

CLITHEROE TOWN WELLS CONSERVATION CAMPAIGN



HEALD WELL



STOCK WELL



ST. MARY'S WELL

CTWCC: Campaign Support Document No5

Historic Records of Judicial Control over and Possessory Actions to the Clitheroe Town Wells

A chronological and regularly updated review of relative records to support an application to His Majesty's Land Registry (HMLR) for a First Registration of Title (or other effective title) for Heald and St. Mary's Wells.

This record was commenced by the Town Wells Working Group, subsequently retitled the Clitheroe Town Wells Conservation Campaign (CTWCC), under the direction of the then Chairman of Clitheroe Civic Society (CCS), Steve Burke, and Secretary of the Campaign from its conception in 2017. Having stalled during the Covid Pandemic The Campaign was relaunched in 2022 as a stand-alone community initiative to build on the invaluable work of CCS As additional relevant information is discovered this Record will be added to.

Reference sources:

CLR: 'Great Court' or Court Leet Record in LCC County Archive; **CIR:** Court of Inquiry Records; **CAT:** Clitheroe Advertiser & Times in Clitheroe Civic Society Archive; **PC:** Preston Chronicle (forerunner of the Clitheroe Advertiser & Times); **LDP:** Lancashire Daily Post; **CMB:** Clitheroe Municipal Borough Council/Clitheroe Corporation; **RVBC:** Ribble Valley Borough Council Minute Records or correspondence ; **WSW** William Self Weeks' publications **1** 'Clitheroe in the C17th' and **2** 'The Clitheroe district: proverbs and sayings and legends , and much of its history.' ; **AL:** Arthur Langshaw Collection DDX 1800/4/1 Lancashire Archives 'Clitheroe's Thousand Years'; **CA:** Cyril Ainsworth 'Clitheroe: From Boundary Stones to Burgage Plots'. **JL:** John Lambert, Clitheroe's present Local Historian, published author and 'pupil' of Cyril Ainsworth. **SC:** Stephen Clarke 'Clitheroe in its Railway Days'. **NRO:** National Records Office. References to the **Town Wells** or **Wells** along with specific references to **Heild**, **St Mary's** & **Stock** wells are highlighted in coloured text

Background Information (WSW)

Prior to 1854 (Clitheroe) Waterworks Act there were no 'waterworks' and consequently no water laid on in the houses. The water supply was derived from the **three public wells**, viz. **St. Mary's Well**, sited in Well Terrace and considered at one time to have been a Holy Well; **Heild Well** in Wellgate, sometimes referred to as the **Town Well** ('Heild' could refer to it having been covered but this remains open to debate), or the **Lower Well**, in contradistinction to **St. Mary's Well** which was sometimes referred to as the **Over or Over Well**; and the **Stock Well**, to the South West side of Clitheroe Castle and at the foot of Wesleyan Row.

Officials were appointed annually at the Courts Leet whose duty it was to look after the wells. To see that the persons paid to clean them did their duty, and to present to the court all persons who did things calculated to affect the purity of the water.

Wells 'Ownership' (CA : 'Clitheroe was never formally incorporated and claims to be a Borough 'by prescription'. Eventually when Borough lands were sold, no deeds could be produced as rights of possession and **it was always claimed that lands had belonged to the borough 'time without mind'**. (Extract from Chapter One, P1 Para 1 of Cyril Ainsworth's 'CLITHEROE: From Burgage Plots to Boundary Stones'. The Development of an Ancient Lancashire Borough', Published and Copyrighted by The Ainsworth Trust for

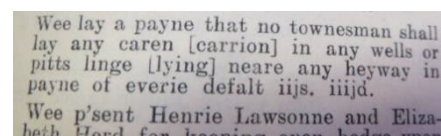
Where there are references in this collection of records to 'The Town's Wells' this is taken as referring to all three of the main public wells: Heild Well in Wellgate, St Mary's Well in Well Terrace and Stock Well at the bottom of Parson Lane. In some of the records collected by the Society and set out below it is also apparent that from the formation of the 'new' Clitheroe Corporation following on from the Great Reform Act of 1832 the Corporation had similar responsibilities for public wells outside the central area. These included Wells at Salford and Low Moor.

Manorial Court Leet Records and References

30th. October 1593. (WSF/CLR)

- The Jury say, "We lay a payne that no townesman shall lay any carrion in any **wells** or pits neare any heywayes in paine of everie defalt 111s 1111d." (3s. 4d.)
- Presentments in 1599. 'Edmund Standen, Thomas Worswicke, Edward Dugdall, and Annes Deynne for bayrnen, (borne or boyrn, to wash or rinse) in the **Over Well** onse'.
- 'Vxr. John Isherwood and Vxr. Edmond Broughton for a similar offence once each. All the above amerced 1d. each'.
- Vxr. William Craven for similar offence three times. Amerced 3d.

1593` Court Leet Extract (**CLR**). The earliest reference Clitheroe Civic Society has found confirming the judicial responsibility over '**any wells**'.



1599 Washing or rinsing in the Over Well seven persons 1d. fine for each offence.

(**CLR**) Undated early 17th. Century presentments.

- "The hatter wife for washing woole at the well cotrairie to the bie law". Amerced 1d.
- "Likewise Chrs. Robinson for spoiling **the well** cotraireis" amerced 2d.
- "Henerie Wilson for washing lether in the **lower well** contrarie" amerced 1d.
- "Jeanette Weanne for (.....) of flax in **upper well** contrary" amerced 1d.

1608 Four washing in the **Upper Well** 2d. each. (**CLR**)

1608 Christopher Mallam wyffe, Elizabeth Clarke, and Agnes Sherples presented for byrninge in the **upper well** amerced 1jd. each. John Crosdale wyffe presented for washing fishe in **the well** amerced 1jd. (**WSF/CLR**)

1626. October: Elizabeth Wilsonn they saruant of Addam Whithed's presented for sindinge (washing) her shiets in the **higher well** amerced 1jd. (**WSF/CLR**)

1628 23rd. October: Presentment of Thomas Smith, Tanner for laying hydes in Shaw Brooke to the corrupting of the water. Amerced 1jd. (**WSF/CLR**)

1645 The Courts Leet annually appointed Two for looking to **both wells**, i.e. the well in Well Gate called the **Heild Well** and the **Stock Well**. (**CLR**) **CCS Comment:** note the linkage between Heild Well and Stock Well – now registered by RVBC

1645/46 18th. January 1645/6. Order "That noe Tanner, Butcher, Skinner, or anie other traidsman within this corporacon shall lay anie skin of horse, calves, sheepe or of anie other meate within our runninge water adioyninge to the towne in paine of everie offence xs (10 shillings). (**WSF/CLR**)

1648 Washing horses in **St Mary's Well**. (**CLR**)

1648/49 January 17th. Order. "That the Ballifes now beinge shall see that the **Heild Well** and **St. Mary Well** shall be sufficiently repaired of the Town's charges betwixt and the first of June next in the payne of x11js 111jd. (**WSF/CLR**)

- 1649/50 As above (WSF/CLR)
- 1650/51 As above (WSF/CLR)
- 1657 21st. October. A paine laid “ that no man within this towne shall lay any skins or hides in the running water upon paine of vis. 8d. (5 shillings and 8 pence) (WSF/CLR)
- 1657 **Heald Well**. Agnes Horridge to dress it. George Page to see it was done. **St. Mary's Well**. Agnes Page to dress it. John Gregson to see it was done (WSF/CLR)
- 1658/59 7th. February: Mr. Bayliffs shall be pleased to appoint as alsoe the Towne's Well called the **Heald Well** (CLR)
1658. October The Jury laid a paine of six shillings eight pence that noe person shall water any of their goods, (cattle) at **St. Mary Well** or **Heald Well** (WSF/CLR)
- 1659 Wells **Heald** & Town's to be repaired. Four men to see it is done (CLR)
- 1665 Richard Tattersall's daughter Katherine for driving his goods into the **Stock Well** to drink and piss and dunging in the same. Amerced 1s. (WSF/CLR)
1678. 18th. April: Presentments of the following persons, “for abusing the well in the **Lower** Street att Richard Varley's doore” Elizabeth Marsden, Mr. Lister's mayde, Isabell Dugdall, George Stocks mayde, Maudlen Page, Mr. Bayliff Nowell's mayde Elizabeth Paitefielde each amerced 11jd. (3 pence) (WSF/CLR)
- 1678/79 To Sarah Hodgion for dressing the **Heald Well** 2s. 6d. (CLR)
To George Page for dressing **St. Mary's Well** 2s. 6d. (CLR)
To Gace Marcer for dressing the **Stock Well** 2s.6d. (CLR)
- 1686 Court Leet 8th. April The wife of Alexander Mercer and Ann ye daughtere of George Slater for “washing yarn in ye **Lower** Well” amerced 3d. each. (WSF/CLR)
- 1686/7 For mending ye **Stock Well** and drawing ye water from ye prison door : – 5s. 4d.
Three wells dressed :– 7s. 6d. (WSF/CLR)
- 1688 Presentments of Alice ye wife of John Varley, Jane ye wife of Edward Parr and Elizabeth Dale for washing garbish, alias beasts & sheep bellies in ye **Heald Well** amerced 6d. (WSF/CLR)
- 1689 24th. October: Presentment of Anne Slater, Elizabeth Howson, Jenet Worswick, widow, for washinge of garbish in ye **Heald Well** which ye ought not to do, beinge annoyance to their Majesties Liege people. Amerced 1s. (WSF/CLR)
- 1691/2 Paid George Aspden for mending the dish at **St. Mary's Well** 2d. (WSF/CLR)
- 1693 4th. May The following persons were appointed for looking after the three wells : George Sclater for the **Heald Well**, Jon Kenyon for **St. Mary Well**, and Mary Bayley for the **Stock Well**. (WSF/CLR)
- 1694 Bailiff's Account: Dressing **St. Mary's Well**, **Heald Well**, & **Stock Well**; Paid to Margaret Blythe for dressing the **Heald Well** 5s. (CA)
- 1695 Francis Parkinson presented for lying a dunghill in the street near the **Heald Well**-----and a paine of 6s. 8d. was laid that he remove it by the 24th. June next. (CLR)
- 1697/8 Bailiff's Account: Paid to Jon Kenyon, Alex Nowell, and Thomas Cliffe 2s 6d. apiece for dressing ye **three wells**. (WSF/CLR)
- 1698 5th May: Alexander Nowell for not dressing ye **Heald Well** and Well Syke, and a paine of 10s. was laid that the **Heald Well** be dressed by 10th. May next. (WSF/CLR)
- 1699 19th. October Officers (CA)
Heald Well: Alex Nowell
St. Mary's Well Ellen Dugdall
Stock Well Ellin Coulthurst Spinster
- 1699 Court Leet 25th. October Mary Dickinson for washing of yarne in the **Heild Well** being a great anoyance to their Majesties Liege people. Amerced 6d. (AL)
Jenat Howcroft, Alice Leigh, both of this towne for washing of yarne in the **Heald Well** beinge anoyance to their Majesties Leigh people. Amerced 6d. each. (WSF/CLR)
- 1740/41 We agree that Bryan Blythe shall dress **the well** sufficiently at all tymes in the year and for the year, to have for his paines 12d. (AL)
- 1742/43 Constable's Accounts 1742/3: June 7th. For two loads of lime for ye **Heald Well** 8d. To Thomas Layfield & his man for repairing the well 10s. September 2nd. Three loads of small lime for the **Stock Well** 1s.

- 1752 January 22nd. Robert Ashworth for dressing **the wells** 7s. 6d. (AL)
- 1753 October 23rd. Paid for dressing **the wells** as usual 7s. 6d. (AL)
- 1753/4 Bailiff's Account: Dressing **Town's Well** & Church End Wall (CA)
- 1754 October 11th. Dressing ye **town's well** and **Church End well** 5s. 0d. (CLR)
- 1756 Dressing ye **town's wells** 7s. 6d. (AL)
- 1757 December 8th. John Bleasdale for cleaning **the wells** to Shrovetide 7s. 6d. (AL)
- 1758 John Bleasdale for dressing ye **Town's wells** 7s. 6d. (AL)
- 1760 October 10th. Dressing the **Town's Wells** 7s. 6d. (AL)
- 1795 Officers: Dressing **all wells** John Harris (CA)
- 1806 October 11th. John Harrison for repair of **wells** 7s. 0d. John Watson for stone & lime to **Stock Well** 5s. 10d. (AL)
- 1808 February 26th. Cleaning **wells** 6s. 2d. April 11th. Carting stones to well 3s. (AL)
- 1810 Thomas Robinson's bill for lime & stones repairing **wells** £1 – 4 – 6d. Elizabeth Presentment for Bayman in the **Over Well** and fined a penny for each offence. Agnes Dean's maid, John Isherwood's wife, Edmund Broughton's wife, William Craven's wife (3 times) Bairning. (*Probably washing a bairn*). (AL)

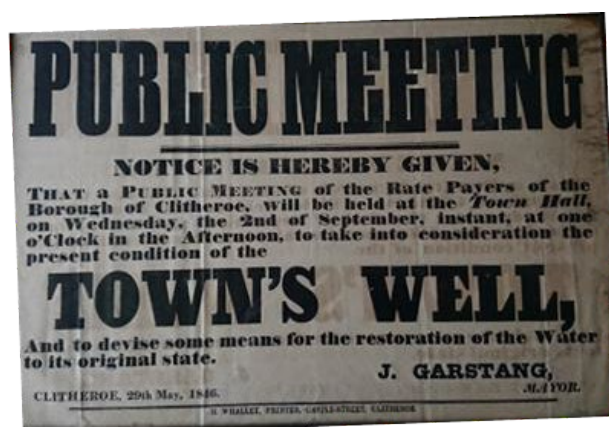
1834 Paid William Badger for cleaning **wells** last year £1 – 0 – 0d. (CMB)

Clitheroe Municipal Borough Council (Clitheroe Corporation – Incorporated 1835)

Records and References

All of the following records of Clitheroe Municipal Borough Council are offered as being clearly indicative of the present Council's (RVBC) immediate forbear's judicial and possessory actions in relation to all three town wells.

- 1841 Cleaning **the (three) wells** : -- £1 – 13 – 1½, 15s 0½, & 11s. (CMB)
- 1847 Jane Lofthouse's account of 12s. 6d. for cleaning the **Town's well** (?) at the bottom of Church Brow. (CMB)
- 1849 Cleaning **wells** 12s. 6d. (CMB)
- 1846 29th May: Adjacent extract gives notice '*That a Public Meeting of the Rate Payers of the Borough of Clitheroe will be held at the Town hall on Wednesday 2nd September ... to take consideration of the present condition of the **TOWNS WELLS** and to devise some means for the restoration of the Water to its original condition.*' Subsequently, prompted largely by the cholera outbreak of 1848/9, the Town Council commissioned the Babbage Report in 1850. This starkly documented the appalling state of the drainage system - or lack of such - and its consequent terrible effects upon the health of Clitheroe's citizens. As a direct result, piped water came to Clitheroe following the passage of the 1854 (Clitheroe) Water Act. (PC):



- 1852 May 10th, 1852 The National Archives, Kew, Legal status: Public Record(s)
Folios 178-176. To: The General Board of Health. From: Robert Trappes, Town Clerk, Clitheroe, [Lancashire]. (NRO)
Reference: MH 13/53/88
Description: Folios 178-176.
To: The General Board of Health.
From: Robert Trappes, Town Clerk, Clitheroe, [Lancashire].
A letter and a pamphlet published by an association of ratepayers and some [6 out of 16] Town Councillors opposed to the operation of the Local Board of Health and the Public Health Act 1848 in Clitheroe.
CTWCC Comment: Various documents not relevant to the **town wells** but indicative of the Clitheroe Municipal Borough Council's responsibilities are cited - but not indicated in this record).

1852 August 4th

CTWCC Comment: : The adjacent (PC) extract indicates - and publicly confirms - the unchallenged public perception of the established judicial and possessory responsibility of 'the corporation' over 'our town's wells'. We believe that the public perception in the C21st is identical to that in the C19th.

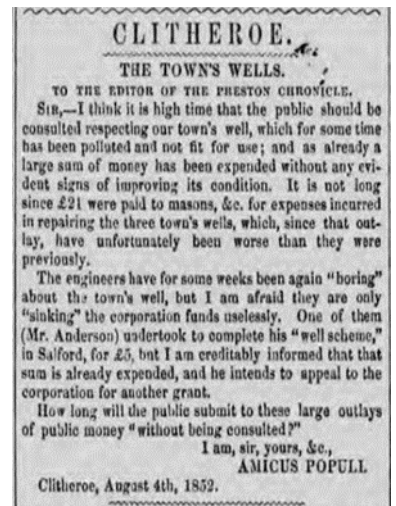
1852 Extract from Langshaw's (AL) records relating to Salford Well ' being one of four **WELLS** that supplied Clitheroe with water for its residents' and reference to corporation accounts for the installation/repair of this well.

1852 Extract from Clitheroe Corporation Records relating to 'the Corporation opening the spring or WELL near Salford BridgeThis would supply the inhabitants of Salford with water. The expense to be paid for out of Corporation funds'.

1854 CLITHEROE WATERWORKS: Extract from 'Clitheroe in its Railway Days' (SC)
'The formation of the Clitheroe Waterworks Company took place in the year 1854....
Prior to the organisation of the Company, the town was in a state of agitation upon the subject, insomuch that public meetings were held in various parts of the Borough, and opinions pro and con were voiced upon numerous platforms.....
Some of the arguments against the concern were that the water of the **town's Wells** was ample in quantity and quality for the public needs, and that **the Wells** were not kept as clean as they ought to be. Others bitterly opposed the scheme on the ground that it should belong to the Corporation, and not be a private enterprise... '

1853 Expenses John Briggs & Son for stoops for **Church Brow Well** 9s. 5d.; Wm. Hargreaves & nephew for bolting and screwing the walls of the **Town's Well** £3 - 3 - 11d. (CMB)

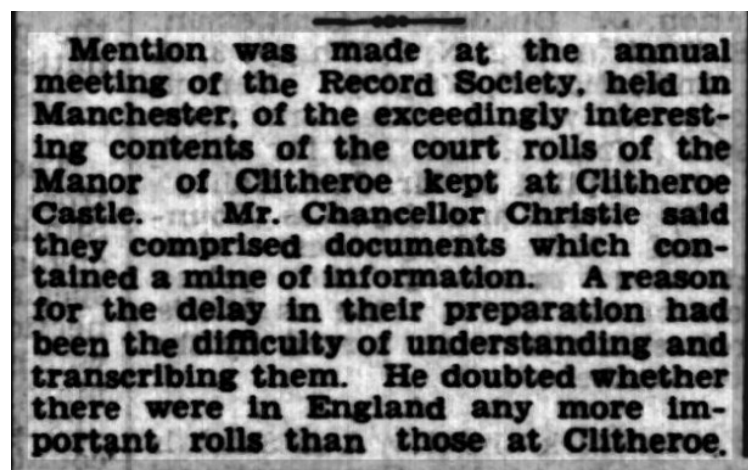
Late C19th 'Surveys of the borough have been carried out on many different occasions have fulfilled wide variety of purposes. The historian may glean much valuable information from on such matters as land and property ownership, tenants, building locations and usage, local names etc. It is unfortunate, however, that many early documents due to serious water damage' (CA). See following Newspaper extracts :relating to the Borough, and dating from before 1600, were apparently destroyed in the late nineteenth century



From Clitheroe Corporation Minute Books, February 11th, 1852.
That Jeremiah Garnett, senior Esq., James Garstang, Esq. Mr. Thomas Bulcock, Mr. R. Dewhurst and Mr. Henry Hall be appointed to a committee for the purpose of waiting upon Mr. George Braithwaite to get him to consent to the Corporation opening the spring or WELL near Salford Bridge and to convey the water through a pipe into an iron cistern to be placed on iron beams on the higher side of Salford Bridge. This would supply the inhabitants of Salford with water. The expense of this scheme to be paid for out of Corporation funds.

4th Nov. 1888: Adjacent right

This extract from the Preston Guardian notes the transcription of Court Rolls of the 'Manor of Clitheroe' which 'contained a mine of information' Chancellor Christie commented that he 'doubted there were any more important rolls than those at Clitheroe'. Where are these 'important' Rolls and/or Transcripts now and what may they contain, if found, relating to the Borough's three ancient town wells?



14th March 1932: Adjacent right

This extract from the Liverpool Daily Post notes that 'documents of historic interest' were not only threatened but 'many legal documents were destroyed' on Saturday (12th March) in a fire at Clitheroe Castle Offices.

Could these documents have included some, or all, of the 'important Court Rolls' referred to by Chancellor Christie as recorded in the Preston Guardian article on 4th Nov. 1888? Could these also have contained the transcripts of these documents also referred to in that article. May they further have contained Clitheroe Municipal Borough Council records relevant to the titles of these three sites? We may never know. However, once again, is a further example of how information relating such ancient sites – in this case almost certainly pre-Norman – can be lost or destroyed.

CTWCC COMMENT: In such cases the records of Legal and Possessory Actions over time – by the Court Leet, CMBC and RVBC – become highly significant when applications to register title for unregistered sites are made to HMLR. That this can and does happen is recognised by HMLR and should not be regarded as reason not to apply for a registered title.

CLITHEROE FIRE

VALUABLE DOCUMENTS IN PERIL

Documents of historic interest were threatened by a fire discovered just before midnight on Saturday at the Clitheroe Castle offices, where are preserved records of property in large areas of Lancashire and Yorkshire.

The outbreak occurred in rooms devoted to the general work of Messrs. Robinson, solicitors. Clitheroe Fire Brigade succeeded in preventing the flames reaching the record rooms, which are protected by iron doors, but many legal papers are believed to have been destroyed.

Difficulty was experienced in getting water, and a chain of bucket-carriers was formed from a trough some distance from the offices until water was forced through a hosepipe to the top of the rocky eminence on which the castle stands. Then the flames were quickly subdued, but the ceiling in the main office had already collapsed and legal papers had been burned. The outbreak was confined to the offices, the Norman Keep not being in danger.

1915 Extract from CMBC record of Finance & General Purposes Committee 20th Feb. 1915 indicating the possessory actions of the Council (CMB). This faint copy reads:

St Mary's Well – Well Terrace BOROUGH OF CLITHEROE: MINUTES AND PROCEEDINGS OF THE COUNCIL AND COMMITTEE

Meeting of the finance and General Purposes Committee 20th Feby. 1915 Well in n Well Terrace. A yard to be taken off Northerly side of Wall in Well Terrace, hat the Trough of this Well be set back accordingly and that the floor of the well be raized (sic).

CTWCC Comment: This resolution (not eventually acted on) indicative of the ownership of St Mary's Well by Clitheroe Corporation.

ST. MARY'S WELL - WELL TERRACE.

BOROUGH OF CLITHEROE

MINUTES AND PROCEEDINGS OF THE COUNCIL AND COMMITTEE.

Meeting of the Finance & General Purposes Committee - 20 Feby. 1915.

Well In Well Terrace.

A yard to be taken off Northerly side of Well in Well Terrace, that the Trough of the Well be set back accordingly and that the floor of the Well be raised.

1924 18th April: Extract – below – from CAT. Town Topics: 'Interesting Decisions by Council Committees' The penultimate item in this extract reads 'A sub-committee has been appointed to consider the question of repairing of **St Mary's Well** in Well Terrace'.

CTWCC Comment: This can hardly be the action of a Council which does not recognise the ownership of the site and property referred to.

IF the well in Well-terrace really has gone permanently dry, a most interesting link with the past has been severed. It was recorded in our notes last week that the flow of water had stopped, and the suggestion was made that the spring had been interfered with in the course of excavations in the school yard behind. That may not be the case, of course. I am told that several years ago, the well dried up, only to resume the supply after a few weeks. There is still a chance that this will occur again. One with some title to be called an expert on water supplies told me the other day that he thought the water would begin to run again. After all, we have had a long dry spell and the spring may have failed only temporarily. Let us hope so, for if the well no longer has a utilitarian value, it does no harm, and certainly serves as a reminder of the old days before water was laid on to every

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house.

If the well continues dry, I wonder if the Town Council will order the removal of the stonework. There is the promise of a really hot controversy here, equivalent almost to the discussions of a few years ago relative to the disappearance of "the big lamp" from the Market Place.

The well, of course, has antiquity that could not be claimed for "the big lamp," public institution though the latter may have been. I don't know from what remote age the well dates, but it is one of the three from which the old borough derived its water supply certainly as far back as the seventeenth century. The late Mr. W. S. Weeks, in his review of Clitheroe's conditions during that century, quotes findings of the Court Leet concerning the well under the date 30th October, 1593, and it is obvious the well had been in use a long time even then.

had been in use a long time even then.

This particular well was known as St. Mary's well, and sometimes as the Over well. The others were—and are to this day—situated in Wellgate (this one still running freely) and at the bottom of Parson Lane, now at the entrance to the Castle playing field, near the Methodist

(Wesley) Church. The latter, dry for many years, was called Stocks well. Officials were appointed annually at the Courts Leet with the duty of looking after the wells. They were required to see that the persons paid to clean them did so, and to present to the Court all persons who did things calculated to affect the purity of the water. Mr. Weeks quoted some of the cases. Sundry burgeses were fined for washing wool in the wells; others for washing leather, flax, and fish. A regulation was made by the Court Leet in October 1658, that "noe person shall water any of their goods (cattle) at Saint Mary Well," and, later, a local man was fined a shilling for "sufferinge his daughter Katherine for drivinge his goods" into the well to drink. There are frequent entries ordering payments for the repair of the stonework, and altogether the wells were guarded as the very important amenities they were.

Extract from Clitheroe Advertiser & Times January 27th 1939 indicative of indicative of the public knowledge of the continued judicial and possessory responsibility of 'the corporation' over **St Mary's Well**. (CAT).

The last line of this extract reads: 'What the Corporation will do with the ancient stonework of the well remains to be seen'

CTWCC Comment. CMBC's recognition – yet again of its ownership of and responsibility for St Mary's Well – along with the other two former Public Town Wells

Water flowed freely enough and with crystal purity until work began on extensions of the neighbouring grammar school. An old barn was demolished and when the workmen began to delve for the foundations of the new structure they encountered water—evidently the spring which had supplied the well for not less than a couple of centuries, and probably longer even than that. Anyhow, the well is dry, and dry it remains after weeks. Now the County Education Committee have stopped the grammar school building scheme, so that the supply has been interfered with to no purpose, at any rate until the end of the war. What the Corporation will do with the ancient stonework of the well remains to be decided.

1939: 24th. October, Lancs. Daily Post

Report on interruption of **St Mary's Well** water supply. Confirming the active judicial and possessory responsibility of what is to happen to St Mary's Well as belonging to 'the Corporation' i.e. Clitheroe Municipal Borough Council - the immediate forbear of Ribble Valley Borough Council. (LDP)

One of the three wells, near the Methodist Church in Parson-lane, became dry many years ago and now that in Well-terrace has failed. The failure is due to interference with the source of supply during building operations.

Even if the Well-terrace well is removed, Clitheroe will still have its link with the far-off days of water-carrying, as its counterpart in Well-gate remains in full flow. This is, perhaps, the best example of all the old wells.

1939 27th October Extract from Borough Council Records:
Evidence of the undisputed responsibility & right of Clitheroe's Municipal Borough Council to control, maintain and alter **St Mary's Well**. Even in the dark after commencement of WWII, the significance of this well was appreciated - '*... a bit of old Clitheroe that though in a main street, will probably long remain – a memento of its former usefulness*' - and responsibility for it unquestioned (CMBC)

BOROUGH RECORD, Friday, October 27th., 1939.

Since the old barn was demolished in Well Terrace in the way for the extension of the Grammar School, the town's well in front of the barn has become dry. Evidently the spring which has supplied the well for so many centuries—and was one of three town's wells that formerly provided the town's water—has been cut off in digging down for the foundations for the school extension. Now the County Education Committee has stopped the building scheme, so that the supply has been interfered with to no purpose, or at any rate until the end of the war. The only remaining town's well that retains its flow of water is that in Wellgate, a bit of old Clitheroe that though in main street, will probably long remain—a memento of its former usefulness.

1945 25th May 1945 Extract from CAT with reference to 'a rebuke to the town's authorities for the neglected condition of the wells. The action of the Mayor and a Mr Smith (Councillor ?) are noted - and commended. (CAT)

1971 Extract from Minutes Records of Clitheroe Municipal Borough Council for Tuesday 5th October. 1971.
'Item 344. **TOWN WELLS** (Arising from comments by members).

Resolved: that the Chairman and the Borough Engineer investigate what work would be necessary in order to maintain, and if possible, to bring back to their original condition, the **Town's Wells** and that the Borough Engineer and Surveyor be authorised to carry out any necessary emergency repairs to **St. Mary's Well** on Well Terrace.' (CMB)

1974 November : The Local Authorities (England) (Property Etc.) Order 1973. Operative 1st April 1974
RELEVANT EXTRACTS FROM The Local Authorities (England) (Property etc.) Order 1973

ARTICLE 16.

(1) Save as provided in paragraph (2) of this article, paragraph (1) of article 9 applies to this article as it applies to article 9.

(2) The following entry in Schedule 4, namely—

"The representative body of any parish not included in the preceding items"

shall extend to property held by any such representative body for the purposes of charitable trusts.

(3) Subject to the provisions of articles 9 to 15 or of articles 11(2) and (3) and 18 in their application to any matters provided for in articles 9 to 15—

(a) all property and liabilities vested in or attaching to an authority described in column (1) of Part I or II of Schedule 4 (or of any extension thereof effected by any further order under section 254 of the Act made before 1st April 1974) shall by virtue of this order be transferred to and vest in or attach to the authority specified in respect of such authority in column (2);

PART II (1)

Transferor authority

Authority A1

Authority A2

The Corporation or council of any other * non-county borough or the council of any other urban or rural district

Authority X1

Authority Y1

Authority Z1

CCS Note: *i.e. not specifically referred to in the full list of Transferor Authorities and Transferee Authorities.

Clitheroe Civic Society

7th Oct. 2019

(2)

Transferee authority

Authority B1

Authority B2

The council of the district in which the area of the borough or district is comprised

Authority X2

Authority Y2

Authority Z2

CTWCC Comment on above extract: The extract from the above act is referred to as the linking legislation between the acknowledged ownership of **Heild** and **St Mary's Wells** 'by prescription' and the legal requirement for the transfer of this ownership from Clitheroe Municipal Borough Council (the Transferor Authority) to Ribble Valley Borough Council (the Transferee Authority). To the knowledge of this Society there is nothing in this legislation which specifically excludes the transfer of these two wells from transfer if ownership by prescription is accepted.

This is a clear indication and confirmation in CTWCC's opinion of the Clitheroe Municipal Borough Council's (CMBC) responsibility for the maintenance and thus ownership of the **Town Wells**. Clitheroe MBC were the immediate forbears of Ribble Valley Borough Council (RVBC). This Campaign understands that the whole of the MBC's estate, Regardless of the existence of Deeds - and the responsibilities for it was, transferred to the new district as required by this Act of Parliament.

1988 July 8th

Extract, adjacent, from Clitheroe Advertiser and Times re. condition of **Heild Well** (CAT)

1988 14th July Eyesore Message on **Heild Well** (CAT)

CTWCC Comment: Indicates the regular maintenance of the town's wells by RVBC in 1988

'..the town's wells are cleaned on a weekly basis and are periodically cleared of algae'.

Philip Bailey, RVBC CPO & CTO

Americans shocked by state of well

ALL is not well at Clitheroe's wells.

During the monthly meeting of Ribble Valley Council, Coun. Eric Bracewell (Clitheroe) said the town's wells were still providing a plentiful supply of water, but a group of American tourists had been shocked at the state.

He had since visited the well and found it was then in excellent condition.

Asking if arrangements could be made for the well to be cleaned and tidied on a more regular basis, he appealed to the public to assist in maintaining the wells as an attraction.

The chairman of the Public Works and Health Committee, Coun. Harry Waddington, said the wells were cleaned on a weekly basis but were seriously abused and used by some as litter bins. He backed Coun. Bracewell's plea to keep the wells clean.

Eyesore message on wells

HELP us to stop Wellgate's Heald Well from becoming an eyesore.

That is the message from the Ribble Valley Council's Public Works and Health Committee, which has appealed to town centre publicans and food shop owners to do their bit.

Borough Planning and Technical Officer Mr Philip Bailey told the committee that the town's wells are cleaned out on a weekly basis and are periodically

cleared of algae. But he said that recently there had been complaints, including some from visitors to the town, about the amount of litter in and around Heald Well.

"These wells are an attraction for the town and for tourists," he said, "and they need to be kept attractive.

"Owners of establishments in the area could assist us by making sure that their customers do not take away litter with them which could be put into the well. Perhaps they could make some sort of provision for disposal of litter."

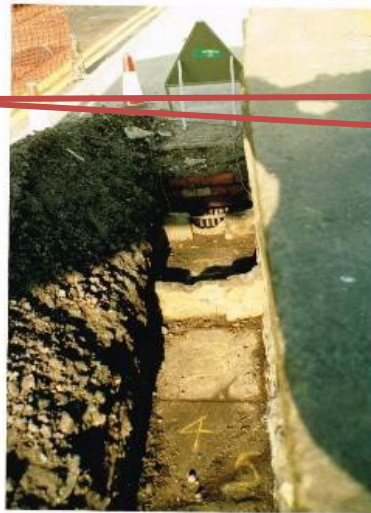
CTWCC Comment:

By enlarging the view of this image, it is apparent that, at least, the two visible faces of these walls indicate signs of very recent repointing and appear to be in good repair.

This could only have been done by a person - **or authority** - who had a recognised legal responsibility for the maintenance of the fabric of this well, if not an actual registered title over it.

CTWCC Comment:

Further investigation of Ribble Valley Borough Council's Records for this period is required.



2008: RVBC Disposal of Destruction of RVBC and CMBC Records

Record of Correspondence with John Lambert, Clitheroe Town Historian, re removal and destruction of RVBC and Clitheroe Municipal Borough Council Records. On 1 February 2021, at 21:28, John Lambert <lambretta1944@hotmail.com> wrote:

›Hi.Steve.and.Shirley?

Right?I.found.the.dates.when.I.began.looking.at.the.contents.of.the.bboxes?which.was.the.96th;October.866?and.on.the.1th;November.I.was.still.taking.notes?(no.digital.camera.then)?with.three.staff.and.a.bossy.supervisor?clearing.the.shelves.and.throwing.books?documents?etc;into.a.wire.mesh.bin;.

I.suggested.to.John.Gorton?who.had.allowed.me.to.look.at.the.contents?that.I.should.take.some.bboxes.home?but.he.said.they.were.bound.to.pass.the.papers.on.to.a.professional.body.for.shredding;He.did.have.one.of.the.staff.photocopy.some.plans.that.I.had.put.to.one.side.and.some.scrapbooks.and.a.large.book.of.fourteen.plans.of.Corporation.land.in.7432.were.saved.for.the.Library;I.traced.and.copied.the.plans.for.the.Library?and.myself?because.the.book.had.to.go.to.Preston;I.haven't.found.the.date.yet.when.I.photographed.the.saved.drawings?including.the.Bathing.Huts?but.it.must.have.been.after.8678?when.I.bought.the.camera;

Best.Wishes?

CTWCC Comment:

This is a further example of how documents can be 'lost' and/or destroyed.

Whether RVBC hold any records of digital copies of what, how and why these CMBC and RVBC records were disposed of remains to be discovered.

If no records of what was shredded can the possibility that information – similar to that supporting RVBC's HMLR bid for title to Stock Well – could also have been disposed of?

7th June 2011

Extract from RVBC Policy & Finance Committee

Meeting 7th June 2011 Re **Town Wells** significance to the 'town's historic attraction' as prepared by Terry Longden Head of Regeneration & Economic Development.

2.2.10 Other Town Team projects that aim to enhance the street scene, environment and heritage assets in the town centre are moving forward also. As well as improving safety for people walking around the town's main shopping routes, areas have been identified where, cost permitting, new planting of trees and additional seating can be established to further enhance the pedestrian experience. Working with Clitheroe Civic Society also, enhancements around and refurbishment of the three medieval town wells to provide improved, publicly accessible and visible interpretation of them is seen as a project that will add to the town's historic attraction and remind local residents and visitors of their significance to the development of the town, focussing on Heald Well at the bottom of Wellgate as a first of such initiatives.

CTWCC Comment: Details of the Scheme, which CCS commissioned from IWA Architects, can be seen in Clitheroe Civic Society's earlier Campaign initiative Document: Appendix No2 <https://clitheroecivicsociety.org.uk/projects/town-wells/appendix-2.html>

1962-2014

Written Statement of Information from Francis R. Howarth former Direct Works Dept. employee for Clitheroe Municipal Borough Council and Ribble Valley Borough Council. 18th Feb. 2019

CTWCC Comment: The following is a typed word for word transcription of the written statement of information provided by Francis Howarth former Direct Works Dept. employee for Clitheroe Municipal Borough Council and Ribble Valley Borough Council. This relates to his maintenance activities on the three town wells during the stated periods. This was delivered by hand in person to the Chairman of Clitheroe Civic Society on Tuesday 19th February 2019.

18-2-2019 18 Talbot Close
CLITHEROE
Lancs. BB7 1GF

Dear Sir/Madam

After many weeks of hearing comments and views on and around the town wells of Clitheroe, I feel that I need to try and clear up some of the either misleading or inaccurate information going around. I started my working life as an apprentice bricklayer/paver for Clitheroe Borough Council in 1962.

From then until 1974 when reorganisation took place we, as a flexible workforce, carried out many varied duties which included cleaning and servicing the three town wells. In 1974 I transferred to Lancashire County Council for two years. I then returned to the newly formed Ribble Valley Borough Council in 1976 working for a full five years with drain clearing units and jetting units. In that time we cleaned and serviced the town wells on a weekly basis, and this was stated on our weekly time sheets.

In April 1981 I was appointed as General Works Manager, and from then until I retired in March 2004, I can assure anyone that the **town wells** were cleaned and serviced on regular weekly basis by my works team and booked to an accounts cost code. Upon my retirement my close friend and works colleague took over my job until he retired in 2014. I have spoken to him, and he assures me that Ribble Valley Brough Council still cleaned and serviced the **town wells** until he retired.

So, there we have it 52 years of cleaning and servicing. Both myself and Mr. W. Carroll will be more than happy to assist and give more information to the best of our knowledge if required. I do hope that this information clears up a few ifs and buts.

Best Wishes

Francis R. Howarth

2019: Following the activities of the earlier CSC Town Wells Campaign, RVBC accepted its responsibility for and ownership of Stock Well. HMLR's confirmation of the grant of FULL TITLE for this site is set out below

5th July Her Majesty's Land Registry acceptance and registration of application for 'Title Absolute' for Stock Well

HM Land Registry

RECEIVED BY
CHIEF EXECUTIVE
05 JUL 2019

Delivered by
Royal Mail

ROYAL MAIL
POSTAGE PAID OR
NO. 3132

FAO

RIBBLE VALLEY BOROUGH COUNCIL
COUNCIL OFFICES
CHURCH WALK
CLITHEROE
LANCASHIRE
BB7 2RA

Date
3 July 2019

Your ref
JG/LEGAL/STOCKS WELL

Our ref
RCS/LAN220923

HM Land Registry
Wales Office
PO Box 75
Gloucester
GL14 9BD

DX 321601 Gloucester 33

Tel 0300 006 0411
wales.office
@landregistry.gov.uk

www.gov.uk/land-registry

Official copy
of register of
title

Title number LAN220923 Edition date 20.05.2019

- This official copy shows the entries in the register of title on 3 July 2019 at 13:00:38.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 3 July 2019.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title, see www.gov.uk/land-registry.
- This title is dealt with by HM Land Registry Fylde Office.

A: Property register
This register describes the land and estate comprised in the title.

LANCASHIRE : RIBBLE VALLEY

1 (20.05.2019) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land on the south-west side of Trinity Methodist Church, Wesleyan Row, Clitheroe.

B: Proprietorship register
This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (20.05.2019) PROPRIETOR: RIBBLE VALLEY BOROUGH COUNCIL of Council Offices, Church Walk, Clitheroe BB7 2RA.

2 (20.05.2019) The value stated as at 20 May 2019 was £100.

C: Charges register
This register contains any charges and other matters that affect the land.

1 (20.05.2019) The deeds and documents of title having been lost the land is subject to such restrictive covenants as may have been imposed thereon before 20 May 2019 and are still subsisting and capable of being enforced.

End of register

Page 1

Completion of registration

Title number LAN220923

Property Land on the south-west side of Trinity Methodist Church, Wesleyan Row, Clitheroe

Registered proprietor Ribble Valley Borough Council

Your application lodged on 20 May 2019 has been completed. An official copy of the register is enclosed together with an official copy of the title plan.

The official copy shows the entries in the individual register of title as at the date and time stated on it. You do not need to reply unless you think a mistake has been made in completing your application.

An owner's property is probably their most valuable asset so it's important to protect it from the risk of fraud. Please read our property fraud advice at www.gov.uk/protect-land-property-from-fraud

Important information about the address for service

If we need to write to an owner, a mortgage lender or other party who has an interest noted in the register, we will write to them at their address shown in the register. We will also use this address if we need to issue any formal notice to an owner or other party as a result of an application being made. Notices are often sent as a safeguard against fraud so it is important that this address is correct and up-to-date. If it is not, the property owner or other party may not receive our letter or notice and could suffer a loss as a result.

Up to three addresses for service can be entered in the register. At least one of these must be a postal address, but this does not have to be in the United Kingdom; the other two may be a DX address, a UK or overseas postal address or an email address.

Please let us know at once of any changes to an address for service.

For information on how a property owner can apply to change their contact details or add an address, please see www.gov.uk/government/publications/updating-registered-owners-contact-address on GOV.UK (or search for "COG1") or contact HM Land Registry Customer Support (0300 006 0411) (0300 006 0422 for Welsh speakers service) from Monday to Friday between 8am and 6pm.

If you require this correspondence in an alternative format, please let us know.

CTWCC Notes the following statement made by HMLR in approving this application:

a)'The value stated as at 20 May 2019 was £100.00' and b) 'The deeds and documents of title having been lost the land is subject to such restrictive covenants as may have been imposed thereon before 20th May 2019 and are still subsisting and capable of being enforced'.

CTWCC Comments: This campaign believes that the Stock Well application could be the template for a similar application/s for Heild and Stock Well based on the historic information assembled above, and that this should now be tested by the Council there clearly being no impediment to claim that 'deeds have been lost' – as has been argued by RVBC Officers to date in relation to Heald and St. Mary's Wells.

2021 Freedom of Information Complete and Subsequent Appeal to Information Commissioners Office 2021-23

210804 RVBC's – Town Wells Financial Expenditure Records 1996 – 2016

Partial RVBC response to CTWCC Freedom of Information Enquiry Reference 7238:

1 The copy of partial information given in response to CTWCC's FOI Ref Q2 does not respond to the request to 'For Access to view records of all financial expenditure... ' in relation to the three town wells referred to. This was only proved long after the date required by the FOI and further direction by them to RVBC to comply.

3 The information provided did not include any records, complete or partial, for the requested years 1974 – 1992. On appeal for this information n the ICO determined (ICO Case Reference: IC-213335-T7D7) that 'on the balance of probability RVBC did not hold further information on this matter imo, comply with request for this information under the FOI Act. RVBC had either destroyed these or avoided providing them and refused to provide any recorded policy as to why this information was no longer available. CTWCC believes this represents incompetence or evasion by RVBC and possibly both.

Additional Comment: Even this partial evidence of RVBC financial actions, supported by Francis Howarth Statement copied above would significantly support further application to HMLR to register Heald & St Mary's Well. The only thing preventing this is 'the will to do so'!

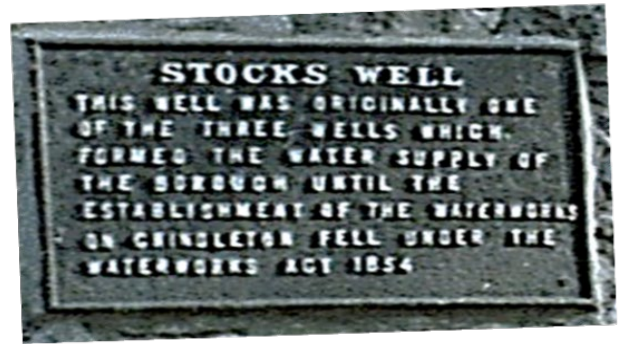
Year	£
2021/22	0
2020/21	0
2019/20	0
2018/19	0
2017/18	0
2016/17	0
2015/16	198.44
2014/15	0
2013/14	181.44
2012/13	50.94
2011/12	31.47
2010/11	121.46
2009/10	127.56
2008/09	374.92
2007/08	291.94
2006/07	225.15
2005/06	74.99
2004/05	716.56
2003/04	318.78
2002/03	85
2001/02	442.52
2000/01	39.48
1999/00	87.6
1998/99	165.07
1997/98	0
1996/97	0
1995/96	33.75
1994/95	0
1993/94	0
SUM	3567.07

2024 Sept. Stock Well Plaque images comparisons

Image No 1 on West Facing Wall of Trinity Methodist Church Boundary Wall with Stock Well.

From photographic records of Stock's Well (sic) this was placed in this location sometime between 1920 and 1950. There can be little doubt that the sponsors of this sign were CMBC or if not, it was certainly placed with their full approval. As stated, 'This well was originally one of the three wells which formed the water supply of the Borough.....'

Image No2 on South Facing Wall of Trinity Methodist Church overlooking Stock Well. In 2008, a new cast plaque was sponsored by Clitheroe Civic Society and granted Listed Building Consent by Ribble Valley Borough Council. This repeats this Stock Well's status as 'The smallest of the three Borough wells...'



Resume

Clitheroe was referred to as a 'Borough by Prescription' because it had long-standing rights and privileges of self-governance, established through tradition and historical practice, rather than being formally incorporated by a specific royal charter. These rights developed over centuries, date back to medieval times, when Clitheroe functioned as a self-administering community under its manorial system. **The possibility that the Town's three Public Wells throughout this period were owned 'by Prescription' developed over time should not be dismissed in any comprehensive and impartial evidence prepared about these pre-Norman sites by its de-facto owners Ribble Valley Borough Council.**

This completes - for the time being - this continuing record of Historic Judicial Control, and Possessory Actions relating to the three Town Wells by present authority - Ribble Valley Borough Council (the Council) - and all its municipal forebears dating back to the late sixteenth century. As further information is collected, this record will be added to assist this Campaign to persuade the current Council to make a valid and lawful application to His Majesty's Land Registry. **Without this the three former Public Town Wells can have no lasting or meaningful future.**

The initial editions of this record were assisted by the support and actions of Clitheroe Civic Society and in particular members John Lambert, Shirley Penman, Barbara Alty, Michael Parkinson and Janet Clegg. That assistance remains greatly appreciated. The revived 2024 Campaign now continues to curate and expand this record. CTWCC (2024) now acts as a Constituted, 'stand-alone' initiative. However, we continue to actively seek the participation and cooperation of all other local Societies, Organisations, Authorities and the General Public in its pursuit of **'a lasting and meaningful future for all three of Clitheroe's former Public Town Wells'.**

Revised 21st March 2025

Steve Burke Dip.Arch (Oxf'd)

Secretary

Clitheroe Town Wells Conservation Campaign

Clitheroe Town Wells Conservation Campaign

Chairman: Steve Ragnall

Secretary: Steve Burke Dip.Arch (Oxf'd)

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