits that flow through tenure arrangements, as well as the 'capitalistic' and 'individualistic' inducements that are recognised by the owner-occupier.

The ideological preferences of the individual owner-actor, then, is an important consideration in determining the allocation of property rights, alongside the broader legislative and economic factors which create and define those rights. This is expressed again in relation to environmental policy, and the distribution of private and collective rights and, as Bromley (1991) emphasises, responsibilities. For Lord Courtenay, issues of conservation and access have put into focus his stance on stewardship. In the case of set-aside, he was able to accept custodial responsibilities, and the compensation, for the

system did not detract from existing capitalistic objectives. A far more contradictory viewpoint was taken in relation to the stewardship scheme. At one level, the scheme would both financially support his personal desire to see the park preserved for its environmental qualities, and, at the same time, offer a further attraction for the paying visitor. This was the basis on which he accepted the scheme. At another level, though, he could not accept the principle that conservation responsibilities and public access rights went hand in hand. Lord Courtenay took the ideological line that the 'altruistic' aims of increasing access and of enhancing conservation are not reconcilable.

Notes:

1. Lord Courtenay offers a brief overview of 'The running of a modern estate' in a new guidebook to Powderham Castle (1995).
2. Devon Record Office (DRO), 1508M/Devon/Add.13/Estate/Rentals, 1940. Various minor smallholdings (market gardens, nurseries, allotments, paddocks) located within and around the villages of Starcross and Kenton, and a large number of residential, commercial and other lets account for the remainder of the estate's acreage. These are discussed in the third part of this chapter.
3. One portion was made up of 496 acres near Newton Abbot, comprising one farm of 352 acres, let clayworkings, in-hand woodland, allotments, and a rifle range. The second was the 1,054 acres on the far side of the county near Tavistock. Here, the land was divided between four large farms, the let junior family seat of Walreddon House, and in-hand woodland and moorland.

4. Public Record Office (PRO), Ministry of Agriculture and Fisheries (MAF) 32/647/426, 666/458, 689/438, 676/436, 669/432; MAF 73/10/80, 92, 102, 103. The condition of the farm and farmland was rated on a four point scale: 'good', 'fair', 'poor', and 'bad'. However, the most telling and controversial classification was that of the farmer's ability, and how successful the farm was managed; either: well ('A'), fairly ('B'), or bad ('C'). See PRO (1993), Short and Watkins (1994).
5. DRO, 1508M/Devon/Add.13/Estate/Rentals, 1940-55; PCA, A4/Accounts/Farms /64/Farm costings 1993-4; PCA, A5/Accounts/Estate/17,50,79,80/Rentals, 1960-72, 1976-81; PCA, A11/Combined accounts/4,15/Month end, combined 1984-5. Table 1 presents figures at five-yearly intervals, extracted from rental ledgers and account books made available at the DRO and the PCA for the years between 1940 to 1986. The gaps in the data result from changes in the format of these documents from the late 1970s, whereupon the range of information that they yield becomes more limited. The subsequent and final set of comprehensive figures available are detailed in a management consultancy report produced in 1993.
6. Lord Courtenay, interview, 20 Jan 1997.
7. Lord Courtenay, interview, 21 Jun 1995. Reflecting on this decision, Lord Courtenay is glad that the family chose to persevere at Powderham.
8. *EE*, 9 Dec 1950; *WMN*, 13 Dec 1950 and 22 Jan 1951.
9. Lord Courtenay, interview, 13 Oct 1995.
10. Col. Delforce, interviews, 19 Jun and 13 Oct 1995.
11. The small outlier is currently being let to the RSPB, which has bought much of the low-lying marshland around. Lord Courtenay anticipates that a sale agreement might eventually be negotiated with the Society.
12. Col. Delforce, interview, 13 Oct 1995.
13. Lord Courtenay, interview, 13 Oct 1995.
14. *EE*, 24 Aug 1987; *WMN*, 16 Sep 1987.
15. Lord Courtenay, interview, 20 Jan 1997.
16. David Curran, interview, 22 Aug 1997.
17. Interview, Lord Courtenay, 13 Oct 1995.
18. *Ibid.*

19. Interview, 10 Jan 1997.
20. Gordon Mortimer emphasizes the considerable changes in labour and tied cottage provision at Exwell Barton. At the time of the National Farm Survey, shortly after he took over at Exwell, he employed 8 regular, full-time workers and 6 casuals; and had 7 service cottages. Today, his son accommodates two full-time workers only, and has returned all but two of the tied cottages to Lord Courtenay.
Interview, 19 Aug 1997.
21. Three farmhouse complexes were sold following the second expansion of the home farm. One, to the north, was sold (in 1984, for £120,000), and later secured permission for conversion into both residential and small business units; another, on the former western edge of the estate, was sold without planning permission secured (in 1989, for £245,000); the third, in the village of Kenton, was sold with permission to convert into residential units (in 1989, for £550,000). *WMN*, 26 June 1984, 21 February 1986; *EE*, 10 March and 8 June 1989.
22. *WMN*, 13 Dec 1997.
23. The economic potential of the holiday cottages was also questioned, for the existence of many other tourism and leisure facilities pushed up local domestic labour costs, and the time spent managing the cottages was required for more lucrative ventures at the Castle.
24. *WMN*, 17 Mar 1988, and 30 Oct 1990; *Country Life*, 2 Jan 1997.
25. The accounts produced by the management consultants in 1993 give some indication of the relative contributions of each component of the agricultural estate. The net return on the home farm being £102,105, the rent for Exwell Farm, £18,855. By contrast, gross incomes for the deer herd and the shooting were £13,991 and £51,220, but expenditure brought them net losses of, respectively, £5,329 and £10,655. The timber for that year brought no income, but costs of £4,350.
26. Interview, 10 Jan 1997.
27. *EE*, 13 Dec 1990, 15 Dec 1993, and 24 Feb 1994; *WMN*, 16 Dec 1993, and 25 Feb 1994.

c) *The local villages*

i) **Dwindling interests and the growth of discord**

This part of the empirical work examines the third component of the estate, the property held in local villages. Over the post-war period, these villages increasingly ceased to be a part of the Courtenay family domain, and, as a consequence, their relationship with the estate altered considerably. The section that follows focuses upon key aspects of this relationship: the scale of the property interests held by the estate in local villages; the role of the Courtenays as local council representatives for these villages, and, by extension, the relations existing between the estate and the local authorities; and the attitudes of the Courtenays towards village inhabitants, and vice versa. A number of critical moments feature in the course of change: the sale of large quantities of village property in the early 1950s, the development of Kenton as a ‘key settlement’ from 1970, the resignation of Lord Courtenay as a District Councillor in 1978, and a sharp worsening in the climate of local relations in the early 1980s. This section of the empirical work illuminates with great effect the changing local position of ‘traditional’ landowners through second half of the twentieth century, most especially, with regard to social relations and their role within the rural development process.

At the beginning of the post-war period, the Powderham estate still possessed considerable property in local villages (see Tab. 2).¹ A small number of houses, cottages and parcels of land were owned in Alphington and Exminster at the northern extremes of

Table 2: The Powderham core estate, 1940-93: village property

<i>Category</i>	1940	1945	1950	1955	1960	1965	1970	1975	1980	1985	1993
<u>Powderham</u>											
Residential	14	10	10	8	6	6	7	12	16	12	10
Commercial	1	1	1	1	1	1	1	1	1	1	5
Other	4	5	4	3	2	2	1	1	1	1	1
<u>Kenton</u>											
Residential	57	57	65	42	12	7	8	12	21	12	7
Commercial	9	10	13	4	1	1	1	1	2	1	3
Other	15	15	12	9	10	8	6	14	9	9	2
<u>Starcross</u>											
Residential	87	89	114	49	37	31	29	24	19	2	3
Commercial	15	16	17	8	7	5	3	2	2	0	0
Other	14	15	19	13	9	5	5	8	6	3	2
<u>Dawlish West</u>											
Residential	87	65	10	5	2	0	0	0	0	0	0
Commercial	12	7	7	2	1	0	0	0	0	0	0
Other	11	10	6	5	1	1	1	1	1	1	1
<u>Exminster</u>											
Other	3	3	1	1	0	0	0	0	0	0	0
<u>Alphington</u>											
Residential	8	8	8	0	0	0	0	0	0	0	0
Other	1	1	2	0	0	0	0	0	0	0	0
<u>Total</u>											
Residential	252	228	208	103	58	44	45	45	53	26	20
Commercial	35	34	33	17	9	6	5	4	5	4	8
Other	73	60	51	28	23	14	18	24	17	12	6

the estate. Far more property was owned at the southern extreme, in the parish of Dawlish West. Here, near Dawlish Warren, an early twentieth century seaside resort had emerged. In connection with this development, the estate had the freehold of a number of 'villas' and bungalows, a small number of cottages, a collection of beach huts, various plots of land (gardens, building plots, or unspecified 'lands') a golf course, a restaurant, and the sand-duned area of the Warren itself. A large quantity of property was also located in the three villages that the estate still encircled: Powderham, Kenton and Starcross. Powderham could be described as a small estate village, a cluster of picturesque cottages and houses near the main entrance to the park housing estate employees. The property held in the far larger villages of Kenton and Starcross was more numerous and varied. The 'residential' categories given in Table 2 include cottages, almshouses, houses and villas. The 'commercial' categories include large numbers of shops, a few public houses and hotels, and market gardens. 'Other' types of property include private gardens, allotments, sheds and garages, schools and village halls, and unspecified parcels of land.

This analysis will focus most on two of the six villages, Kenton and Powderham, for their relationship with the Devon estate has lasted far further into the post-war period. Indeed, the influence of the Courtenays in the lives of these villages persists. Kenton, in particular, makes for an interesting analysis, for its character and relations with the Powderham estate altered markedly, and its study is assisted by the presence of a rich oral history archive.² This archive conveys a powerful impression of life as it was in the village up to the 1950s. A number of contributors describe the hold of the Courtenays in terms of ownership, the provision of employment and accommodation, and influence in social life. The following record is especially evocative:

The square around the church was always freehold, but everything else as far as you could see from the top of the church tower belonged the Lord of the Manor....There was no council houses. The Lord of the Manor owned and controlled all the farms in Kenton, Starcross and Powderham, and you had to wait for someone to die before you could get a house and get married, and you had to be of good character into the bargain as well....The employment was work on the Devon estate, the Mamhead estate, and some gardening and market gardening on the Oxton estate. The girls went into service. All the big houses had lots of servants....The Devon estate always had an annual dinner in the Assembly Rooms for outdoor staff. The room was always full. The staff also had a day's holiday on Ascension Day - on condition that they went to church. The agent sat on the back seat to see if they were all there. If anyone was absent he did not get paid for that day. It was one way of getting the church full....Earl Henry once told me that he knew everything that was going on in the village without coming out of his castle.³

The post war years can be divided into three periods. The first lasted from the 1950s to the late 1970s, and was characterised by property sales, rapid local development, and a weakening of the traditional bonds between the estate and local villages described in the Kenton archive. Estate rental registers from the Powderham archive demonstrate that it had been the practice of the estate to develop residential property in these villages, to offer them on a rental or leasehold basis, and to eventually part with the freehold - usually to the existing tenants. Sales of the freehold generally took place in large numbers and at particular moments of financial need, such as in the early 1890s, just prior to the First World War, and through the 1930s. Also, the sale of buildings and other small lets mirrored the sale of agricultural land, with the greatest disposals taking place in the parishes at the periphery of the estate, leaving the property at the core relatively more intact.⁴ In the early post-war years, these patterns continued.

As Table 2 outlines, there was some development of houses and commercial premises in the central villages of Kenton and, more so, Starcross; but this building was far outweighed by the level of sales.⁵ Between the early 1940s and late 1950s, the number of units of property held in the six villages was reduced by four fifths, with the greatest reduction taking place in the early 1950s. By 1960, property interests in the peripheral parishes had largely disappeared, and had been dramatically reduced in the central parishes. These disposals accompanied those of farmland, a response to pressing financial need and the general air of economic gloom. A further factor also drove the sales of cottages and houses. Legislation introduced to fix rents and to compel repairs had made the ownership of such property uneconomic. This was highlighted in an article in the *Western Morning News* (28 July 1956) which reported the estate's donation of thirty cottages in Kenton and Starcross to the District Council. Accepting the offer, the Council sympathised with the Earl about the affects of tenure legislation on viability of upkeep, and acknowledged that the gift had also arisen from a paternalistic concern on the part of the Earl for the tenants and their living standards.

In the 1960s and 1970s there was little overall change in the level of property being let by the estate in the villages, as Table 2 illustrates. In Powderham and Kenton there was some increase as cottages formerly tied to tenant farms or in-hand became surplus to requirements and were let. The sales that occurred were largely confined to Starcross, which, with sales of surrounding farmland, had become detached from the estate. Two far more prominent features characterising the 1960s and 1970s were the rapid development of Starcross and, even more so, Kenton, and the greater role taken by the local authorities. Up to the 1950s, the estate played a vital role in controlling the rate and scale of local development, and the supply of accommodation. The amount of

land released for development was fairly limited, and the estate tended to retain a freehold

Table 3: Change in the total populations of the parishes of Powderham, Kenton and Starcross

	<i>Powderham</i>	<i>Kenton and Starcross</i>	<i>Kenton</i>	<i>Starcross</i>
1991	112	-	1162	1553
1981	97	2054	-	-
1971	107	1842	-	-
1961	98	2055	-	-
1951	-	1987	-	-
1949	151	2015	-	-
1931	156	1837	-	-
1901	238	1723	-	-

See endnote 6.

interest - until needs required its disposal. This regime was steadily transformed from the late 1950s. Between 1958 and 1968, land was purchased from the estate for 32 council houses in the parish of Kenton and Starcross; this added to the 30 donated by the estate in 1956. Prior to this, 10 council houses had been built in the 1930s. The growth in council house stock amounted to a shift in the control of accommodation from the estate to the local authorities. It did not, however, contribute to much population growth. These council houses served to alleviate the conditions for cohabiting extended families (and, thus, accord with a more general trend towards decreasing household size), rather than attract new settlers into the villages (see Tab. 3).⁶ With the expansion

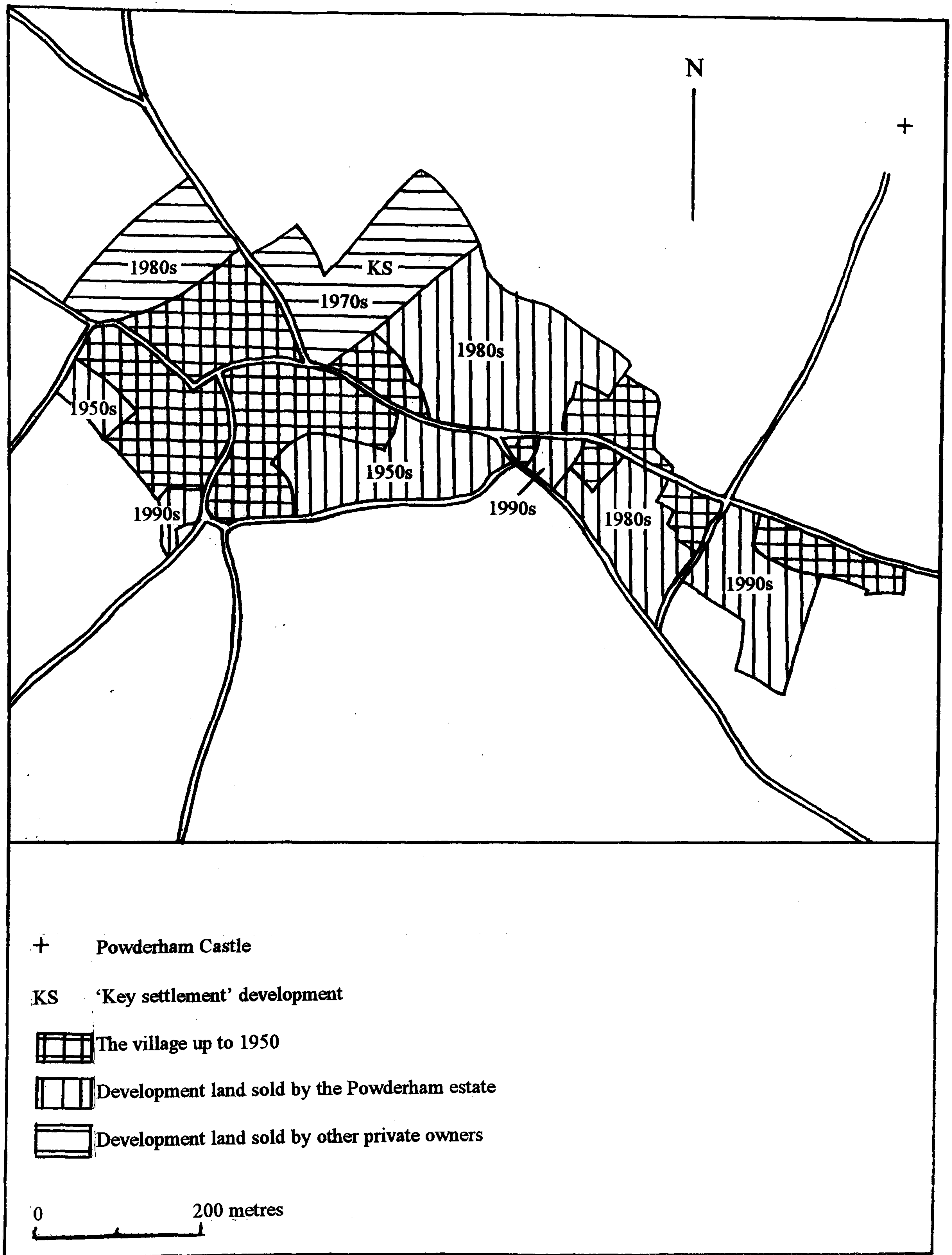
of public sector housing and the earlier sale of so much of the estate's rented property, relations between the villages and the Courtenays declined. This commented upon by the Earl in a short interview to the *Express & Echo*:

People from the village still come and ask our advice. Although we are not as well off as we used to be and have sold Starcross and Kenton we do what we can. The new rich do not realise that duty comes with privilege. (4 July 1969)

Further major change followed the designation of Kenton as a 'key settlement' by the County Council. Subsequently, in the two years of 1971 and 1972, 67 new houses were built in the village (see Fig. 7). In the decade just prior to this, construction of private houses over the entire parish of Kenton and Starcross had totalled 57. This development contributed to a net increase in the local population size, as Table 3 shows. Negotiations had taken place with the estate, but the area eventually zoned for key settlement development was an area of market gardens that had been sold by the estate in the 1950s. In 1975, a survey being undertaken by Wye College into key settlements gave Lord Courtenay the opportunity to reflect on the expansion of Kenton. In a lengthy reply to Professor Wibberley, he was generally critical of the key settlement policy. Moreover, with regard to the specific case of Kenton, he pointed out the estate had been unable to influence the nature of development, having ceased to be the owner of the area designated. This, he asserted, had been to the detriment of the village:

The idea of key villages has tended to select certain villages and expand them rapidly by the addition of large housing estates, which are often architecturally out of character, and which can result in the village losing its identity due to the sudden influx of new arrivals. At the same time, the policy prevents any growth in other villages where perhaps some natural growth would be of advantage.

Figure 7: The expansion of the village of Kenton



These tend to whither away as the communities and the houses tend to be bought up by wealthy people from elsewhere, often as second homes. That this has not been the fate of Powderham is almost certainly due to the fact that nearly all the houses are owned by the Powderham estate. However, the village, which has a lovely old church and virtually nothing else, could well benefit as a community from some limited expansion, providing that this was carefully controlled as to architectural standards. Kenton has, however, suffered from the fate of being a key village, due to one large development on land unfortunately sold off by the estate some years ago; but this fate would have been worse had we not proceeded extremely cautiously with plans to develop any lands still in the estate's ownership. (26 September).⁷

At the time of Lord Courtenay's letter, the key settlement policy was already under review. The Structure Plan (DCC 1980) recognised the level of damage that had been done to the physical character of Kenton, and required that future development should be confined to infilling and kept in keeping with the appearance of the village.

By the early 1970s, the estate's property interests in the local villages had dwindled considerably, and development had brought a large new population to the area. Despite this, the formal leadership role undertaken by the Courtenays increased, for the late 1960s brought the return to Powderham of Lord Courtenay, who enthusiastically entered local politics.⁸ Between 1970 and 1978, he served as a District and Parish Councillor. Lord Devon had represented the local district up to the late 1960s, by which time ill health increasingly limited his capacity to serve. In addition, he retained the position of Chair of the Powderham Parish Meeting, although, by the 1970s, Lord Courtenay had begun to act on his father's behalf. Estate correspondence and papers concerning Powderham parish contains little of significance. The only major issue concerned local government organisation. In 1965 and 1979 local government reviews raised the question of placing Powderham parish within the remit of a regular Parish

Council, that of nearby Kenton and Starcross. However, on each occasion this was challenged by the Courtenays. In letters to the District Council in 1979, Lord Courtenay stated his personal views, and what he felt represented local opinion. He stated that Powderham had 'a long history and distinct identity' and no 'community of interest' with neighbouring parishes. He admitted that the calling of the Powderham parish meeting was rare and attended by few, nonetheless, a degree of nominal control over local affairs was maintained. He maintained that only with some decentralisation of power from county and district levels to the parish councils might Powderham gain by being absorbed into the neighbouring parish council. This sentiment is echoed by the former tenants of Exwell Barton, and current residents in Powderham, the Mortimers. If merged, they argue, Powderham would become a peripheral concern. Moreover, the informal arrangements that had long-existed had been quite sufficient for dealing with the very few matters that come up: 'you get two interested people together, they make a decision and get it done, and I suppose the money is raised somehow'.⁹

More absorbing for Lord Courtenay were his roles as a member of the Kenton and Starcross Parish Council and, far more so, his role as a District Councillor. Both positions allowed him to make representations on behalf of the local community. In addition, the former role enabled him to improve communications between the estate and local councillors; whilst the latter role gave Lord Courtenay the opportunity to make representations about certain aspects of local affairs and government which he felt strongly about. Much correspondence and minutes of meetings bear this out. However, Lord Courtenay was to resign his position as District Councillor in some controversy, for, as estate papers reveal, difficulties and conflicts over interests were a dominant theme throughout his tenure. In one sense, his position as a member restricted his scope

for speaking out. On certain issues he was free to make representations on matters of local concern. Yet; on others, he was required to declare an interest. For example, in 1975, he had to decline a request asking that he promote the extension of much-needed amenity facilities for the newly-expanded Kenton, for the purchase of the land required would inevitably be Courtenay land. Over two particular issues, Lord Courtenay challenged the restriction placed upon him. The first arose in 1975, and related to the participation of local government in consultations on a document on service cottages in agriculture. This obliged Lord Courtenay to enter into much correspondence, in part through the CLA, in order to secure the right of landowning councillors to engage in the consultative process. The second situation occurred in 1977, involving a protracted debate over a local bypass. A number of routes were proposed to bypass the villages of Exminster, Kenton and Starcross. Each would cut through the Powderham estate, and, Lord Courtenay, as the largest of the landowners affected, was called upon to declare an interest. However, he eventually received dispensation and was able to speak out in favour of the principle of a bypass, recognising that traffic problems had become a desperate concern for local residents. He made a series of representations to the regional secretary of the CLA, the local MP and local government officers at district and county level.

In a second sense, his position as a District Councillor gave rise to a number of conflicts between his position influencing the policy of district government, his desire to serve the local populations of Kenton and Starcross as a local councillor, and his need, as managing agent and heir, to protect the interests of the Powderham estate. On the issue of the bypass, he recognised that a new road would alleviate the degree to which traffic was hampering the operations of the estate. He also had personal views on a

preferred route, and how to balance the amount of damage and disruption that would be caused to the estate against the capital that the development would undoubtedly release. A difference of interests arose over the route. He pressed for the improvement of the B3381, a route that would provide a bypass to satisfy the residents of Starcross and Kenton, and would satisfy the estate in terms of limiting the damage. He also argued that, as the cheaper option, it was more likely to be adopted. However, it was not acceptable to the residents of Exminster, who would still suffer the problem of commuter traffic passing through the village. A more serious dispute, and one that brought to a head Lord Courtenay's doubts about his position as District Councillor, occurred in relation to a car park at Starcross. The estate had offered land, but the purchase price set was unacceptable to the District Council. Instead, the estate offered to donate the land on condition that the council undertake drainage works. These would be necessary for the car park itself, but would also be for the benefit of both adjoining estate land and local inhabitants in providing a much-needed flood prevention measure. However, the development did not proceed. Whilst the District refused to approve the scheme on cost grounds, Lord Courtenay interpreted the decision to be one based on the fact that the council could not be seen to be acting explicitly for the benefit of one its members. The episode was also problematic for Lord Courtenay, for the requirement that he declare a personal interest prevented him from representing the local interest.

In his letter of resignation and in an interview to the *Mid Devon Advertiser* (28 April 1978), Lord Courtenay laid greatest emphasis on his inability to protect the interests of the Powderham estate and to effectively represent local inhabitants. However, he also pointed to a second reason for his departure. This was his growing dissatisfaction with local government since 1974. He felt that the greater complexity and

far larger constituency areas made local government no longer attractive and realistic for 'working' councillors, those who brought to local government youth, experience, and, arguably, valuable expertise and knowledge. In addition, he maintained that power at district level had become too centralised and too great, and, accordingly, insufficiently accountable and increasingly draconian. The failure of Teignbridge to reach a negotiated solution over the car park at Starcross, and to resort to compulsory purchase, was, for Lord Courtenay a telling endorsement of his views.

In subsequent years, Lord Courtenay felt free to be far more vocal in his criticism of county and, especially, district policies. In a series of letters to the local press, to the local MP, and to the local council he argued on issues of decentralising power, improving statutory procedures, and strengthening financial discipline. On the subject of decentralisation and greater local accountability, and echoing his specific views on the future of Powderham parish, Lord Courtenay wrote to the *Western Morning News*:

I have argued in many places and make no apology for repeating it, that one major change now required in rural areas is the greater devolution of powers and responsibilities from county and district councils to parish councils....As long as parish councils remain a talking shop, whose activities extend little beyond bleating to higher authorities about the state of the kerbstones, the smaller parishes will want to stay as they are, but when they have something worthwhile to do they will have every incentive to amalgamate. (21 January 1980; unpublished)

Lord Courtenay could also be more vehement in his exchanges over the actions of the District in relation to the Powderham estate. A particularly strong exchange followed soon after his resignation. In a series of letters, Lord Courtenay raised his objections against the readiness of councils to 'wield the big stick' rather than engage in informal

discussions. His specific point of reference was a sequence of statutory orders received by the estate, after he had approached the council for advice on the conservation of certain buildings and trees on the estate. In a letter to the Planning Officer for the Teignbridge, he protested about the receipt of a Tree Preservation Order (TPO):

You will appreciate that my family have been the sole arbiters on matters of conservation and amenity in this area for most of the last 600 years, and I think you will agree that the results of our stewardship were not too bad. I am well qualified to continue in that tradition. That you see fit to serve a TPO on the estate infers that your Council, after less than six years in existence, considers that we are no longer capable of fulfilling our responsibilities without supervision. (30 November 1978)

By the time of Lord Courtenay's resignation, the late 1970s, a new phase of change had begun. This would be characterised by a second burst of estate property sales, a fresh round of house-building, and a noticeable worsening in local relations. The deterioration in relations emerged first. In the late 1970s and early 1980s, minutes of parish council meetings and local press reports record a sudden proliferation of complaints and matters of concern involving the policies of Lord Courtenay and the Powderham estate. The Parish Council had cause to challenge the estate on the adequacy of its management. Evidence of neglect grew in relation to dangerous trees, the state of allotments, and the upkeep of well-used paths. Some of the representations of the Parish Council drew upon complaints received from local inhabitants. The council took great issue with a series of rent increases on small areas of land used for public amenity. A number of letters also appeared in the local press. One was especially hard-hitting. It listed a range of complaints and grievances. The estate should donate some of

the revenue earned from its Civil War battles for the improvement of community amenities, given the level of disruption that such events cause to local residents. The estate should give up the freehold of the Kenton village hall rather than insist on a market price; its refusal to transfer the hall was preventing the parish from applying for an improvement grant. In addition, the estate should release land for a car park for the hall, rather than withhold it as a lever for securing planning permission for housing development. In response to these letters, Lord Courtenay wrote at length to the *Dawlish Gazette* acknowledging the emergence of misunderstanding, and commenting specifically upon changes in the nature of the local population, the intense pressures that the estate was under, and the issue of whether some of the proceeds of castle revenue should be given to the local community:

The parish of Kenton has an adult population in the region of 1,400. If they earn on average little more than £1,000 per year this represents a gross annual income to the parish of 1.5 million pounds....which represents more than the total capital value of the Powderham estate, even allowing for the absurdly inflated value of agricultural land, which brings no benefit to the owner, only increased capital taxation problems. Maintaining one of Britain's leading historic houses is an expensive business....so if Powderham castle and its contents are to be maintained for future generations to enjoy, other methods of financing it have to be found...Kenton is no longer a village of poor agricultural workers dependent on the surrounding estate for a living, and a roof over their heads, but consists largely of commuters, immeasurably better off, and the majority owning their own homes. The people of Kenton will get what they pay for and work for. Most do not either want or expect to get something for nothing, and to suggest that they still require charity from the Powderham Estate is an insult to many. (10 August 1978)

Two years later, considerable local attention was drawn to one particular dispute. In 1980, Lord Courtenay proposed the amalgamation of two impractically sized fields, which required the removal of an intervening unclassified road. He argued that the route was no longer used by vehicles, and that he would dedicate a path around the new field and improve a nearby lane. However, local villagers remained unconvinced, and considered Lord Courtenay's action to be high-handed. They gathered a petition with 800 signatures and, in a well-attended parish meeting, they persuaded the local council to veto the plan.¹⁰ A few months later, the sense of prevailing discord attracted a long feature in the regional *Sunday Independent* entitled: 'Feudal baron or misunderstood farmer?'. In an evocative language, the account reported:

In the quiet Devon village at the far end of the tree-lined drive, regulars are trooping into the local pubs. Inn signs bearing the Courtenay family crest creak in the cold February wind as men quietly discuss 'his Lordship' over their beer. There's talk of the lanes he's tried to close and of the 'Keep Out' signs that pepper the 3,750 acre Powderham Estate. There are rumours of the pensioner whose rent he's doubled, and of an elderly lady in a tied cottage who died of worry. And there are wistful looks in the old mens' eyes as they talk of his father, the 17th earl of Devon - known affectionately as 'Lordy'. 'Things were different when he was in charge', a farmer says. 'He was kind to people, he always was....In locals' eyes, the trappings of a feudal baron remain still remain, even if the relationship's gone sour. They see the gently rolling parkland, the tied cottages and farms, and the empty houses....And deep inside some are still prepared to doff their caps to 'his Lordship', as their fathers and grandfathers did before them. It's an attitude which leaves them grumbling about Lord Courtenay in private conversation, but unwilling to put their names to their complaints in public. (1 March 1981)

Lord Courtenay became increasingly concerned by the adverse publicity. Soon after the publication of the *Sunday Independent's* feature, he called for a public meeting in which

he would answer questions, hoping to dispel some of the tensions and misunderstandings. He was not helped in this objective when a complaint that his shooting activities in the park were a danger and a disturbance received local and national press coverage.¹¹

The coolness in local relations persisted through the 1980s, generated by the development policies of the estate. As the Clerk to the Parish Council recalls, in the early 1980s there coincided a boom in property prices, an increase in pressure for development, and the worsening financial position of the Powderham estate.¹² One result was a new phase of property sales (Tab. 2). For Lord Courtenay, the attractiveness of the local area, and the desirability of local housing had the welcome effect of inflating property prices. This, combined with the crisis over the future of the Castle, necessitated considerable sales. The result was that tenancies in Starcross, now the most peripheral of the three villages, largely disappeared, whilst those in Kenton and Powderham continued their decline. In this policy of disposal, Lord Courtenay endeavoured to retain buildings to which he was more attached, that is, those in the village of Powderham, the cluster of houses in the park near to the estate's sawmills, and those individual buildings variously scattered across the parkland and the agricultural estate. Moreover, the estate recognised that the potential of some of these buildings could be realised if they were let as holiday cottages. There were also a number of lets which the estate wished to retain an interest rather than dispose of, because they would not realise a great return if sold, but might eventually acquire greater development potential. These included the premises of the Starcross Yacht Club at Powderham Point, the sawmills, and a number of allotments in Kenton and Starcross. Sales, then, have concentrated more in the main villages, for properties here 'were one of many'.¹³

The second dimension of the estate's policy at this point was to sell land to developers. The most important, and one that brought particular controversy was a major development in Kenton. The prevailing local view was not averse to some further expansion, providing it was of an appropriate character. Thus, the estate came under close scrutiny in 1982, when it sold 8 acres for the development of 32 houses. On one matter, it received some credit, for Lord Courtenay insisted that the development released the much-demanded land for a village hall car park.¹⁴ However, considerable criticism was also received. Some dissatisfaction was expressed, although not universally so, regarding the type of houses to be built, that is, that they were of a high-value, 'executive' type. Important here are the differences of opinion about the effects of post-war development on the village community. A few lifelong residents recorded in the Kenton archive observe that the general increase in population size had had the effect of eroding some of the friendliness. Further, whilst recent developments had brought a totally new population comprising a commuting professional class, which had brought with it different needs and new values. One of the contributors to the archive contrasts the Kenton of the immediate post-war years with the village of the early 1990s. The former had more than a dozen shops providing local services; today, apart from the one surviving village shop, more recent commercial outlets are limited to two hairdressers, an antiques shop and an upmarket restaurant, and, particularly symbolic, the open green area called Kenton Triangle is no longer the village meeting place and market place, but is given over to floral displays. More recent inhabitants like the Clerk to the Parish Council, Jack Ashton, and the Kenton Archivist, Steve Coombes, are more positive. Old and new populations still appear quite segregated, with the former monopolising older properties and the council houses, and the latter occupying most of

the private, post-war homes. Yet, the two populations have integrated well socially, and there is now scope for a greater number of commercial activities, and a wider range of community facilities and activities. Furthermore, recent housing development has allowed the incomers into the 'key settlement' houses to remain in the village by moving up in the housing ladder, thus providing a new, if relatively more recent 'established' population. Moreover, the key settlement housing now provides for the young and the first time buyers to remain in Kenton, as well as attracting some newcomers.¹⁵

Far more criticism of the 1982 development related to its site and design. Again, a number of the contributors of the archive question the aesthetic effects of all post-war developments, for one lifelong inhabitant, they had wrecked the village. As the Parish Clerk observes in hindsight, the 'key settlement' housing had been largely concealed in a low lying area, and their white rendered walls and grey roofs (if made of asbestos) blended in to some degree with older buildings of cob and slate. The position of the new houses, however, was on a rise, made attractive to purchasers given views of the estate, but an eyesore to existing villagers. This was exacerbated by the colour of the houses, 'alien' constructions of orange brick and terracotta tiling. This fuelled further negative views of the estate. In the appraisal of the keeper of the Kenton archives, a powerful sense prevailed amongst many villagers in the 1980s that the estate was driven primarily by financial motives, the sales of its property and the rate of new housing development confirmed in many minds that the estate was 'selling out', both economically and socially.¹⁶

In the 1990s, the final and most recent phase of change began, marked out by a slowing of estate sales and development, and by an improvement in relations between the estate and local villagers. The easing up in the rate of sales of estate buildings is a result

of a number of factors: the sharp rise local property prices came to an end; the estate had sold many of the prime buildings that had been rendered redundant; and the improving financial position of the estate required less disposals. In addition, the introduction of the assured shorthold tenancy in 1988 was a crucial turning point for Lord Courtenay, offering landlords a new level of security and encouraging them to let far more property once again. This included cottages that had become surplus to the needs of in-hand or rent-free use, and those that had been converted earlier for holiday accommodation. Between 1993 and 1997, the number of units let for residential use in the parishes of Kenton and Powderham increased from 17 to 29. The far greater number being located in the latter village. The estate has continued to release land for development, but this activity has also slowed (see Fig. 7).¹⁷ A set of factors apply here: a reduced need for the estate to realise land for development, the division of the parish of Kenton and Starcross in 1990 has allowed Kenton to exert more control and a more conservative approach to development, and the slowing of the property market. Again, the development that has taken place is confined to Kenton rather than Powderham.

It is instructive to point out the contrast now exists between the villages of Kenton and Powderham. Kenton is the larger and more dynamic of the two. Indeed, as the local archive suggests, this was the case prior to the Second World War. The residents differ over the effects brought about by the rate of post-war development, and the degree of community integration. Furthermore, its economic and social bonds with the Courtenays and the Powderham estate had weakened. For the Mortimers at Powderham, little appears to have changed in the physical make-up of the village, with no new post-war building. In social and economic relations, however, some division has emerged. They can discern a population, the vast majority, which remains closely

Table 4: The occupancy structure in the parishes of Powderham and Kenton

<i>% of households</i>	<i>Powderham</i>	<i>Kenton</i>
Owner-occupation		
1991	41.5	80.2
1981	18.9	-
Rented: private		
1991	63.4	7.7
Rented: job		
1991	29.3	0.2
Rented: housing association		
1991	0	0.6
Rented: local authority		
1991	0	9.3

associated with the estate and the Courtenay family. This group comprises current and former estate employees and workers, who occupy much of the estate's rented accommodation. Attached to this group are the small handful of people that have moved into the village, have become well integrated into local social activity, and also view the contribution of the Courtenays in local life in a favourable and positive light. Another population comprises those that have moved into the village, mainly as freeholders, but some as the tenants of newly-rented estate cottages, whose work and social relations exist outside of the village. Amongst this latter group, the Mortimers highlight with some amusement, are the two sets of residents that have moved into the old rectory and its converted, former coach house. They have renamed them, respectively, 'The Manor' and 'Powderham House'.¹⁸ Table 4 shows, at least up to 1991, the place of the estate in terms of his control over the supply of local housing. Although sales through the 1980s

increased the percentage of owner-occupancy in the parish of Powderham, the number of household units rented from or tied to the estate still predominate.

Another vital area of change in the early 1990s, is the effects stemming from the alteration in the management of the Powderham estate.¹⁹ The success of the Castle has brought far more local employment opportunities and visitors to the area. In the first half of the 1990s, the regular full-time staff at the Castle increased from 7 to 25, and as much as a further 30 are employed casually, but frequently, to support commercial events. In addition, the new personnel of Tim Faulkner and David Curran have brought with them a more pro-village stance. Both have personal connections with the village, and emphasise that it is in the interests of the estate to foster local relations and a 'doorstep clientele'. Tim Faulkner points out that this has been a hard task given the recent social changes undergone by Kenton, and the presence of an incoming population that does not see itself as part of the estate, nor does it tolerate disruptions to its quality of life caused by Castle activities. The objective of the two new managers is to counter the perception of Lord Courtenay and his estate as being that of a private and 'mediaeval kingdom' and, given the unpopularity that had built up, act as 'front-men' for Lord Courtenay. David Curran, as a former District Councillor, is seen as a neutral force. In his current position on the Parish Council he has been able to improve the channels of communication and the 'tone' of relations between the estate and the council.²⁰ The approach of the two managers, together with the greater financial and labour resources now available, has allowed the estate to donate more in terms of manpower and materials to local village activities. It has also become the policy of the estate to commission consultants to prepare and package planning applications, thus improving both their attractiveness and obscuring their association with Lord Courtenay and the

estate. In addition, Tim Faulkner is careful to incorporate the 'local nuisance' factor in his choice of future Castle events.

The result of new management approaches is that the tensions prevalent in the 1980s have slackened. As Steve Coombes remarks, the village of Kenton now feels far more involved. Tim Faulkner still receives an annual crop of complaints, but these have reduced in number. Lord Courtenay recognises that, over the post-war period as a whole, property interests and the active involvement of the estate in local village life has declined. Yet, there does remain in social relations an air 'somewhere between the feudal and the paternal' which is often reflected, he highlights, in the 'expectation to distribute largesse'. Also, Lord Courtenay acknowledges the complete change to the complexion of Kenton. The local population, the vast majority new to the area or certainly no longer connected with the estate will continue to challenge the activities of the estate. This, Lord Courtenay notes, is rather contradictory. Whilst incoming property owners derive considerable quality of life from their location near the Castle, they are not prepared to accept the accompanying responsibility of tolerating the activities that the estate requires to ensure its upkeep.²¹

The occasional letter or event still raises to the surface a level of uneasiness between the estate and the local inhabitants. An example of this occurred in 1993, when the estate announced a plan for the construction of a golf course. The responses of the villagers and the local authorities received considerable press attention. However, there was not the level of debate that surrounded the estate's activities in the 1980s. The plan was presented as an asset that would be of benefit as a local facility, as an attraction for tourists, and would provide local employment. Despite concerns that the development would increase traffic, and that its location would reduce the likelihood of the bypass

being built, the plan was approved.²⁰ Another incident which attracted some local attention took place in 1996. An anonymous and vehement complaint about the fencing of a footpath across the estate was published in the *Kenton Newsletter*. In the subsequent monthly edition for May, Lord Courtenay wrote:

The reason for fencing is the sad lack of respect for other peoples' property shown by some of the newer dwellers in villages like Kenton. Where a footpath across a field is unfenced many people simply arrogate themselves the right to walk over the field at will allowing their dogs to run out of control without any apparent concern for the interests of the livestock or the wildlife of the area. Your correspondent bemoans the fact that "the people of Kenton can no longer enjoy a walk around that field, a walk which has been enjoyed for many, for many years". Who on earth gave your correspondent or anyone else for that matter permission to walk around that field? I never did nor to my knowledge did any tenant of mine. Increasingly over the years it has just happened until some action had to be taken.

The current mode of relations is illuminated further by the most recent controversy involving the estate.²¹ It brought to the surface the embedded suspicion of the estate as being driven primarily by commercial motives and being somewhat detached from the village. Yet, it also demonstrates how the revival in the estate's fortunes has brought a closer integration with Kenton, and a recognition of the desirability and necessity for cultivating local relations. In 1997, the plans were presented for the redevelopment of Marsh Farm, a redundant farmhouse near the main entrance to the park, as a major retail outlet. Anticipating local opposition, it promoted the enterprise for its local benefits. The venture would be a new and significant source of local employment. It would also be devoted to the sale of local produce; a third coming from the estate and the immediate local area, and most of the remainder from the

West country. In a statement to the press, Lord Courtenay saw it as meeting contemporary development ideals:

The Earth Summit in Brazil in 1991 sought to encourage local production and consumption to close the gap between the producer and the consumer so waste could be reduced, allowing resources to provide employment and strengthen regional identity. (*Western Morning News*, 13 December 1997)

To promote the development further, a public display was arranged in the village hall. The plans did indeed incite local opposition, which brought with it a succession of media articles. In reaction to the proposals, the owners raised a petition of 300 signatures, claiming that the development would be a threat to the viability of the village post office and general store, and, in effect, a threat to the life of the village. There was also local concern about increased traffic levels. The weight of opposition caused some delay, however, after an appeal against non-determination brought by Lord Courtenay, the development was finally approved by the District Council. Importantly, the petitioners did not attract the support of the Parish Council, which would not condemn the enterprise simply because it was in commercial competition with the village shop. Lord Courtenay had recognised in a press statement the sensitivity of the issue of the Post Office, but maintained that there would be little in the way of competition in the choice of merchandise. The Parish Council accepted this. In addition, the Parish and District Councils saw the benefits of the sale of local produce and, to reinforce this, the approval required that the percentage of local produce be defined and increased from the level originally proposed.

ii) **Property, power relations, and uneven development**

The above account, with its focus on local rural society, can be comprehended further when it is considered in the light of the broad range of 'community' studies that span the post-war period. The effectiveness of such studies, as Bradley and Lowe (1984) discuss, depends upon how far their comprehension of the local and the unique sheds light on broader processes. This part of the research aims to achieve this through its investigation of two key processes of rural change, namely, the modification of property and power relations, and the uneven nature of development.

The Powderham case reflects the powerful images conveyed by the 'community' studies literature. The account mirrors, for the two decades immediately following the war, the dominant impression of decline found by the likes of Mitchell (1950, 1951), Williams (1956, 1964) and Martin (1965). In the context of processes of profound economic, political and social change dating from the late nineteenth century, the prestige of the landowners waned. The case also reflects, for a later period, the effects of counter-urbanisation, most especially, the tendency for incomers to displace landowning and farming interests from positions of influence (for example, Ambrose 1974, Strathern 1981, and Bell 1994). Equally, this research reinforces the conclusions drawn by a number of local studies which maintain that the decline in the economic, social and political influence of landowners, and in their role in the local development process has been remarkably protracted and highly uneven (for example, Quayle 1984, Harper 1987, Wilson 1992).

This study examines decline in power and influence through its conceptualisation of survival as a form of 'compromise'. Earlier discussions noted that, hand in hand with

the contraction of estate property, went the abandonment of paternalistic responsibilities, a process reflected in a great many local historical studies. Also, the withdrawal from public life corresponded with the urge and necessity for landowners to engage more actively farming activities (for example, Blythe 1969, Newby *et al.* 1978, and Marsden 1984). Both processes are acknowledged by Lord Courtenay. It is also argued by Thompson (1993) that withdrawal from the local (as well as national) limelight represents an attempt by landowners to prevent their landed wealth from being exposed to public scrutiny and attack. This point is recognised by the two new managers at Powderham Castle, who deputise for Lord Courtenay. The Powderham case also illustrates the protracted and uneven nature of such changes. It is instructive to draw a comparison with the Lockinge estate investigated by Havinden (1966). Here, owner motivations, estate policy, and the prevailing 'productivist' context ensured that the estate continued to be a powerful force in local economic and social relations. Thirty years later, the Powderham estate, through changes in management policy, and in a new context demanding the provision of consumption activities, had reversed to some degree the weakening in economic and social ties with the local community.

As Marsden *et al.* (1993b) suggest, an understanding of changing power relations, the uneven nature of the rural development process, and the importance of local agency can be sought through a focus on property rights. Indeed, this thesis argues that an examination of the manipulation of property rights exposes with great effect the essential position held by the rural landowner. The account of the development activities of the Powderham estate and its owner yields three main points. First, the activities of Lord Courtenay illustrate the observations made by Goodchild and Munton (1985), that, despite popular perceptions of the level of regulatory control

exerted by the local and national state, landowners remain key actors through their hold over property rights. Whilst this study acknowledges the broad place held by the state, as well as the market in presenting and limiting opportunities, it gives special recognition to the ways in which the personal circumstances and attitudes of the individual landowner - Lord Courtenay offering an excellent illustration - play a vital role in determining the rate at which land is released for development, and how far the owner participates subsequently to influence the character of that development. The research exposes the various, key 'resources' (Marsden *et al.* 1993b) that influence the participation of local actors in the development process, which, in this study of a landowner, are an extensive hold over property rights; the possession of financial resources; the acquisition of relevant legal and technical knowledge; and access to, and influence within, local political networks.

Second, the ability of landowners to call upon a range of justificatory ideologies has enabled them to defend and to promote their rights in the face of greater scrutiny and competition, and to maintain an entrenched representative role in local power structures (Newby *et al.* 1978). Lord Courtenay and the Powderham estate have with increasing, if not complete, effect been able to manipulate property ideologies to their advantage. Lord Courtenay's various representations and protests to local residents or to the local authorities, and in his roles as a local councillor, has, as different situations have demanded, adopted different stances. Difficulties have emerged, however, when the stances required in his different capacities as local government councillor, as political representative for his local community, and as landowner gave rise to personal ideological dilemmas.

Third, an understanding of the diverse outcomes of local change demands an appreciation of the ‘material, phenomenological and social components’ of the situationally-specific (Marsden and Murdoch 1995). In the determination of local change, landowners play an important role in upholding or resisting the perpetuation of historical trajectories in settlement development (Spencer 1993, and Murdoch and Marsden 1995). In the post-war period, the views of local inhabitants, also holders of property rights, and the standpoint of the local authorities are crucial. But much depends on the individual landowner. The account of the respective fortunes of the villages of Kenton and Powderham demonstrate how, in a constantly evolving set of property, class and power relations, and with regard to particular development situations, the various views held by local villagers, the local authorities, and the landowner are all the time coinciding and conflicting.

Notes:

1. See ‘The agricultural estate’ endnote 4 (above) regarding the formulation of Tables 1 and 2.
2. KPA/Memories and recollections; and derived from it, *Kenton Memories* (1996). The archive was compiled between 1988 and 1994. It drew on the memories of a range of individuals, a number of whom had been born in the village and had worked on the Powderham estate, and were then in their 70s or 80s in age.
3. KPA/Memories and recollections/Elliot. The Mamhead and Oxton estates were far smaller than that of Powderham, and lay to the west of the Devons’ land. Both had been broken up by the 1950s. The Earl mentioned in this passage died in 1935.
4. See Jackson (1992).

5. Starcross was the larger and faster growing of the two villages. Its development in terms of housing and especially let property benefited from its attractive character as a minor seaside resort.
6. KPA/ Memories and Recollections/Adams; *DG*, 2 Apr 1970; DCC (1977). The analysis of statistical data for the villages of Kenton and Starcross is hampered by two problems that are very familiar to historians, that of trying to relate the development of settlements to parish level data, and interpret data affected by the redrawing of parish boundaries.
7. In a broader context, Lord Courtenay's views mirrors Cloke's (1979, 1983) critique of key settlement type policies that were adopted by a number of County Councils. The policies reflect the perceived need identified by these councils to take a pro-active approach in addressing the problems of uneven development. However, this type of policy was not meet its objective of deflecting existing trends. Key settlements did not prove a constraint on expansion in areas of growth, nor did they bring the desired level of development to areas of depopulation.
8. PCA/B2A/Local government councils.
9. Interview, 19 Aug 1997.
10. *EE*, 13 Dec 1980.
11. *SI*, 21 Jun; *EE*, 22 and 25 Jun; *Daily Mail*, 22 Jun 1981.
12. Interview, 29 Jun 1998
13. Interview, 12 Oct 1995.
- 14 *EE*, 8 Apr 1982. The Clerk observes, though, that such a condition was a quite normal form of planning gain.
15. Interview, Parish Clerk, 29 Jun 1998; Kenton Archivist, 23 Jun 1998.
16. *Ibid*.
17. Jack Ashton notes that the developments in the 1990s have been designed to derive most value from the smaller parcels of land released, and to meet a lack of a certain size of house in the village. Thus, these developments are comprised largely of four or five-bedroomed 'executive' homes.
18. Interview, Gordon and Freda Mortimer, 19 Aug 1997
19. Interviews, David Curran, 22 Aug 1997; Tim Faulkner, 26 Aug 1997.
20. By this time Lord Courtenay had resigned as a Parish Councillor.

21. Interview, 12 Oct 1995. The promotional literature produced by local estate agents for property in the Kenton area frequently refers to the proximity of Powderham Castle, and the aesthetic qualities that it adds to the location.
22. *EE*, 15 and 20 Dec 1993, 24 Feb 1994; *WMN*, 16 Dec 1993, 15 Feb 1994.
23. For example: *Herald Express(HE)*, 12 Feb 1998; *WMN*, 13 Dec 1997, 9 May 1998, 19 July 1998.

d) *The Exe Estuary*

i) **A clash over access**

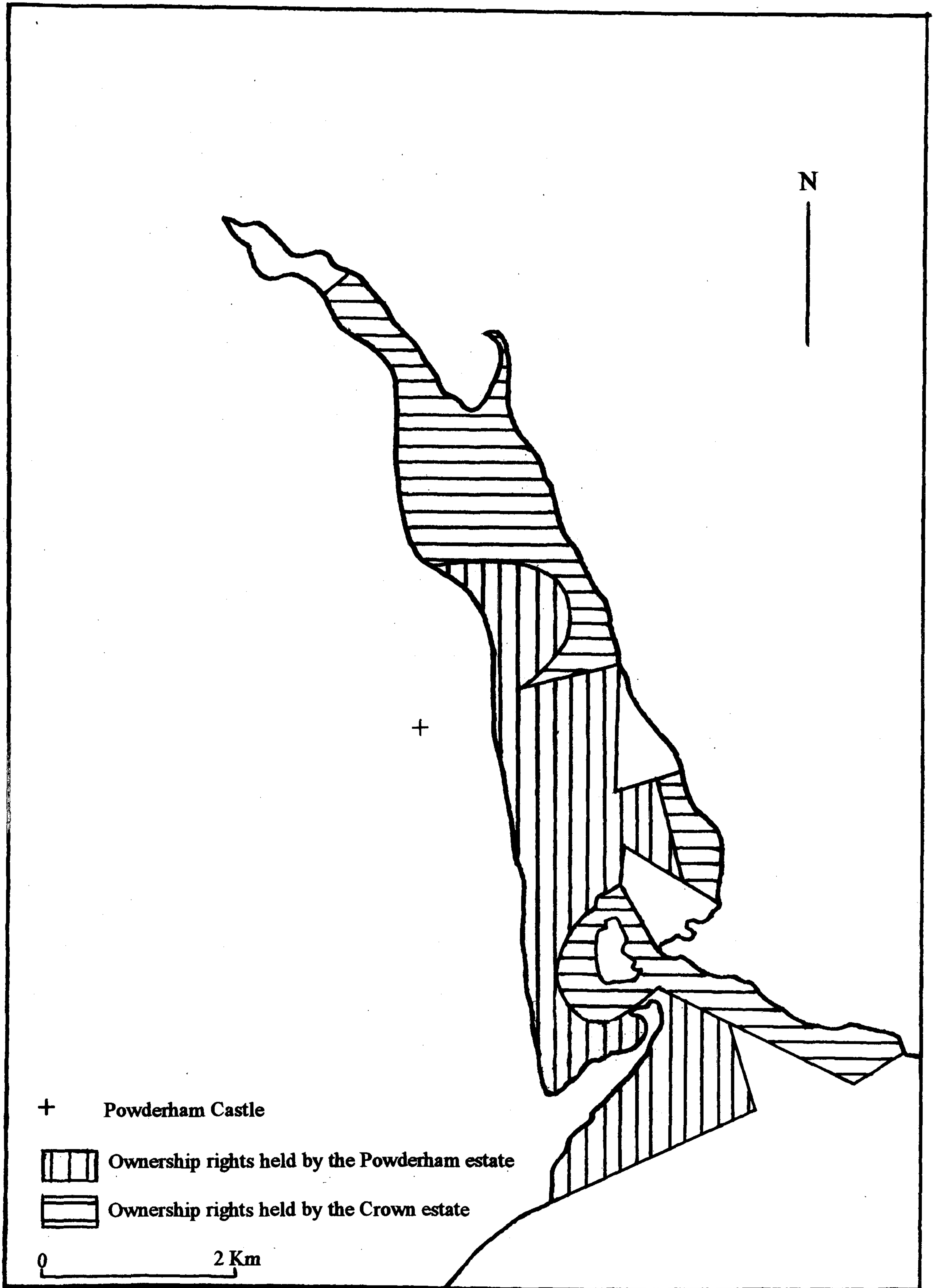
This section investigates the development of the fourth component of the estate, the area of the Exe Estuary owned by the Courtenays. The account focuses upon one of the most recent ‘critical’ moments in the history of the Powderham estate, the dispute between its owner and local boat owners over the mooring rights to the estuary. This episode was ‘critical’ in that the cause of the dispute was the attempt made by the Powderham estate to exploit the estuary on a major scale. This action was an important component of the programme of essential expansion and diversification which the estate embarked upon in the early 1990s. The episode was also critical in the sense that it brought more adverse publicity for the estate than any other event in the post-war period. This part of the empirical work demonstrates with great effect the value of a perspective on property rights in examining estate survival strategies and, more broadly, the role of the landowner in rural development in the highly contested countryside in the late twentieth century.

The dispute arose from two sets of contextual circumstances. The first related to the ever pressing need for the Powderham estate to find new sources of income, and to an historic legal dispute. In 1992, the longest running civil law case in Britain was finally resolved.¹ The dispute began in 1842, when the Great Western Railway drove a railway line along the foreshore of the Exe estuary. When the matter of the payment for land used arose, both the Crown and the Powderham estate presented claims to the

ownership of the foreshore. To avoid initiating a drawn out legal wrangle, the railway company paid both parties, but in doing so acknowledged that two equal claims existed. Over the subsequent century and a half, a series of approaches were made by the Courtenays to the Crown Commissioners in order to secure recognition of their ownership title.² This was advanced with the employment of the County Archivist, who reported in 1978 that the Powderham estate could substantiate its claim on the grounds of its ownership of the Manor of Kenton, which included ownership of a large section of the estuary's bed and foreshore; past legal cases, which acknowledged the Earls of Devon as the Lords of the Manor; and prescriptive rights to collect shellfishing and sand extraction dues, that were customary prior to 1842 and had never been contested by the Crown. Further archive searches were carried out in the 1980s following the appointment of a researcher at the University of Exeter. However, the great breakthrough came in 1992, with the discovery of a particular sequence of letters by the Archivist at Powderham. These demonstrated for the first time that the Crown itself, in the person of Her Majesty's Receiver of Wrecks, had long recognised the Courtenay family as owners of the foreshore and, as owners, the responsibilities falling upon the Courtenays for certain marine management duties.³

By 1992, the management consultants appointed by Lord Courtenay had also produced their report on the future of the Castle. One of the central proposals for generating additional revenue was that the estate should start charging for mooring licences. This idea was immediately pursued, and further consultations were entered into with the owner of an estate with an established moorings business, the Beaulieu estate in Hampshire.⁴ However, eventual progress required that the legal dispute was settled. So,

Figure 8: The ownership of the Exe estuary



frustrated at the unwillingness of the Crown Commissioners to assess fully and to acknowledge the Powderham claim to the foreshore, and supported by the fresh documentary evidence, Lord Courtenay threatened to take the much-protracted case to court. In the face of mounting legal costs to both parties, an out-of-court settlement was agreed.⁵ This was concluded on the condition that both the Powderham estate and the Crown recognised that each party held as strong a claim to ownership over the estuary as the other, and that those claims would remain outstanding. However, in order to achieve some clarification of their respective ownership and use rights, both parties agreed to make concessions. The original claim made by the estate had been for the ownership of all of that part of the estuary which fell within the Manor of Kenton (see Fig. 8). Under the settlement, the Crown Commissioners ceded a large portion of the foreshore and river bed opposite the Powderham estate, for which the Powderham estate paid what Lord Courtenay described as a 'fairly nominal fee' of £5,000. As the estate's Steward of the Dues, Tim Faulkner, acknowledges, the actual allocation of foreshore and river bed resulting from the settlement was 'a bit of a horse trade', for the estate succeeded in securing its claim to the 'richest bits' off Powderham and Starcross, but had to relinquish its claim to some parts of the estuary over which the Crown had already entered into leasehold agreements with other parties (the small fishing and boating harbour at Cockwood, and the lower Exe near Dawlish Warren).⁶ For Lord Courtenay, the great achievement was the opportunity to exercise new management and exploitation rights that had been prevented whilst the family's ownership remained in question. In an interview for the *Dawlish Post*, he stated:

The advantage to mooring owners is that the position with regard to moorings charges will now be regulated, whereas in the past it has been something of a free-for-all. The advantage to

that the position as regards the economic value of the moorings has now been clarified. (13 November 1992)

The second set of circumstances was a sudden heightening of concerns surrounding the use and management of the Exe estuary. The culmination of the Courtenays' dispute with the Crown Commissioners coincided with an outpouring of local press reports regarding the estuary's future. Until the late 1980s, there were periodic expressions of alarm about conditions on the Exe estuary, usually focusing on particular issues, such as pollution, estuary speed limits, crime against moored property, or over-fishing. In the mid-1970s, mounting concern brought calls for conservation safeguards that would be stricter than those provided by established designations, and for an approach that would co-ordinate the various bodies with management responsibilities on the Exe (DCC 1975). However, the local authorities did not accept that the need for major policy initiatives, and so little was achieved in terms of a higher level of regulation.⁷

In the years between 1989 and 1992, the pressure for action became far greater as a range of factors came to bear. In 1989, the closure of the Exmouth docks deprived the local authorities of an important source of revenue. The sums collected had formed a major component of the budget allocated to the management and maintenance of the Exe Estuary. For boat owners, this brought the threat of new mooring dues to meet this loss of revenue; for conservationists, the event warned of the possibility of a major marina development in the former dockland, and the increased pressures from leisure activities that would ensue. In the same year, a report by the Royal Society for the Protection of Birds identified the Exe estuary as one of the three coastal sites in Britain most at threat from current and anticipated increases in recreational uses, a view

reiterated in a more highly profiled 1991 collaborative report produced by the RSPB and World Wildlife Fund. Both reports called for the establishment of a conservancy body that would oversee an increase in the level of management control over estuary uses. In the late 1980s, the RSPB also argued for a raising of the designated status of the estuary from merely an SSSI. This was met with a Ramsar wetland designation in 1990, to be followed by Special Protected Area status in 1992. In order to recapture some of the initiative gained by the RSPB, local boat owners formed an association to campaign against any possible moves to make the river a 'no go' area largely or solely for the benefit of conservation.

Further attention was drawn to the Exe estuary in 1991, when English Nature published the results of a three year study: 'Nature conservation and estuaries in Great Britain'. This singled out the Exe as a case where management responsibilities were split between so many authorities, that the production of a single set of management guidelines was rendered extremely difficult, and argued that the situation required intervention from central government. Indeed, the level of local concern attracted drew a 'fact-finding' visit from the Secretary of State for the Environment. Moreover, concern for estuaries in general was recognised in the 1991 Planning and Compensation Act and the 1992 Planning and Policy Guidance Note: Coastal Areas (PPG 20). Both required local authorities to provide clearer management frameworks. Also in 1991, the National Rivers Authority (NRA) launched the River Exe Catchment Plan in a major attempt to reverse the deterioration in the quality of water and fish stocks in the estuary. In 1992, Devon Sea Fisheries imposed a three year ban on shell fishing following severe over-extraction. In the same year, local organisations voiced concerns about the

noticeable rise in the number of outsiders mooring large boats in the estuary, in order to take advantage of the lack of regulation and absence of tolls.⁸

In response to the marked increase in local publicity and lobbying, and to their statutory obligations, the four authorities sharing responsibility for the Exe estuary (Devon County Council, Exeter City Council, Teignbridge District Council, and East Devon District Council) recruited an independent environmental management consultancy, Posford Duvivier Environment, to undertake the two year 'The Future of the Exe Estuary' project, to be additionally sponsored by the Sports Council, English Nature, and the NRA. Posford Duvivier's 1992 consultation report acknowledged the outstanding environmental quality of the estuary, as well as the conflicting demands placed on the estuary by the sheer number and diversity of interest groups. On the subject of moorings, the report indicated that the situation on the Exe mirrored the strong market that had emerged nationwide in boating activities. Between 1980 and 1990, the number of available moorings on the estuary increased from 1,150 to 1,500, and demand had begun to outstrip supply. As a consequence, there had been a general rise in mooring dues. In 1994, after consulting 50 statutory bodies, voluntary organisations and clubs, it reported back. The most controversial recommendations were the creation of a new harbour authority to manage the estuary, and the imposition of new dues on boat owners as the main source of the authority's funding.⁹

The clash between Lord Courtenay and local boat owners represented a microcosm of the general situation on the Exe estuary, focusing as it did upon the two key areas of tension and debate: the threats of increasing regulation and of rising access costs. The eighteen month period of conflict involving the Powderham estate and other users of the Exe estuary commenced first with a short-lived disagreement with sports

fishermen. The dispute received its first treatment in the press with an announcement in the *Angling Times*: 'Devon toff bans anglers' (10 February 1993). The article recorded the bewilderment of local fishermen's representatives who had had to hastily relocate a major competition following the imposition of a sudden and unexpected ban of fishing from the sea wall at Powderham Point. The ban followed the reaction of Lord Courtenay to complaints by boat owners that fishermen were trespassing onto land occupied by the yacht club. The *Angling Times* quoted Lord Courtenay as stating that 'people have started fishing where they have no right to fish, so I have decided to take the necessary action'. Despite the sensationalist tone of the *Angling Times* article, later coverage in the local press reported that subsequent action taken by the fishermen had followed a wholly moderate and conciliatory course.¹⁰ The handling of the dispute was assumed by the National Federation of Sea Anglers, who imposed an immediate order on its affiliated clubs and members to observe private property signs at Powderham. Subsequently, the organisation entered into negotiations with Lord Courtenay in order to agree access arrangements to the sea wall (as compatible with the rights of other local users). Following successful discussions, the NFSA were able to state generously:

We are very pleased an amicable agreement has been reached. We were very impressed with his Lordship's concern for the ecology of the river and look forward to enjoying the good relations we have established with him (*Express & Echo*, 8 April 1993).

But, before this set of 'amicable' negotiations had been concluded, a far more heated and highly profiled dispute had taken its place involving a different set of Estuary users. When local newspapers covered the resolution of the legal dispute between the Crown and the Powderham estate, and speculated upon its possible implications, reports

suggested that the improved levels of regulation that would follow would benefit both boat owners and animal life alike. The media did not anticipate the furore that would break out from February 1993 when the Powderham estate announced the level of the dues that were to be charged upon moorings for sailing craft: £4.64 per foot (although fishing boats would pay a reduced amount), which meant an average annual fee of about £130. This would apply to the stretch of estuary over which the Courtenays claimed ownership rights, an area which incorporated the boat house and landing stage at Powderham Point, two jetties at Starcross, and 400 occupied moorings. As the Steward of the Dues recalls, the mooring charge figure was selected following their survey of fees around the British coast. The figure was double the going rate on the Exe, and three times the fee paid by those ‘lucky’ enough to have a Crown mooring. However, the Powderham estate chose to charge a ‘commercial’ rate, and ‘suffer the consequences’.¹²

Over subsequent months, the boat owners would protest in vehement language. For example, in the words of an anonymous spokesman appointed for a proposed representative body:

People elsewhere on the river only have to pay £1.50 per foot. He (Lord Courtenay) is morally wrong if not legally wrong....This is a feudal system and we are being treated like peasants. People are threatening to burn their boats feelings are running so high (*Dawlish Post*, 8 April 1993).

The boat owners presented a broad range of arguments to support their case.¹² Some stressed the economic arguments: the level of the charge was twice that of the average for the Exe estuary and for that part of the country, and inappropriate given the current period of economic recession; such a charge would encourage a general cashing-in by

other owners along the estuary; there was little by way of extra facilities or services being offered in return for the dues; and the use of licensed moorings also required additional insurance payments on top of the due. Other arguments were more moralistic: the charges were imposed in a 'high-handed' manner, without prior warning or discussion; the charge threatened the prescriptive or 'natural' rights of quite a number of users who had enjoyed access to the estuary through long-established custom; the rate of the dues would force many locals from the water in favour of outsiders; and that Lord Courtenay's right to the mooring dues was 'presumptuous', given the fact that it followed an out-of-court settlement rather than a legal judgement.

Meanwhile, the Powderham estate presented arguments in its defence. In one statement, the Steward of the Dues justified the charge on the grounds of both economic need and the broader benefits for the Exe and its users:

We don't think its expensive. We want to derive an income for the estate. Its a nightmare navigating parts of the river past willy-nilly moorings laid down over the past 40 years. Its a rubbish tip really and we'll make them more ordered. So we're not doing nothing for the money. The Exe will be more attractive. (*Express & Echo*, 2 March 1993)

As Lord Courtenay points out, the policy of the estate was not solely a unilateral action designed to raise revenue. It is also coincided with requests from local authorities that, until a new management framework had been developed and agreed upon, landowners make some attempt to regulate use on the estuary.¹³ In the estate's original press release that accompanied the introduction of the dues in February 1993, Lord Courtenay declared that the settlement of the ownership dispute meant that the family could 'at last get back to managing our part of the estuary in the *traditional* manner'

(emphasis added). The press release does not elucidate further upon what form of management that this would entail. However, an information document released to all boat owners at the same time, points to the fairly high level of regulation that was intended, but also to the conditions designed to benefit those wishing to maintain a mooring. Thus, alongside the introduction of licences and their fees, was information on the following: plans to improve the safe positioning of moorings; the strength specifications that were required for mooring tackle, with accompanying advice; the insistence on third party insurance cover; the high standards demanded with regard to refuse disposal, and the provisions made available (as compatible with the estate's wildlife conservation objectives); an ongoing boat patrol for registration and security purposes; and information on the rights of shell-fishermen licensed by the estate.¹⁴

After the initial representations and protestations made through the media, the courses of action that each side would adopt became clearer, courses that would be followed over the following year.¹⁵ Concerted action on the part of the boat owners took place after advice had been sought from the Royal Yachting Association. On the recommendation and with the support of the RYA, the boat owners formed the Starcross Watermen Association (SWAN) as an umbrella organisation to represent established clubs and organisations, and non-affiliated individuals on the Exe. The aims of SWAN were to enlist all the boat owners in the affected area; to recommend to the owners that they do not enter into any contractual agreement with the Powderham estate; temporarily to collect, but hold back, due payments (at a 'going rate' advised by the RYA) on behalf of the boat owners, until a satisfactory agreement had been reached; and to discourage any form of militant action. As a result, the organisation hoped to be able to negotiate effectively and with some authority over the level of the dues.

In the opening stages of the dispute, the Powderham estate was prepared to meet the firm action and strong language of the boat owners with that of its own; as Lord Courtenay stated to the *Dawlish Post*:

If they want to get together to form an association then let them. I don't think I am going to back down. So far there haven't been any problems, and I don't foresee any....I don't know how these charges compare with others, but if people aren't happy they can take their boats elsewhere. (8 April 1993).

As Tim Faulkner recalls, this episode was the first major test for the new management at the Castle in handling local relations. The level of protest that arose was rooted in popular and long-standing perceptions of the estate:

There is a lot of this, it is a very interesting point. Lord Courtenay is the titular head of the estate, but the estate is a business like any other business. The fact that the title goes back 600 years clouds people's minds; they see it as feudal. Its rather like cottages which want planning permission, or plots of land, they can't easily separate it. There's no doubt about it, it leads to more bitterness that I am sure wouldn't apply to a multinational company.¹⁶

Tim Faulkner, as the Enterprise Manager and Steward of the Dues, took the key role of handling public relations during the dispute in order to convey an image of the estate as a business rather than as the 'kingdom' of an individual. In addition, he aimed to manipulate the publicity that the dispute had given rise to. The estate based its position on two assumptions: first, that the protest was largely a reluctance to pay for something that had been free hitherto, rather than an effective challenge to the estate's rights; and, second, that there was a definite demand for the moorings in spite of the

charge. He recognised that any media report examining the estate's action was also an opportunity to advertise the facilities on offer:

It was wonderful from our point of view, because we had a fairly good case that mooring was still cheap compared to everywhere else on the south west coast....With the amount of interest generated, within a very short period of time we had a hundred new moorings. I am not saying that it was all good publicity, but there is a maxim that all publicity is good publicity, and it certainly worked very well. We had a lot of disgruntled people and some of them walked off the pitch, but it really had the effect of clearing a lot of the dead space down there.¹⁷

From early on, therefore, the estate maintained an intransigent stance, refusing to recognise SWAN's authority as a fee-collecting body and, in turn, making it impossible for SWAN to establish a firm position from which to negotiate. As impasse was reached, the Powderham estate further eroded the basis of SWAN's support by continuing to communicate with individual boat owners directly, and by applying further pressures: posting legal notices on unlicensed boats, removing unoccupied and unlicensed moorings, and threatening an additional fee for those owners not registering. Furthermore, the Powderham estate was not wholly without allies amongst the boat owners. The support of one of the two local and well established associations, the Starcross Yacht Club, was enrolled through negotiation. The club had historic links with the estate; the Courtenays had always been members and honorary officers of the club, and the clubhouse was leased from the estate. Following discussions, the club's leadership agreed to encourage its members (even though they represented just a small fraction of the total number of local boat owners) to take up the licences in exchange for the guarantee of exclusive access rights to some of the newly defined and controlled

mooring areas. This move reflected a change in the general mood. The loss of a free customary right was undoubtedly resented, but the new rights were welcomed given the threat of increased statutory restriction and regulation.

The response of SWAN to the impasse in the negotiations was to commence legal proceedings. Its hope was that prescriptive rights could be claimed by those owners who had enjoyed free access to their moorings for at least a twenty year period. On this point, the estate resorted to the argument that the area was still subject to a Crown claim. Consequently, the estate could make the case that a sixty year rule would apply - the length of time recognised in law for customary rights to be secured over Crown estate. Through the summer, a growing number of boat owners saw that a favourable resolution to the dispute was unlikely; and, in October, SWAN claimed that 100 of the 500 occupiers at the start of the season had vacated their moorings. In the summer of 1994, the Association finally advised its members to pay for licences. It hoped that the protracted legal proceedings that it had instigated would succeed. The Powderham estate, meanwhile, could declare that only a small handful of the moorings had not been claimed and paid for, and it had removed only those unregistered moorings that were a hazard to registered boat owners.

Since, the moorings enterprise has become a profitable business for the Powderham estate, producing a net income of around £28,000, while, the opposition organised by SWAN has petered out, and their legal case abandoned. As the Commodore of the Starcross Fishing and Cruising Club reflects, the key issue was the level of the charge, and many owners undoubtedly left the area as a result. However, the remainder have come to accept the due, especially as the claim of prescriptive rights was raised as a threat in an effort to bring a reduction in the charge, rather than as a serious

challenge to the legitimacy of the estate' rights: 'it's understandable that the riparian owners want to protect their rights, and it's understandable that if the Powderham estate own a piece of the river bed they would want to generate some revenue from it'.¹⁸ Moreover, the demand for local moorings has weakened, and now there is a surplus. As a consequence, mooring dues have not been raised any further. The Commodore also accepts that a working relationship had to be maintained with the estate in order that interests other than the level of the charge were represented. He admits that, in offering new moorings, the estate plays an important role in referring potential members to the club. With the abandonment of collective action, it has been left to a few individuals to write to the estate the occasional letter of opposition, and to continue to enter on their cheques for mooring licences the declaration 'without prejudice', following the advice of the RYA.

In the context of the future development of the Exe estuary, the economic exploitation and regulation of the boat owners by the Powderham estate has required that it assume wider responsibilities on the boat owners' behalf. In 1994, the Exe Estuary Users Association was formed to bring together all the local interest groups and to represent them in the debate over the estuary's management plan. Through its membership of the Association, the estate has been involved in the consultation process, and has used its position to defend the interests of local boat owners. As the Steward of the Dues maintains:

Obviously our interests are with the boat owners. We want to try to protect their interests, that the birds don't force the yachts out, or the waterskiers annoy them. Our concern, perhaps a selfish one, is that charges shouldn't fall on the boat owners. Why pick on the boat owners,

why not the walkers and the bird watchers.... We are trying to resist it, if anyone charges for the moorings, it should be us.¹⁹

At the same time that the moorings issue was being fought out, a quieter and different matter of rights and responsibilities was being resolved. Through 1992 and 1993, Lord Courtenay and other landowners along the estuary were under pressure to assist in the regulation of shell fish extraction, calling upon them to issue licences to local fishermen with long-standing use rights, and to bar from access those large scale commercial vessels from outside whose unscrupulous practices had caused havoc with the local marine ecology. As Powderham's Steward of the Dues notes, the dues collected from shell fishermen were not of economic importance to the estate, providing only one thirtieth of the income of the mooring business. As a result, Lord Courtenay had no objection, and was keen in this case to 'take the conservation angle'. Indeed, the signing of a Fishing Regulatory Order required the ceding management rights to Devon Sea Fisheries, who assumed jurisdiction over access and use by shell fishermen on the estate's foreshore.²⁰

In a minor dispute that followed soon afterwards, the environmental 'angle' served to thwart rather than find favour with Lord Courtenay's objectives. The Steward of the Dues acknowledges that establishing the moorings enterprise was a notable achievement in an area where environmental controls greatly restrict development potential. In 1995, though, an attempt at further development was less successful. A small car park was proposed by Lord Courtenay near the estuary's edge, with the intention of providing for existing traffic that was proving a hazard and blocking farm entrances. It was also hoped that the car park would provide for a few more users of the

estate's moorings, and a limited, but new alternative visitor access route to the Castle. On this occasion, the estate's plan was blocked through the planning system on conservation grounds, after objections were declared by the RSPB and English Nature.²¹ Subsequently, the estate decided that there was insufficient potential income in the car park development, and taking the matter to appeal was not worthwhile.

ii) Rights, responsibilities, and regulation

Three aspects of the recent development of the estuary by the Powderham estate and the accompanying dispute over access to moorings are particularly striking. First, the actions taken by the Powderham estate reflect in an interesting way upon the manner of its survival. It has been argued that surviving landed estates have had to compromise upon traditional characteristics, but that this does not rule out the possibility that certain strategies might give rise to some reversal in this tendency. This is out brought in this final account, for the establishment of the moorings enterprise on the estuary demonstrates more than any other single development undertaken by the estate some reassertion of traditional character. This is apparent in three ways. An inexorable trend in the history of the Powderham estate over the last one hundred years has been its substantial contraction. Set against this, the fortuitous settlement of the historic legal dispute with the Crown brought a significant 'physical' expansion of its landed resources. Alongside the protracted contraction of the estate through the twentieth century has been a reduction in the range of long-established economic interests. By

contrast, the setting up of the moorings enterprise is a principal component of major policy of diversification, in which the estate has sought to respond to the opportunities brought by the rise in the market for leisure activities. In addition, the extension of the estate's property interests over the estuary was paralleled by a broadening of its sphere of social and political influence. The boat owners became newly dependent upon the Powderham estate for their occupation and use rights; whilst the estate became a regulatory authority, and also adopted a quasi-paternalistic stance on behalf of the boat owners in the planning process.

The establishment of a moorings enterprise as a major survival strategy has been interrogated through a focus on property rights. The account demonstrates how the strategy depended upon and brought about a major redefinition and reallocation of property rights. Furthermore, the incident expressed powerfully the notion that accompanying private rights are collective responsibilities (Bromley 1991). In a process by which rights and responsibilities were manipulated, the estate had to secure legal sanction for its ownership rights and then, through heated exchanges, sought to secure social and moral sanction. The owner and his deputy, the Steward of the Dues, raised a series of familiar defences (see Newby *et al.*, 1978): the 'capitalistic' justification which claimed the right to productively exploit; the 'collectivistic' justification which pointed to benefits that would accrue to the recipients of the owner's sense of paternalistic responsibilities (in this case, by acting on the boat owners' behalf in the planning system); and 'altruistic' justification, a line that downplays the personal gains achieved by the owner, and stresses the wider benefits. Meanwhile, the boat owners challenged the legal and moral basis for the 'capitalistic' justification, and questioned the seriousness of the 'altruistic' justification. The circumstances surrounding the dispute over mooring

rights also emphasises the general point made by Parker (1996), that the value placed on environmental goods by landowners and farmers has brought about a further privatisation of rural space, and greater restrictions on what were formerly customary access rights. Access rights, where they can be commoditised through payment or compensation schemes, have served to underpin the legitimacy of owner rights as much as challenge them.

The significance of the dispute over mooring rights, and those events that closely preceded and followed it, is further emphasised when they are placed within a broader context. This episode in the recent history of the Powderham estate demonstrates perhaps more than any other the place of landowners, as local actors, in the key processes of recent rural change, namely, the shift from providing for production to providing for consumption; the emergence of greater conflict between landed, environmental, and access interests; and the lack of a clear consensus on the required level of statutory regulation for the protection of the environment (see Marsden *et al.* 1993a and 1993b; and Munton 1994). Marsden *et al.* identify the emergence of a more 'differentiated' countryside, in which the regulation of rural development is greater, but in a more private sector-led, contested and localised way. In this context, landowners play key roles. They are entrepreneurs creating or realising rights in the face of changing market demands. They are protagonists challenging the rights of others and defending their own. And they are regulators operating within and without the statutory framework to control the supply and the distribution of access rights.

Notes:

1. *DP*, 13 Nov 1992; *EE*, 12 Nov 1992; and *WMN*, 11 Nov 1992.
2. PCA, L1A/Legal/Foreshore.
3. Col. Delforce, interview, 10 May 1996. The discovery of the letters followed soon after the appointment of Col. Delforce to oversee the centralised storage and cataloguing of the Powderham Castle archive. The find was seen as some justification by him for the time and expense required to establish the archive.
4. Powderham Estate Office (PEO) file: Estuary; interview, Tim Faulkner (Estate Enterprises Manager, and acting Steward of the Dues), 19 Jul 1996.
5. If the case proceeded, Lord Courtenay anticipated further legal fees of £150,000.
6. Interview, 19 Jul 1996.
7. WCSL, Cuttings Files: Rivers/Exe; PCA, P2-1A, Press and Publicity. These archives record one earlier dispute featuring the Powderham estate with regard to the estuary. In 1955 (*WMN*, 18 Nov; *Daily Sketch*, 23 Nov), the Earl of Devon exercised the family's right to net a section of the lower Exe for salmon. This was met with considerable criticism by other riparian owners elsewhere on the Exe, including a number of local gentry.
8. *EE*, 30 Mar 1990, 28 Mar, 4, 26 Oct, 26 Nov 1991, 10 Mar, 29 Jul, 13 Oct, Nov 1992, and 6 Apr 1993; *Teignmouth Post (TP)*, 6 Nov 1992; and *WMN*, 4 Dec 1989, 30 Mar, 26 Jun, 17 Aug 1990, 26 Oct 1991, and 11 Apr 1992. Interviews, John Biddlestone (Commodore, Starcross Fishing and Cruising Club), 19 Jun 1997; Philip Chesterfield (Chairman, Exe Estuary Users Association), 1 Jul 1997. DCC (1992), 'The future management of the Exe Estuary: results of the data collection and consultation exercise'.
9. The consultant's plan was met with vehement opposition. Whilst some proposals were welcomed, the principal recommendations of the creation of a harbour authority and the imposition of dues were much disputed. The plan was rejected in 1995 in favour of a trial voluntary code of conduct and an

estuary forum, as outlined in the draft 'Exe Estuary management plan' (DCC 1996). *DG*, 29 Sept 1994; *Exmouth Journal(EJ)*, 30 Sept 1994; *Exmouth Leader (EL)*, 23 May 91; *EE*, 2 Nov 1991, 9 Feb 1993, 28 Sep 1994, 28 Mar 1995, and 25 Mar 1996; *TP*, 17 Mar 1991; and *WMN*, 2 Jul 1993, 29 Sep 1994, 16 Mar, 24 Oct 1995, and 27 Mar 1996.

10. *EE*, 19 Feb and Apr 1993.

11. Interview, 19 Jul 1996.

12. *DG*, 15 Apr, and 29 Jul 1993; *DP*, 8 Apr 1993; *EE*, 2 Mar 1993 and 6 Apr 1993; and *WMN*, 13 Apr 1993.

13. Interview, 21 Jan 1997.

14. PCA, R3A/Reference/Rivers and harbours.

15. *DG*, 15, 22, 29 Apr, 29 Jul, 5 Aug, 21 Oct 1993, 16 Jun, and 28 Jul 1994; *EE*, 6, 28 Aug, 21 Oct 1993, and 3 Jun 1994; and *WMN*, 15 Apr, 2 Jul, 9, and 22 Oct 1993.

16. Interview, 19 Jul 1996.

17. *Ibid.* The success also brought enquiries seeking technical advice. The Teignbridge District

Council approached the estate for advice on charging for moorings on the foreshore of the Teign

Estuary, which it leased from the Crown. Its decision was also met with considerable local protest;

HE, 25 Jun 1994.

18. Interview, 19 Jun 1997. The Starcross Fishing and Cruising Club is the largest of the clubs on the western side of the Exe, and, consequently, was affected the most by the imposition of the new dues.

19. Interview, 19 Jul 1996.

20. *Ibid*; *EE*, 21 Oct and 6 Nov 1993.

21. *EE*, 17 Mar 1995.

VII

Conclusion

a) *'Managing survival': a summary of the recent history of the Courtenay family estate at Powderham*

An account of the history of the Powderham estate between 1870 and 1939 described the activities of the Courtenays as a 'management of decline', dominated by the loss of confidence in the economic performance of its rented property, by a massive disposal of landed assets, and by the profound impact of death duties (Jackson 1996). Despite this decline, a sizable Courtenay estate survived up to the mid-twentieth century, which was undoubtedly a feat, but it did so in an unsustainable economic and financial position. Survival strategies had acted only to suspend what appeared to be a process of inevitable demise. By the late 1930s, the poor performance of the estate's rented property was compounded by the accumulation of considerable debt.

In their strategies, the Courtenays were typical of a large number of estate owners which, as Thompson (1963) observes, shifted a significant part of their interests from the landed sector to the financial. Crucially, this action enabled their estates to weather the

inter-war years. Equally, the fate of the Powderham estate was akin to those for whom misfortune brought a heavy toll in capital taxation. Powderham can be said to be outstanding in two ways. First, certain family-specific circumstances ensured that the Courtenays were amongst the earliest of landed families to undertake the shift in investment interests. Second, three closely-occurring assessments for death duties swept away most of the gains that had been secured through prudent estate management over the previous fifty years.

Writing in the 1960s, Thompson spoke of upheaval and decline. Thirty years later, Thompson (1990, 1991, 1992 and 1993) outlines the evidence supporting a counter perspective. He demonstrates how changing political, economic and social circumstances, and determined efforts on the part of landowners, had brought about a remarkable level of survival for private, individually-owned landed estates. Again, therefore, Powderham is neither atypical nor necessarily extraordinary, but it can be claimed that it offers a potent illustration of the assessment Thompson makes. Two particular aspects stand out: the dramatic turnaround in the fortunes of the Courtenay estate, and the essential contributions made by a small handful of individuals, and one owner in particular, in response to family-specific, local, and general contextual change.

The chronological investigation of Powderham's recent history described in this thesis focused especially upon a series of 'critical' moments or stages and the 'actions-in-context' associated with them. This approach reveals a series of major reversals in various modes of decline dating from the late nineteenth century, which had continued into the first half of the twentieth. Interpretations of source material highlight a number of notable

features: the economic performance of the farmed estate has enjoyed a revival, and there has been a move towards the reletting of agricultural land; greater commercial enterprise has secured a viable status for the Castle, and dispelled much of the doubt surrounding the future of the building as a family home; circumstances have altered such that sales of estate property have markedly slowed, and the option of renting houses and cottages has, in the last few years, re-emerged; and economic and social relations with those local villages that largely ceased to feature among the Courtenay family property interests have, if quite recently, been enhanced.

The second prominent feature of the recent history - the activities of the Courtenay family and a small number of other key individuals - can be appropriately summed up as a 'management of survival'. The value of a methodology that has combined a detailed case study and 'action-in-context' is that it allows for an investigation of and comprehension of the local and the specific (Grove-Hills *et al.* 1990). Clearly, the decision-making of the Courtenays, the family's trustees, and various employees and agents, as well as the ways in which the estate has been transformed over the post-war period, have been heavily influenced by general factors. For example, the effects of fiscal, tenure, and planning legislation, the opportunities brought by agricultural revival and the growth of leisure and tourism, and the constraints brought by new property and environmental interests, have been profound. Yet, much of the fortunes of the Courtenays and their estate have rested upon the personal attributes of individual actors. Lord Courtenay, in particular, stands out. His lead in the design of differing survival strategies reflects the coming together of a valuable professional training, something of a crusade on behalf of country houses and landowners,

and a personal determination to secure a future for his family at Powderham. It is evident that many of the critical moments for the Courtenays generated much debate amongst the family and other interested parties. It is also clear that many of the crucial courses of action opted for, and their precise timing, owed a great deal to the individual, evolving, and often contradictory stance of Lord Courtenay himself.

b) *Fresh Perspectives on decline and survival, and on rural property rights*

At one level, then, the Powderham case is an evocative and compelling example of the experiences historic landed estates and their owners in the post-war period. This particular story lends support to the perspective that gives credence to survival and to the apparent tenacity of owners, against a process of historical decline. At another level of analysis, the case reflects more broadly and critically on the decline-survival debate. Essentially, the notions of decline and survival corresponds with the historical problem of discerning levels of continuity and change. Cannadine (1990) and Thompson (1993) strike a cautionary note here. Both observe that a comprehension of 'what has gone before', that is, of the nineteenth century context and the age of a landed hegemony, has increasingly faded. The result is that there is a tendency for the momentousness of change and decline to be

appreciated less, and the evidence for continuity and of survival to be viewed as even more remarkable. Thus, for historians, it is a question of emphasis, and, indeed, Thompson and Cannadine weight their interpretations differently. The summary of the Powderham case above does likewise, acknowledging the profound upheaval of the late nineteenth and early twentieth century, but showing a special fascination for and appreciation of the degree of survival achieved over the post-war period.

It is Newby (1985) who is most effective in pinpointing various empirical and analytical problems in gauging decline and survival. He, and some other authors (such as Thompson, *ibid.*; and Clemenson 1982), discuss how certain 'well-established', even 'traditional', indicators of change yield dual impressions. Of particular note, a focus upon changes in estate size points to the dramatic contraction of broad-acred estates, but also disguises the partial and shrewd reinvestment by owners into more attractive, non-landed assets; a focus upon tenure highlights the demise of the landlord-tenant system, but conceals the recognition by landowners of the inducements to owner-occupy; and a focus upon formal political position conveys the impression of a retreat from power and *noblesse oblige* activity, but also under-emphasises the pursuit of influence through different means, and a greater pre-occupation with successful estate management. Thus, strategies that represent the decline of nineteenth-century landed estates and landownership also serve to underpin survival in a different form. Put another way, modes of change that, when set against the nineteenth-century context, convey an impression of decline, can, when placed in the twentieth-century context, be interpreted as strategies designed to secure survival.

The pre-occupation with such indicators represents the search for 'tangible' measures of change in a field of study which, as Massey and Catalano (1977), Newby (1985) and Cannadine (1990) point out, is intrigued by matters of wealth, status and power - how much has been swept away, how has been perpetuated? This thesis argues that the focus on the 'established' empirical measures and on the discernment of outcome drawn from these, has led to problems in adequately comprehending process. There are three areas of difficulty. First, such indicators are historically-rooted. They correspond with key features customarily used to describe the landed hegemony that existed up to the commencement of the twentieth century. It follows, that their employment can lead to the simplistic interpretation that the abandonment of the nineteenth-century system of landed estates and landownership equates with decline, whilst continuity represents survival. The problem, here, is that this straightforward interpretation does not adequately account for the notion that the abandonment of the nineteenth century legacy also represents the willingness or necessity to capitalise on new opportunities and to circumvent threats, leading, in turn, to survival in a different form. This thesis accommodates this area of difficulty by formulating its own conceptualisation of the processes of change. Survival is a 'compromise' whereby landowners allow for the continuity of certain characteristics associated with 'traditional' landownership and the landed estate system, whilst also allowing for the rejection - the decline - of others in favour of forms of adaptation.

This study has had to reach further in order adequately to interrogate this notion of compromise, and to address the two other areas of conceptual difficulty. To achieve this, the study has incorporated an examination of property rights. The first of the two problems

surrounds contextualisation. The 'established' indicators of change are effective in illuminating the outstanding features of change since the end of the nineteenth century, and, in particular, shedding light on the fortunes of the principal subject in this study, the 'historical', private, individually or family-owned landed estate. The question arises, however, how adequate are these measures for comprehending the position of such estates and their owners in the light of the key processes of late twentieth century change? Furthermore, the study also accepts that such estates and their owners now represent only a part of the contemporary landownership structure, and that an understanding of their fortunes must, by necessity, be considered alongside the experiences of landowners more broadly. Thus, this research adopts a different indicator, the division and allocation of property rights. This follows up on arguments presented by Marsden and his colleagues (1993b) that issues surrounding property rights are central to key processes of rural change, namely: inequality of opportunity, the shift from provision for production to provision for consumption, conflict between different interest groups, differentiation in rural development trajectories, and access to local political structures.

The third and final area of difficulty surrounds local agency. The 'established' measures of change are orientated around the identification of generalised outcomes. Thus, by gauging the likes of acreage, tenancy type, and political position, an assessment can be made of the degrees to which the position of landed estates owners and landowners more broadly have altered. This is undoubtedly useful. Yet, an understanding of process requires an examination of decision-making and action (Grove-Hills *et al.* 1990). The focus on the division and allocation of property rights offers a window through which to scrutinise how

property rights are manipulated. The thesis puts forward a conceptualisation which demonstrates how property rights are being constantly concentrated and dispersed. Such modes of manipulation are at the core of survival strategies designed in response to individually-specific and broader-ranging factors.

c) *Key contributions*

The analysis of the Powderham case in terms of survival through compromise, and through the manipulation of property rights, makes three useful contributions to the literature on the position of landowners and the processes of rural change. First, the study synthesises two perspectives on property rights. It incorporates the body of literature that examines the place of property rights in an ideological sense. This includes the work of Rose *et al.* (1976) and Newby *et al.* (1978) that demonstrates how a series of justificatory ideologies are fundamental to the ways in which landowners and farmers to uphold their positions of political influence, economic advantage and social status. Akin to this work are the studies that consider the emergence of a dialectic of rights and responsibilities in the framing of environmental legislation and the regulation of the rural development process (for example, Bromley 1991, Cox 1993, Munton 1995, and Parker 1996). This thesis also draws on the literature that seeks to address the paucity of research into the place of

property rights in local agency, that is, how do landowners actually manipulate property rights and, in doing so, influence development outcomes (Grove-Hills *et al.* 1990, and Whatmore *et al.* 1990).

By bringing these two perspectives together, the Powderham case is able to demonstrate the essential importance of property rights in terms of the various ways in which they underlie the actions and attitudes of the rural landowner. Survival strategies for the landowner require a complex and ongoing redistribution of the numerous forms of owner, occupation and use rights outlined by Becker (1977) which, in this thesis, is discussed as a process of continual concentration and dispersal. The study presents the argument that this process ought to find extreme expression in the survival strategies of 'historic', private, individually or family-owned landed estates. This view is reflected powerfully in the circumstances of the Powderham case. Here, fiscal and tenure legislation, and change at the level of the family, have brought major shifts in the distribution of owner, occupation and management rights at the Castle, and of occupation, management and exploitation rights over the agricultural estate.

Also, underpinning the manipulation of property rights is a process whereby their ideological foundations are being constantly negotiated and contested, and compromises struck, whether this be between the private owner and the various arms of the state; between the owner and other local property interests; between the owner and tenants, agents, and employees on the estate; between the owner and members of his family (or parties acting on the family's behalf); or between the different motivations of the owner him/herself. By extension, the ideological bases for property rights, and their accompanying

responsibilities, are contested, negotiated, and compromised at two levels of representation: at the level of the estate, and at the level of wider political networks. As the discourse of Lord Courtenay reveals, ideological issues are essential to actions taken in estate management, and in defences mounted in a broader context. The stances adopted at one level inform the other, and vice versa.

The second contribution made by this research is to reflect on the future of the 'historic', even 'heritage', estate, namely, that *beau ideal* of established landed family, fine country house, landscape garden, and agricultural estate which is celebrated and championed over the post-war period by a long line of commentators (notably, Sackville-West 1944, Cornforth 1974, Clemenson 1989, and Sayer and Massingberd 1993). In a recent contribution, Peter Mandler (1997) is pessimistic. Despite the falling away of the radical political assault on such estates and their owners, their survival is, ultimately, unrealistic. He points to the ongoing uncertainty and inadequacy in the economic performance of the agricultural sector; the lack of complete commitment, and considerable inconsistency, in the policies of successive post-war administrations; and the essential unpredictability apparent in the fortunes of landed families. Mandler foresees the inevitable break-up of the *beau ideal*, and suggests that the guarantee of salvation for the stately home can only come through the extension of ownership by the state.

The Powderham case both supports and challenges Mandler's conclusions. For the Courtenays, survival has indeed been hampered by the fluctuating fortunes of agriculture; has been determined by policy-making which has proven to be variously burdensome, contradictory, and inadequate; has rested upon the particular personalities, attitudes and

choices of action of a range of family members, and other individuals, that have come and gone over the post-war period; and has required a considerable transfer of management rights to the state and access rights to the public. However, this study, with its focus on 'compromise' and the manipulation of property rights would suggest that the disintegration of the 'historic', private, individually or family-owned landed estate is unlikely, at least in the foreseeable future. First, such estates have secured a high level of protected status in British cultural life and in the legislative framework, achieved through the promotion by owners of the ideology of stewardship (Hewison 1987). Second, echoing Clemenson (1982), the economy of scale and diverse composition offered by the 'historic' landed estate makes it a highly versatile entity, capable of adapting to the changing economic demands placed upon the countryside. Third, these estates will continue to attract new owners, for private estates remain, in the British context, a potent symbol of private property ownership and inter-generational wealth creation. Furthermore, there is the powerful argument derived from the view expressed by the once Secretary of State for the Environment, Nicholas Ridley, that private owners bring an ideological motivation and strategic innovativeness that is more appropriate to securing survival than further invention from the state. Fifth, the *beau ideal* has become an idyll. It retains the illusion that it supports the private consumption associated with a past age, which is its great appeal to the would-be owner or to the visitor, but, in reality, it supports new modes of living and, for many estates, is supported by far greater levels of commoditisation.

The central concern for Peter Mandler, and for the author of a parallel work by David Littlejohn (1997), is the future of the country house. Nonetheless, their viewpoints

can be extended to a consideration of 'historic' estates as a totality. Whilst Mandler emphasises the general drift to towards break-up, and to the 'nationalisation' (in its various guises) of the country house, Littlejohn's account conveys a strong impression of a plurality of experiences in which private owners remain the leading figures. Littlejohn also puts the case that a demarcated group of owners of 'important' houses, made open to the public, ought to receive more adequate levels of state funding. The Powderham case, when placed in the broader context, would give emphasis to this notion of plurality, in which private, individual or family owners can compromise and manipulate property rights in different ways in order to secure survival. Their strategies might incorporate measures demanding a 'nationalisation' of certain rights, but their ability to mount ideological defenses, their scope for manipulating property rights, and their readiness to adapt and to compromise will long counter the view that the maintenance of their estates is unrealistic and the transfer of their houses to public ownership inevitable.

The third of the contributions offered by this thesis relates to its place in the locality or 'community' studies tradition, a body of literature that variously endeavours to provide a window through which to reveal the key processes of rural change. This study of a single estate and its owner is an unusual one. There are studies of villages, clusters of villages, and regions in which the place of landed estates and landowners feature, but they do not place their focus squarely, as this study does, on a landed estate as a physical, functional and relational entity. This tendency in the literature is inevitable given the eclipse of the hegemonic position of the traditional landed estate and its owner in the countryside. The last comparable study is, arguably, Havinden's (1966) 'Estate villages'. His study, set in

Berkshire, in the productivist context, reveals a countryside being transformed by agricultural change, but still suffering the effects of ongoing depopulation. For Havinden, the landed estate and its owners which he scrutinised were playing an essential role in determining the economic and social life of the local community.

Havinden focuses most on the estate rather than the owner, and his primary concern is for the local community which is bound up in the estate. The Powderham case 'follows' the actor, and in doing so contributes to the limited literature which examines the attitudes and activities of landowners at the micro-scale. One of the most powerful impressions is that of the complex, fluid, unpredictable and often contradictory position of the landowner in relation to development strategies. In this way, the study reinforces the conclusions drawn in a broader study by Goodchild and Munton (1985). Meanwhile, the Powderham study questions the findings of Spencer (1997) in Oxfordshire, who draws an overly crude distinction between those landowners that are satisficers and those that are optimisers. Focusing in on one particular actor, Lord Courtenay, the Powderham case points out that the landowner can be both satisficer and optimiser at the same time, adhering to one outlook at the ideological level, and the other in practice, or taking contrasting approaches depending on the local development issue or estate management strategy.

Havinden's work, like many other 'community' or 'locality' studies, faces the difficulty of deriving generalisable inferences from an internalised view of rural change. The Powderham study meets this methodological difficulty of relating to broader processes in a number of ways. Of particular importance is the way in which the main actor is followed in higher level 'actor-spaces' (Marsden and Murdoch 1995). Through an examination of Lord

Courtenay's discourse and wider political activities, an understanding is yielded of the processes of change affecting landowners more generally. This allows the local activities of the owner to be more firmly contextualised, and wider conclusions to be drawn.

In addition, the study focuses on property rights as a way of making the study of a single landed estate and its owner shed light on the key processes prevailing in the late twentieth-century countryside. For, as Marsden *et al.* (1993b) claim, and this case study demonstrates empirically, the landowner is an essential actor in through his/her hold over the distribution of property rights. In the 'contested countryside', landowners are essential participants in the competition for space between landed, conservation, and access interests (also Wilson 1993). Their manipulation of property rights is crucial in offering or withholding economic opportunities for others in local rural society. Their personal circumstances, and their position in relation to the stances of local inhabitants and of the local authorities, are important in determining the trajectories of local rural development (Spencer 1993, 1997; Murdoch and Marsden 1994). Their attitudes and actions in respect of ownership and use rights are vital in reconciling the ideological and practical shift from production to consumption activities (Cox 1993, and Parker 1996). The defence and promotion of their property interests continues to secure them far-reaching access into local political networks and regulatory structures (Newby *et al.* 1978).

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