

THE SIBFORD GOWER AND BURDROP TOWN ESTATE CHARITY

When Henry VIII abolished the monasteries he ended also all provision for the poor of England, and for the local schooling that the monasteries had undertaken. During the next two generations there was a flurry of attempts to replace these essential aspects of monastic activity. Hundreds of Grammar and other schools were founded as charities in this period, and there was a rush of provisions for poor relief. The Town Estate Charity of Sibford Gower and Burdrop is part of this activity: it is said to have been founded by two sisters about 1560 (though there does not seem to exist a will or other documentary evidence of the donation of the Farm). In 1601 Queen Elizabeth I passed the first Charities Act to define and regulate charities: it is still the foundation of all modern charity law, and its definition of the purposes of charity foundations still applies.

HISTORY OF THE CHARITY

The earliest document concerning our specific charity is in the ‘Inquisitions and Decrees’ in the Court of Chancery of James I, dated 1612-3, which mentions the threefold division in the Charity’s aims. There is a second similar document under Charles II (1668-9). These documents clearly reflect the first inspection of north Oxfordshire charities after the Elizabethan law, and its revision after the chaos of the Civil War; they are listed on the website of the Public Records Office at Kew. Under the Enclosures Act of Parliament in 1773 these lands were collected into the Town Estate of Broad Sibford (the Gower) and Burdrop.

This estate comprised what is now Sibford Heath Farm, and allotment lands, together with an area on the heath (now a part of the farm) called the Fuel Lands, on which villagers could collect wood for fuel. The Town Estate charity is also owner of the Primary School (now run by an Academy Trust) and the School House as well as some attached woodland. In the twentieth century with the help of a village appeal it acquired Wheathills Farm, and purchased the Millennium Field.

The early archives of the Charity were transferred to the Oxfordshire History Centre, St Luke’s Church, Oxford in 1978. The Trustees Minute book for April 1978 (1978 p.270) records the decision, and states that earlier there had been little care taken of the preservation of Trust papers; indeed ‘at one time there was a wholesale burning of records [apparently by the schoolmaster’s wife in the 1830’s], including unfortunately all the old minute books; but thanks to

the diligence of Mr F.E. Inns some very valuable and interesting parchments are intact’.

The legal dispute 1668-1678

At the Oxfordshire History Centre there are documents assembled by the lawyers for the appeal of 1678, which were clearly kept together as a record of the settlement of the dispute. The Sibfords History Society was recently given papers from the estate of Oliver Hooper, head teacher at the endowed School 1912 – 1933. Among them are notebooks containing copies of various documents made by him from originals then in Sibford. The most interesting of these notebooks contains the dossier concerning the legal dispute involving the Trustees (feoffees) in 1668 and 1678.

Description of dispute: the feoffees are listed as ‘the most fittest and substantiallest inhabitants of Sibford Gower’, Richard Tredwell the younger, Jeffrey Gilkes, William Soden and John Hopkins. Thomas Gilkes Senior Richard Soden Thomas Gilkes junior John Hopkins and Richard Hopkins ‘being five of the feoffees, have abused and misemployed the said third part’ of the land (for the poor) for the last sixteen years in buying two and thirty bulls for the common use of the inhabitants [perhaps the use of bulls for servicing cows not the actual bulls] and a Molecatcher to the damage of the said poore of Sibford Gower’, and by giving money to Richard Gilkes towards the buying of a house. The complainants are listed as Alexander Hadland Ralph Carter William Clayton Timothy Gilkes William Soden Simon Leta and Richard Jaxon. The judgment was made on 18th May in the twentieth yeare of the reign of his said Maiestie by John Fell at the sign of the Beare in the City of Oxon. The five Exceptants are required to pay damages and demit office. They object one year later on the grounds they had not been served notice of the Time and Place of the Inquisition. There was a second hearing in the thirtieth year of the King [all these years obviously ignoring the gap between Charles I and Charles II]. There is reference to the original Statute of Elizabeth. The case is to be heard before the Lord High Chancellor of England in the presence of Counsell learned on both sydes. The original judgment was there sett aside by the Right Honorable Heneage Lord Finch Baron of Daventry.

There are twenty documents connected with the case, including the depositions of various witnesses on both sides and the note prepared by counsel for cross-examining at the 1678 hearing.

This dossier gives important information about the management of the Town Estate lands between the reign of Queen Elizabeth and the 1772 Enclosures Act (which presumably instituted the current system of tenant farmers paying a rent to the Charity). In the old system the ‘most fittest and

substantiallest inhabitants' were made feoffees in perpetuity in trust for the village (ie they paid a quit-rent for the use of the land) and were responsible for disbursing the money in thirds for the purposes specified in the trust. In 1668 it was claimed that they had abused their position, but they were finally exonerated and restored in 1678.

It seems that behind this apparently trivial dispute lies a more serious issue. King Charles II had been restored to the throne in 1660, after the Civil War and eleven years of the Commonwealth. During this period the Puritans and Quakers had controlled the countryside around Banbury. Thomas Gilkes and his fellow feoffees were clearly being pursued by the restored royalist government. John Fell (1625-1686), Dean of Christ Church, Vice-Chancellor of Oxford University and Bishop of Oxford had fought for Charles I, and was a very important and powerful man in the Restoration: he built half of the front quadrangle at Christ Church and Tom Tower; he reorganised the Oxford University Press and gave it a new printing font (Fell font) and the first Arabic font in England. He was a diligent persecutor of Dissenters, and gave a large sum for the restoration of Banbury Church. The complaint against Thomas Gilkes and his fellow feoffees was surely intended to deprive the Quakers of control of the Town Estate Charity. By 1678 the restored monarchy felt more secure; so the judgment was reversed, and Sibford returned to obscurity.

John Fell is otherwise best remembered for having ordered a student John Brown to translate a Latin poem on pain of being expelled from the University: Brown replied with a famous (and perfect) instantaneous translation: I do not like thee Dr Fell, the reason why I cannot tell, but this I know and know full well, I do not like thee Dr Fell.

The Enclosures Act 1772-3

We also possess a complete record of the Enclosure Act of 1772-3. Some of the documents are held in the Oxfordshire History Centre, others in the archive of the Trustees, and others in the Sibfords History Society archives, mostly by gift from the descendants of Oliver Hooper.

A photocopy of the map of 1772 exists in the Trustees archive: the original is in the Oxford History Centre and is the official map that accompanies the Enclosure Act. We also possess a handwritten 'Copy of the Award of Sibford Gower and Burdrop' made for the Trustees by Henry Elley Master of the Sibford Gower Endowed School, August 1881 (and presented to the Trustees: Minute book 1881 p. 231-2). This records in fascinating detail the actual allocation to the Trust 'in lieu of the ancient town lands' of lands and boundaries, footpaths and tracks, water courses etc. The Sibfords Historical Society has been given a

copy of the preamble of the same Act, also made by Mr Elley, and handed down in the Endowed School to Oliver Hooper (headmaster 1912-32), who passed it to relatives. It has now (Nov 2020) been transcribed by Maureen Hicks. These three documents provide a complete official record of the holdings of the Trust in 1772/3. According to 19th century records they comprised two farms, Stittlewell Farm and the Heath Farm totalling 207 acres 30 perches in 1852, later (1895) 199 acres 2 roods; the total rental was £180 pa, later £124. There were also 9 cottages 'which are let to poor people at a nominal rent': these became derelict in the 1850s-1860s and were sold by auction in 1862.

The Dispute over the Endowed Elementary School of Sibford Gower 1891

A booklet by Leslie Baily, BBC broadcaster and resident in Sibford, entitled 'From the Romans to Rock-n-Roll' (1960) is a by-product of his researches for a history of the Sibfords, which he never completed. His notes for this project are preserved in the Sibfords Historical Society archive in the village hall; they consist of eight folders, covering the whole history (especially the early periods and local bird life) and two folders of other notes. Mr Baily was a very diligent historian and was advised by Barrie Trinder, the modern founder of local Banbury history, who among his many books wrote *Victorian Banbury*. Baily's account of the Trust in his booklet is therefore of high authority, although he does not appear to have had access to the Trust archives. It is he who states that it was established about 1560, and that the first schoolhouse was built in 1625.

Baily's notes transcribe much of the missing sections of the Revd Stevens diaries, which Tim Huckvale has published together with the surviving diaries on the Sibfords website. They include a reference in 1891 to a foiled attempt to get a Quaker appointed a Trustee and references to an ongoing dispute over the status of the Trust's Elementary School in 1890-1.

Baily's booklet (p. 17) gives an account of this episode in his pamphlet 'Romans to Rock-n-Roll' where he offers even more detail than can be reconstructed from either the surviving Stevens diaries or the Town Estate Minutes. He seems therefore to have had access to other items.

In 1891 a dispute arose between the Trust and the Non-Conformist community as to whether the School was a Church of England school. A protest was organised by the Non-Conformists and a petition was signed at a public meeting in Burdrop by thirty specifically named individuals (most of whom still have relatives in the villages, including Inns: this information must be from a document). The Headmaster of the Friends School, Mr Robert Oddie, then defaced a public notice put up by the Revd. Stevens headed '*Church of England*

Endowed School’, and politely informed Stevens of his action. Stevens was at the time secretary and chief organiser of the Trust and manager of the Primary School, which had been rebuilt by the Trust with the help of a public subscription in 1866, and was in the process of being registered under the new Education Act as a public elementary school supported by the government. The case went to the Charity Commissioners, who (rather surprisingly) ruled in favour of the petitioners and declared that the school was not a C of E school, had no requirement to teach C of E doctrine, and the Trustees themselves had no need to be members of the C of E. (That is why the board outside the school now reads ‘Endowed Primary School’, with no reference to the Church of England).

The start of this important episode is recorded in the TE Minutes (1891 pp.287-92, 299), from the point of view of the Revd. Stevens who wrote them, and we possess the printed petition of the Trustees to the Charity Commission (but not that of their opponents). But the final decision of the Charity Commissioners is not recorded in the Trust’s Minutes.

Peter Baadsgaard, revised by Oswyn Murray 2025

WHAT THE TRUST MANAGES

1. 100 acre farm at Epwell Heath, held on an agricultural lease by a local farmer. This is the original donation 400 years ago, and the basis of the charity’s existence.
2. A 30 acre agricultural plot adjacent to it. This was perhaps separated off around 1945, when it was released from being used as allotments.
3. The school land on both sides of the road. This is again original and central to the function of the Charity. It is leased to the Academy Trust on a 125 year lease, and registered as of nil value in our accounts. If the school ceased to function, the Charity Commission would probably insist that the land and buildings be returned to some community purpose designated by the Trust. The buildings themselves were erected by public subscription and by the local authority.
4. The Millennium Field, a patch of recreational land unusable for agriculture, planted as an arboretum by Paul Hobson and purchased at a discount in his memory from his widow Margaret in this century; it is accessed by a footpath, and is preserved and managed for the use of the inhabitants of the village.

5. The School House built in the 19th century. This has for many years ceased to have its original function as a residence for the school teacher, and is now let out.
6. The upper field of Wheathills. This was purchased at auction with the help of public subscription to prevent building or anything other than agricultural use. According to the original purchase agreement with the Parish Council it cannot be used for any other purpose, and the grazing of horses is specifically excluded.
7. Wheathills Farm. This was purchased at a discount from one of the present Trustees as a working livery stable, but is at present leased to a local farmer.

THE PRESENT WORKING OF THE TOWN ESTATE CHARITY

The Charity is under the jurisdiction of the Charity Commission, and since 1922 has been managed under a formal instrument by a body of nine trustees, five of whom are always appointed by the Sibford Gower Parish Council. The trustees have to maintain the assets of the charity, and are authorised to distribute the surplus income in three ways: one third to provide special benefits for the Sibford Gower Endowed Primary School, one third for the relief of need, hardship and distress of persons resident in the parish, and one third for the general benefit of the inhabitants of Sibford Gower and Burdrop. This last has included in recent years the preservation of the natural environment of the parish. Funds which are not distributed are invested until they are required.

The charity therefore operates in part in the same field as statutory social services because its rules were set up long before these were established, and care must consequently be taken to ensure that its activity does not conflict with or reduce any statutory benefit. However in a real case of need the charity has the means to help not only the elderly or disabled, but also the sick, unemployed, those on low incomes and single parent families. A genuine need is the main criterion, outside the eligibility for statutory benefits.

Ways in which the charity can help are, for example, by grants to village activities and by making payments related to specific needs, providing facilities or items (either outright or on loan) or paying for services. But, without knowing details about a case of need the trustees can do nothing. Application for grants can be made to any of the Trustees or by email to sibfordtec@gmail.com.

The current trustees (2025) are:

Oswyn Murray (current chair)

John Berry
Paul Clayson
Joan Broady
Brian Heather
Tracey Morbey
Roger Mallows
Emma Haskew
Jan Thompson (secretary)

RECENT GRANTS

NOTE: The area of activity of the charity is restricted to Sibford Gower and Burdrop for direct help to individuals, but is in fact more widely felt through help to organisations in Sibford Gower whose members include residents of nearby villages.

Sibford Gower Endowed School: Redecoration, renewal of school library, school trips, provision of outdoor classroom, maintenance of trees in school grounds, celebration of 400th anniversary of the foundation of the school (2025).

Grants in need: chiropody, alarms for the elderly, warm hub, Friendship Club, individual grants, refugee help.

General village purposes: purchase of Wheathills and Millennium Field, Tots and Babes, Village Hall repairs and furnishing, Sibford Players, Meeting House and Church renovations, the village clock, Sibford Scene, cricket club and football equipment, support of local celebrations and initiatives for the community.