

A HISTORY OF 'BOUNDARY COTTAGE', WEEFORD



by
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(Member of the Sutton Coldfield Local History Research Group)

November 2008

INTRODUCTION

What is the connection between an 18th century hovel, Eco-warriors and the building of the first toll road in 200 years?

An interesting question, which it is hoped will be answered by this project.

On numerous occasions over the years, whenever my wife and I travelled to Lichfield, we passed by an unoccupied property near to the Weeford Road/London Road junction.

In June 1994 we decided to interrupt our journey and take photographs for a collection that we had been building up of Sutton Coldfield and the immediate area.

The house had gradually assumed an air of neglect by this time but, when we checked, it was still securely locked and the windows boarded up. Unfortunately, we were unable therefore to gain access to the interior, which was a disappointment.

We did, however, take numerous snaps of the exterior and these were duly numbered, indexed, filed away and eventually forgotten.

Some years later, in March 1998, newspaper articles began to appear in the Sutton Coldfield Observer & Sutton Coldfield News of incidents occurring along the proposed route of a motorway planned to relieve an extremely busy section of the M6.

What caught the eye, was the relatively new title given to the protestors who decided to actively involve themselves in the dispute, as distinct from just on a vocal basis. The name given to these individuals was 'Eco-Warriors'.

This rather caught the public's imagination at the time and, for a while, they received a modicum of support from members of the local community.

Things, however, gradually began to get out of hand when a relatively small number of the protestors commenced to take over some of the unoccupied properties along the proposed route, which had been compulsorily purchased earlier with the view to being demolished at the appropriate time.

The name 'Boundary Cottage' was mentioned in the newspapers several times and the connection was duly made between these events and the photographs which were taken some 4 years ago.

Numerous articles appeared over a period of approximately 12 months, until the situation finally resolved itself. These news clippings were also kept and filed away for future reference.

A further four years passed before more articles were written in the local newspapers, between April 2002 and December 2003, advising on the progress of the motorway through to its eventual completion. By this time the road had been officially designated as the M6 (Toll).

Again the stories were clipped out and filed away with the others. It was shortly after this the thought dawned that perhaps all the material collected would form the basis of an interesting project.

Further research was undertaken over the following few years, in an attempt to fill in as many of the gaps in the information as possible. To this end there were some successes and, inevitably, some failures but the final result is *'The History of 'Boundary Cottage', Weeford'*, which I hope readers will enjoy as much as I did in its collation.

Keith M Jordan
Sutton Coldfield
November 2008

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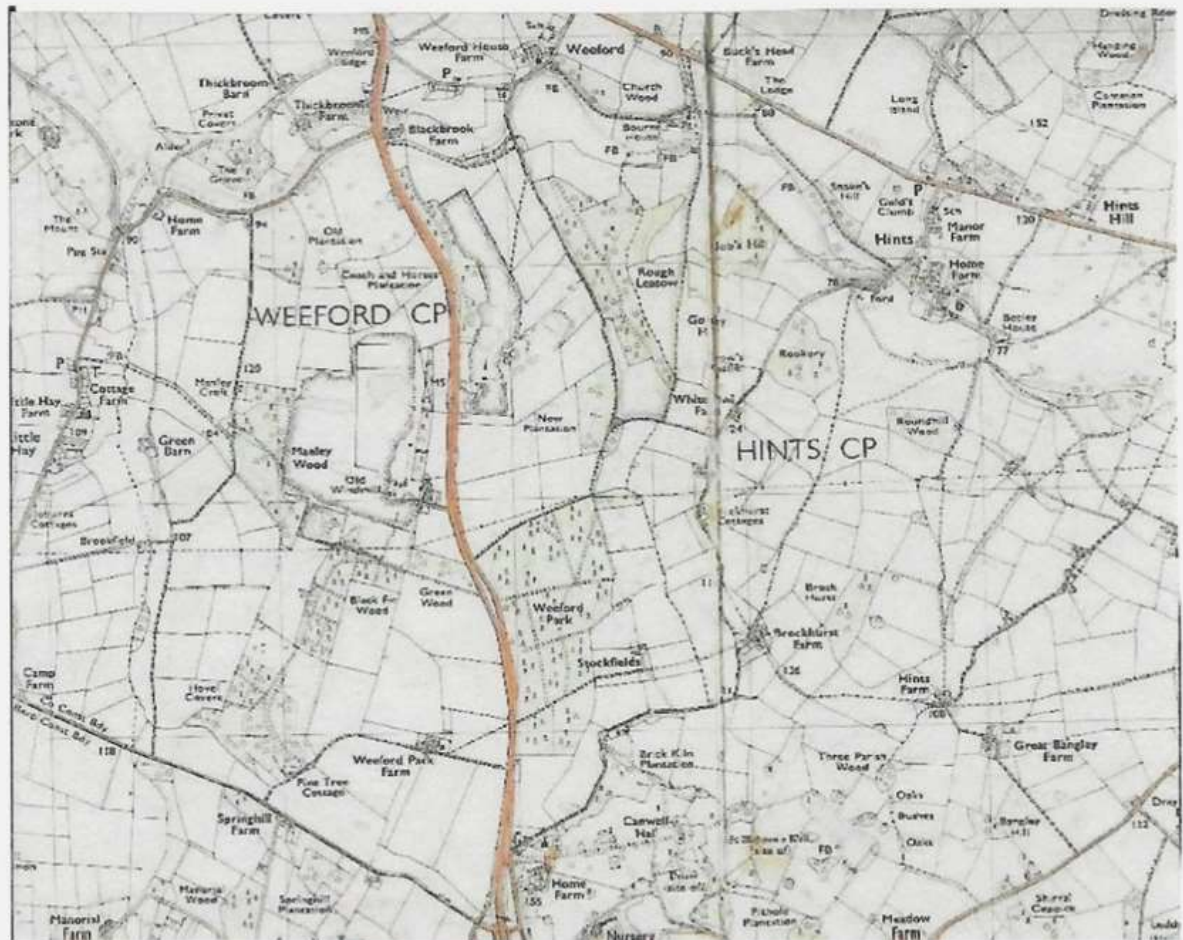
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CHAPTER 1

ORIGIN OF 'BOUNDARY COTTAGE'

As the name suggests, 'Boundary Cottage' was situated on the borders of Warwickshire & Staffordshire.

It was positioned just North of the junction of Weeford Road and Camp Road, on the slip road which merged with the main A38 trunk road leading to Lichfield.



Ordnance Survey Map dated 1976.

[illegible]

In its original format, the property may only have been a hovel. This would, most probably, have been built by a squatter on former waste land.

2.

In the Lightmoor area, in the parish of Dawley, Shropshire, an example of a 'squatter cottage', built in early 1797, can be still found. This is shortly after the time 'Boundary Cottage' was known to be in existence.

There, a squatter named Robert Bayley, paid a 6d fine to the Earl of Craven for a cottage on a small triangle of waste land. Squatter cottages were built on unregulated waste land by individuals who paid an annual fine at the Manorial court.

A squatter could also have made an arrangement with the local landowner for his dwelling to be taken over and to subsequently pay him rent. He would then effectively become one of the landowner's tenants.

As the hovel originated on the edge of the large Manley Estate, it was most likely the squatter had something similar in mind. In addition, there was always the possibility that full or part-time employment would have been available on the estate at some stage.

Back in medieval times, the custom in some areas was that a man might gain the right to live on the common if he could erect an abode overnight and have smoke coming from a hole in the roof by dawn. He was also entitled to enclose land as far from the hut as he could throw an axe!

As late as the 1800's, much of the central Midlands and north & south west England was still a vast, unfenced wilderness known as 'common land'. Smaller ill-defined areas existed around and within villages and in pockets of poor quality land between large estates of the landed gentry.

Prior to the 18th century, common land was the poor man's heritage. In the 'scratch-as-scratch-can' economy of the agricultural worker, these open areas provided access to fuel, gleaning, grazing and what were called 'potato patches', where the poor of the parish could eke out a meagre existence and retain a certain amount of independence.

The agricultural worker was amongst the worst paid, fed and housed of all the workers in pre-industrial rural Britain. Their houses were, in general, ramshackle, unsanitary and very overcrowded. William Cobbett, in his journal of 1821, used the word 'hovel' to describe the average dwelling at the time.

He went on to say:-

'Look at the miserable sheds in which the labourers reside. Look at these hovels, made of mud and of straw; bits of glass, or of old off-cast windows, without frames or hinges frequently, but merely stuck in the mud wall. Enter them and look at the bits of chairs and stools; the wretched boards tacked together to serve for a table; the floor of pebble, broken brick, or of bare ground.'

The definition of a hovel in the dictionary is described as 'a small crude shelter used as a dwelling and sometimes for the housing of cattle'.

A labourer's home was not therefore, typically, a planned construction with regard to need, use and function, beyond minimal protection from the elements.

Many dwellings consisted of a single storey and single room only, with slim partitions separating people from livestock. Windows were few and quite small, running water virtually unknown and indoor sanitation non-existent.

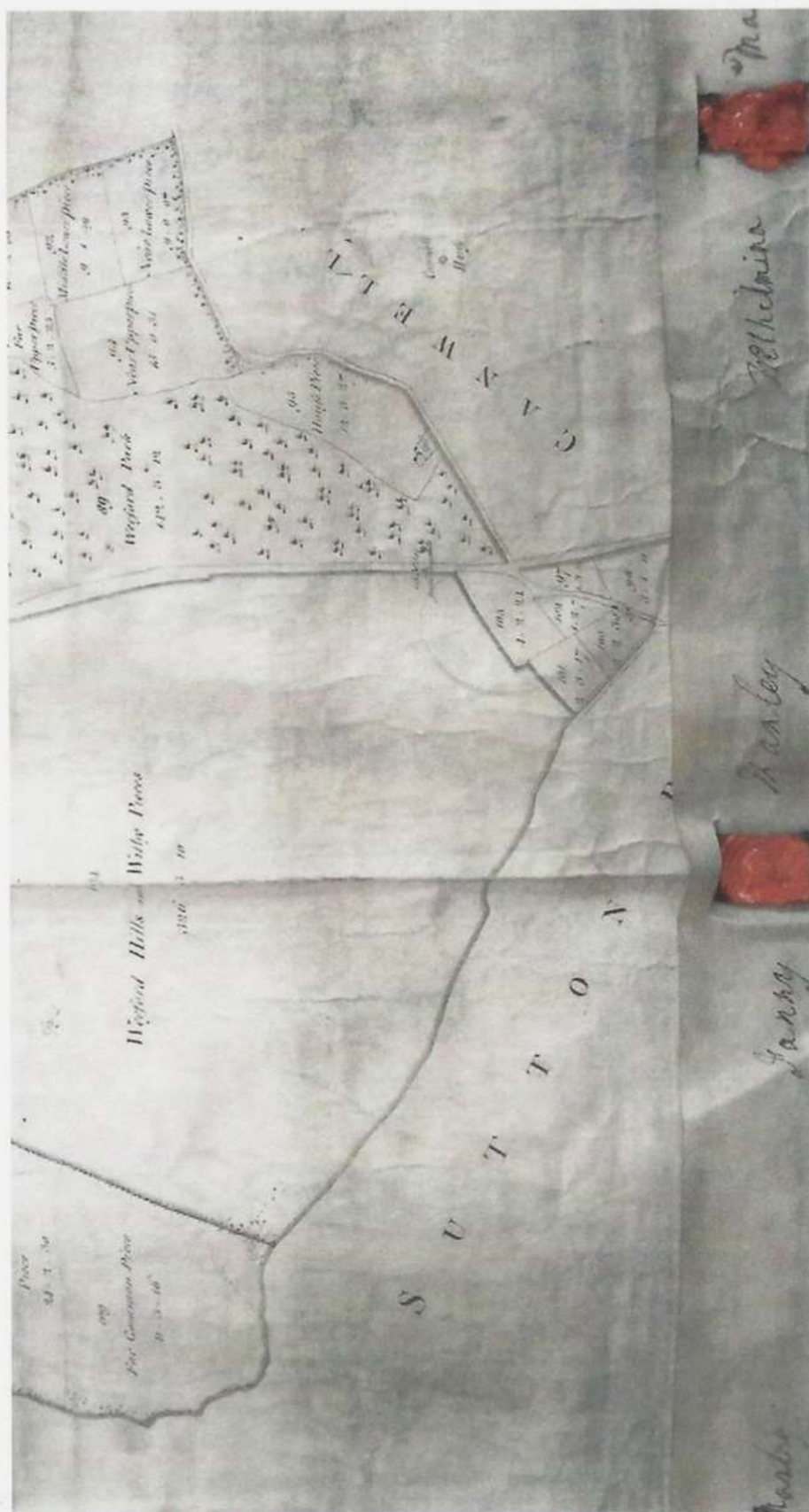


View of hovel in course of construction

A plan of the Weeford Estate, drawn up by John Dugmore and dated **May 1780**, shows that a dwelling of some description was in existence on the site at the time.

The plan was drawn up under the direction of Sir Robert Lawley Bart. and John Manley Esq. to clearly show the boundaries of land in the manors of Weeford & Thickbroom to be shared between the two parties.

It also provided details of how the land was sub-divided. In most cases, each plot was allocated a name and an identification number. The appropriate area of each piece was calculated and noted down.

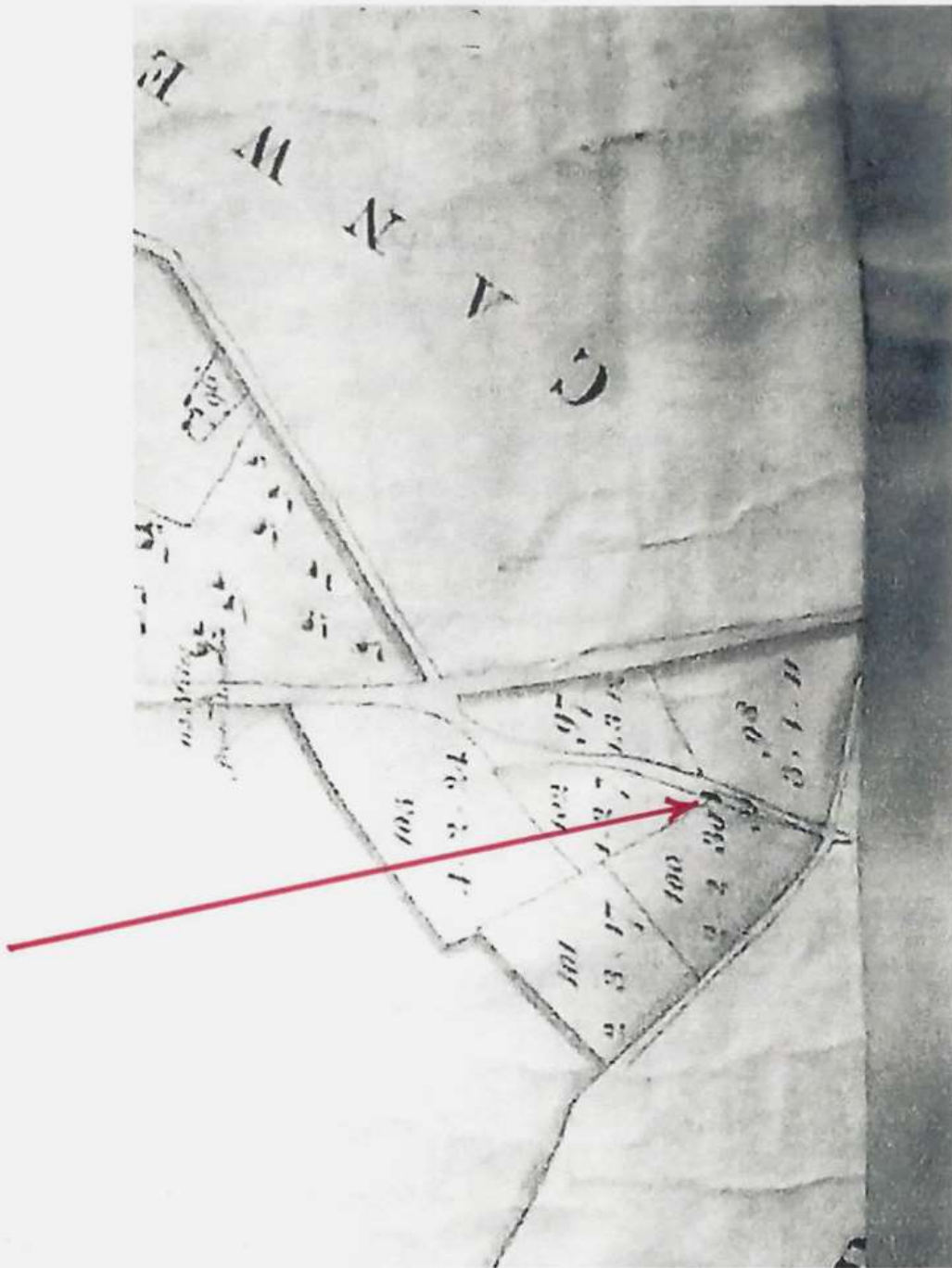


Section of the Weeford Estate Plan drawn up by John Dugmore 1780.

The Estate Plan shows a small section of the southern part of the overall area involved.

'Boundary Cottage', as it later became known, is situated in the triangular portion of the map – bottom centre.

An enlargement of this section below, shows its position a little more clearly.



Arrow shows position of 'Boundary Cottage'.

On the Partition Agreement, held in the Archives & Local Studies section of Birmingham Central Library, 'Boundary Cottage' is allocated the number 99.

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2. *Ordnance Survey Map 1834 'The Village Atlas' – The growth of Birmingham and the West Midlands 1831-1907. The Village Press Ltd. 1989.*
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(<http://www.bikereader.com/contributors/Brick/enclosed.html>)
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CHAPTER 2

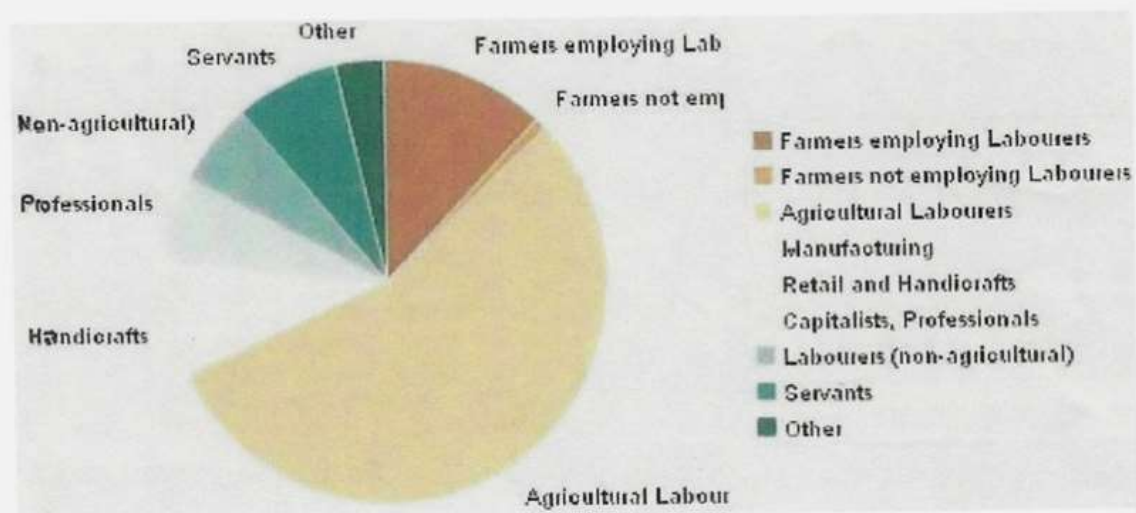
AREA SURROUNDING 'BOUNDARY COTTAGE'

As mentioned earlier, the area surrounding the cottage fell between the manors of Weeford & Thickbroom.

This was farming country and most people were employed on the land.

The first census taken in 1801 simply divided people into those employed in agriculture and those in trade or manufacturing. The 1831 census was the first to provide some information about individual occupations, but was also the last **not** to be based on a detailed door-to-door survey. It still relied heavily on the network of parish priests, but they seem to have been diligent in gathering this information.

The chart below was prepared using the available statistics:-



It can be seen from the chart that two thirds of the population were either farmers or agricultural labourers.

Except for the landowners themselves, the area would have been very poor with almost 70% of the workforce being classified as being 'Labourers', both agricultural & non-agricultural or as 'Servants'.

William White in 1851 described the two manors, as follows:-

"Weeford is a small village in the narrow and picturesque vale of the Black Brook, or Bourn River, on the Coleshill Road, four miles South by East of Lichfield, comprising within its parish 425 inhabitants, of whom 289 are in the Weeford township, which includes Thickbroom hamlet.

Weeford township contains about 2,500 acres. Lord Wenlock is the lord of the manor and owns a great part of the soil and the rest of the parish belongs to John Shawe Manley Esq. and a few smaller owners.

Thickbroom is a hamlet lying on the west side of Weeford and is said to have derived its name from broom, with which it formerly abounded. It is a manor and estate of 1,200 acres belonging to John Shawe Manley Esq., who in 1833 erected here his handsome seat called Manley Hall, in the Tudor style."

The village of Weeford today is just a quiet little backwater.

The trunk road system in the area has been altered in recent years, due to the building of the M6 (Toll) and, where previously, it was accessed via the main A38, it can now only be reached off the road which used to be the A5, but which has since been downgraded, following the construction of a new stretch of the A5.

Weeford mainly comprises the church of Mary the Virgin, a good quality restaurant housed in the old school building and a few scattered houses and smallholdings.

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2. *History, Gazetteer and Directory of Staffordshire by William White. Sheffield,*
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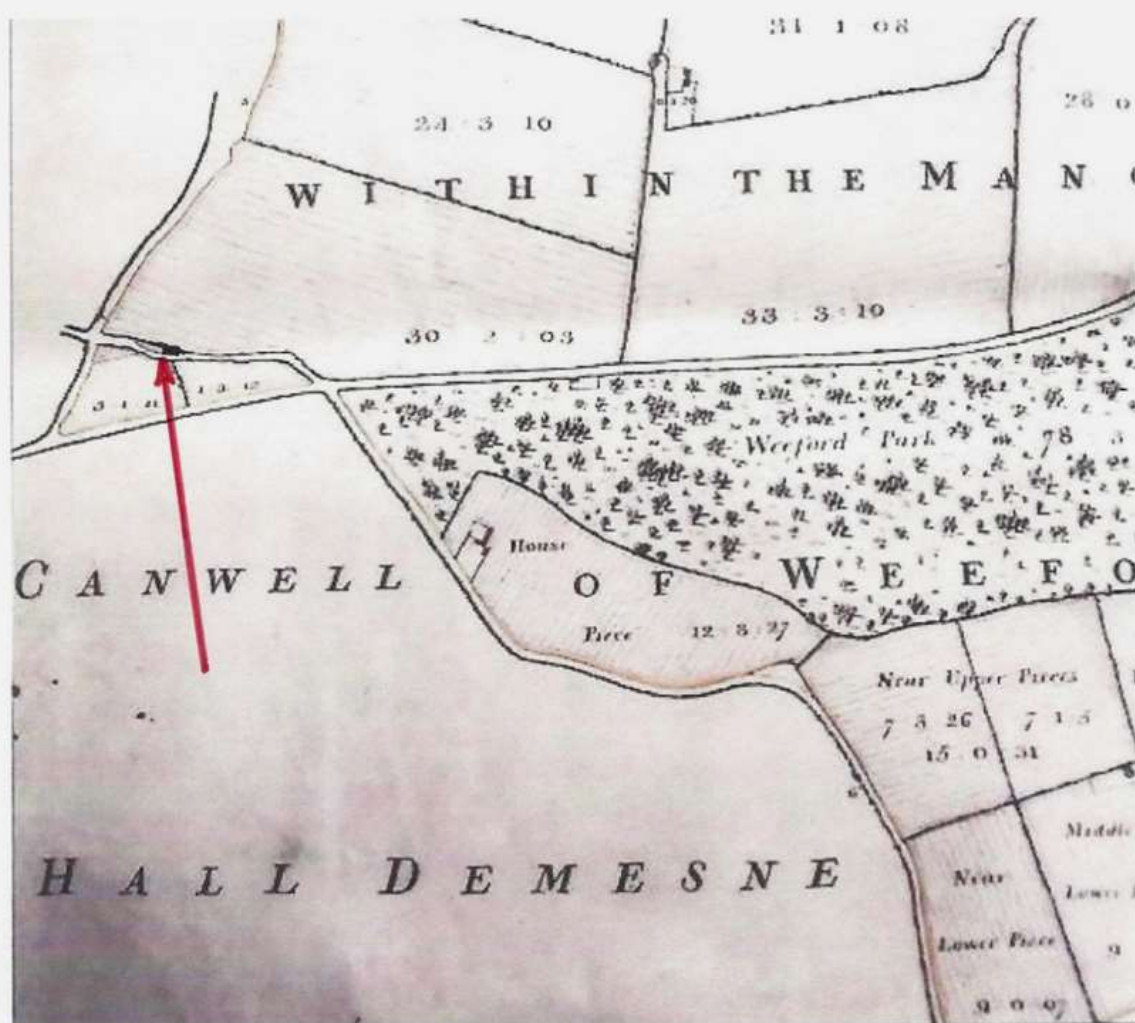
CHAPTER 3

MAPS OF THE AREA

Everyone loves pouring over maps, especially researchers, as they provide a wealth of detail and supplementary information.

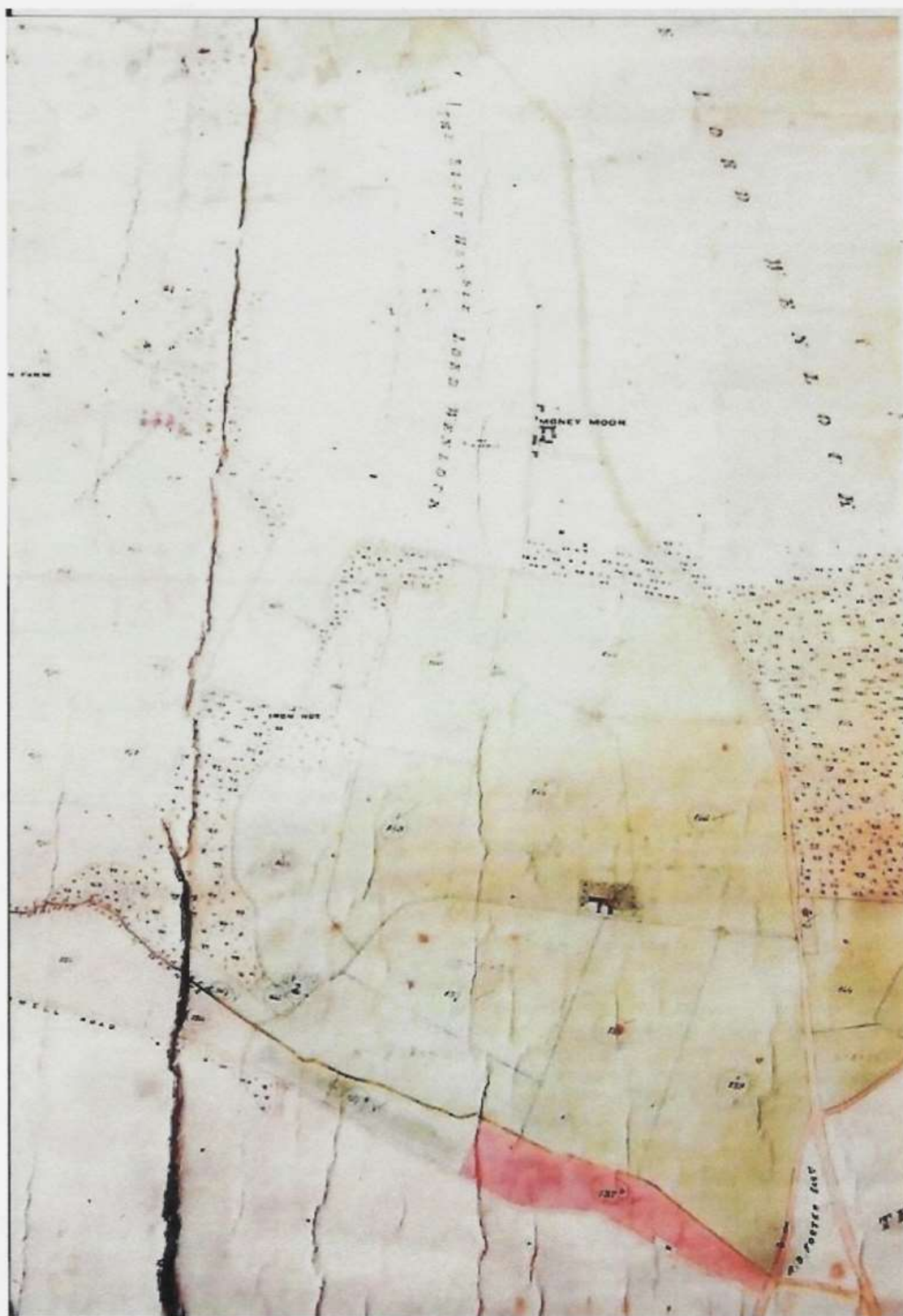
Old maps, however, can sometimes be notoriously difficult to find but, on this particular occasion, a visit to Birmingham Central Library in 2006, proved very beneficial

In addition to John Dugmore's map of 1780, which was covered under **Chapter 1**, a '*General Map of the Manor of Weeford*' dated 1797 was discovered. Once more the cottage and adjoining land is clearly shown. In fact the plot appears to be very similar to when it was offered for sale for the last time in 1986 – see **Chapter 5**.

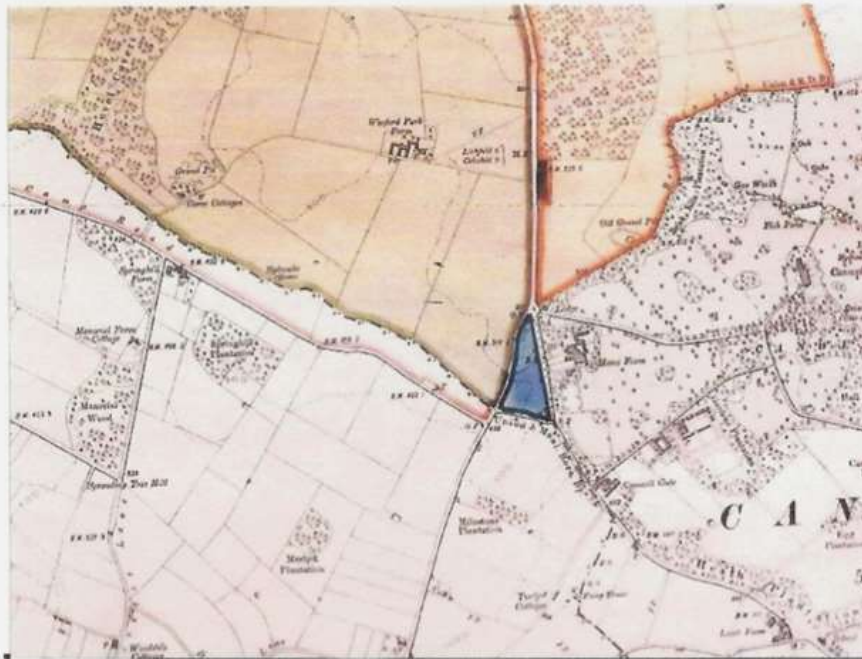


General Map of the Manor of Weeford showing the lands of John Manley. 1797

Stafford Record Office also had in their possession a magnificent linen backed map in full colour of the 'Manley Hall Estate situate in the parishes of Shenstone & Weeford in the County of Stafford and in the parish of Sutton Coldfield in the County of Warwick belonging to A E Manley Esq.' by Edwin Heaton 1868.



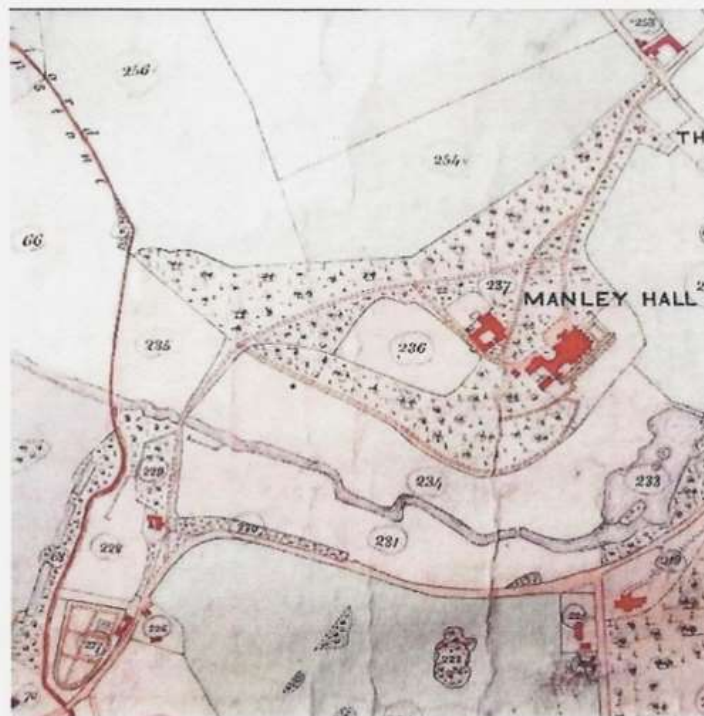
Part of the Manley Hall Estate by Edwin Heaton 1868.



Ordnance Survey map of 1901.

As indicated earlier, 'Boundary Cottage' was part of the Manley Estate, which covered a large area of land, including many properties. The estate was situated close to the adjoining Canwell Estate, in the south east, to beyond the Weeford Toll Gate in the north and, to the west, it stretched beyond the village of Little Hay to Shenstone

Manley Hall itself was a sizeable structure, as can be seen from the plan of the property shown below:-



Manley Hall 1868.

Bibliography

1. *General Map of the Manor of Weeford 1797. Birmingham Central Library (Archives Section).*
2. *Map of Manley Hall Estate by Edwin Heaton 1868. Stafford Records Office.*
3. *Ordnance Survey Map of Canwell & Weeford 1882. Stafford Records Office.*
4. *Ordnance Survey Map of Canwell & Weeford 1901. Stafford Records Office.*

CHAPTER 4

PREVIOUS OWNERS

A search of the 'Register of Electors', in order to trace the various owners of 'Boundary Cottage', initially proved to be very rewarding.

Only three families occupied the cottage over a period in excess of 50 years. These families were, as follows:-

1930-1948	MR GEORGE RUST. MRS KATE ELIZABETH RUST.
1948-1963	MR ALFRED JACOB CLARKE. MRS FLORENCE MAY CLARKE.
1963-1986	MR ARTHUR JOHNSON. MRS MARIAN JOHNSON.

Unfortunately, prior to 1930 the name 'Boundary Cottage' disappeared and the 'Register' very often just described an individual dwelling as a 'cottage'. As there were many such properties scattered across the area in question, it became a matter of conjecture as to which was the correct one!

A typical example appears on Page 10 of the 1871 Census covering the parish of Weeford. The family of Benjamin Orton is noted as residing at that time in an Agricultural Labourer's Cottage. It follows, quite naturally, that his occupation is also described as an Agricultural Labourer and it is clear he was a tenant of one of the large landowners in the area. All this fits perfectly with what one would expect for 'Boundary Cottage', except there are several other properties which fit into a similar category on the census, some occupied, others unoccupied.

Regrettably, therefore, this avenue of research had to be brought to a close.

* *Draw the new branch each of the words as are inappropriate.*

Bibliography

1. *Register of Electors. Lichfield Record Office.*
2. *Register of Electors. Stafford Record Office.*
3. *Census for 1871.*

CHAPTER 5

BRIEF NOTES ON CONSTRUCTION

As mentioned in the previous chapter, 'Boundary Cottage' initially was probably just a roughly built hovel.

Later, however, over the succeeding decades, improvements were gradually made until, by the 1980's, it had become a substantial building with a market value in excess of £50,000.

Unfortunately, after it passed into the hands of the Highways Agency, it began to fall into terminal decline.

The Highways Agency purchased the cottage with the sole object of demolishing the property to make way for the construction of a motorway, once official planning approval had been granted.

'Boundary Cottage' was therefore left unoccupied and, between 1986 when the previous owners moved out, and 1994 the fabric of the building slowly began to deteriorate, through neglect and vandalism.

By June of that year it was in a sorry state and it was at this juncture that my wife and I happened to pass by the property. We thought we would stop to look around and take photographs, for record purposes.

The first photograph we took shows the front elevation overlooking the slip road, which, in turn, led to the A38 London Road travelling in the direction of Lichfield.



Photograph 1. 'Boundary Cottage'.

The building was of brick construction and had a tiled roof. The right hand portion, with a single dormer window, would appear to be the oldest section.

There are a number of reasons for making this assumption, namely:-

- a) Exposed stonework was still visible at both gable end corners.
- b) This section was half-timbered.
- c) The roof had been re-tiled, perhaps because the original had become so dilapidated.
- d) The dormer window was a different size to the remaining ones being smaller overall.
- e) The quite rough, seemingly mass produced, brickwork laid to standard modern stretcher bond, may have been built to replace a much older form of construction.



Photographs 2 & 3. showing stonework.

In ancient times, when someone decided to visit a friend or neighbour, it was custom to sometimes describe this as going to 'darken his door'.

This was because, in early houses, the doorway was very often the only source of light and it was left open during the day and blocked up, in temporary fashion, at night, perhaps by an animal hide or by a lattice of wattle.

A phrase came into being, to denote an angry dismissal of a person from their home, as 'never darken my door again!'

As homes improved, however, it soon became clear that a better method was necessary. The solution was to butt together a series of vertical planks and secure them with two or three internal horizontal cross-members.

Even today, you can still find this basic technique used for garden gates, shed doors etc., where they are described as 'ledged & braced'

These early doors were very heavy affairs, generally made of hardwood, usually oak. Since it would have been very difficult to have to haul them into position each night, a simple solution was devised whereby they were secured at the side.

The earliest device was a strap of metal around the door, which then slotted over a vertical pin in the wall opening. Since, at first, there was no such thing as a door frame, these pins were fixed directly into the stone or timber surround.

Having a door hinged on a strap & pin meant that it did not fit in the opening too well and in the Winter the wind whipped through the cracks. No central heating remember!

Door frames therefore came into being and to obtain an even better fit the 'hinge' was invented. It's design and manufacture became another skill of the local blacksmith.

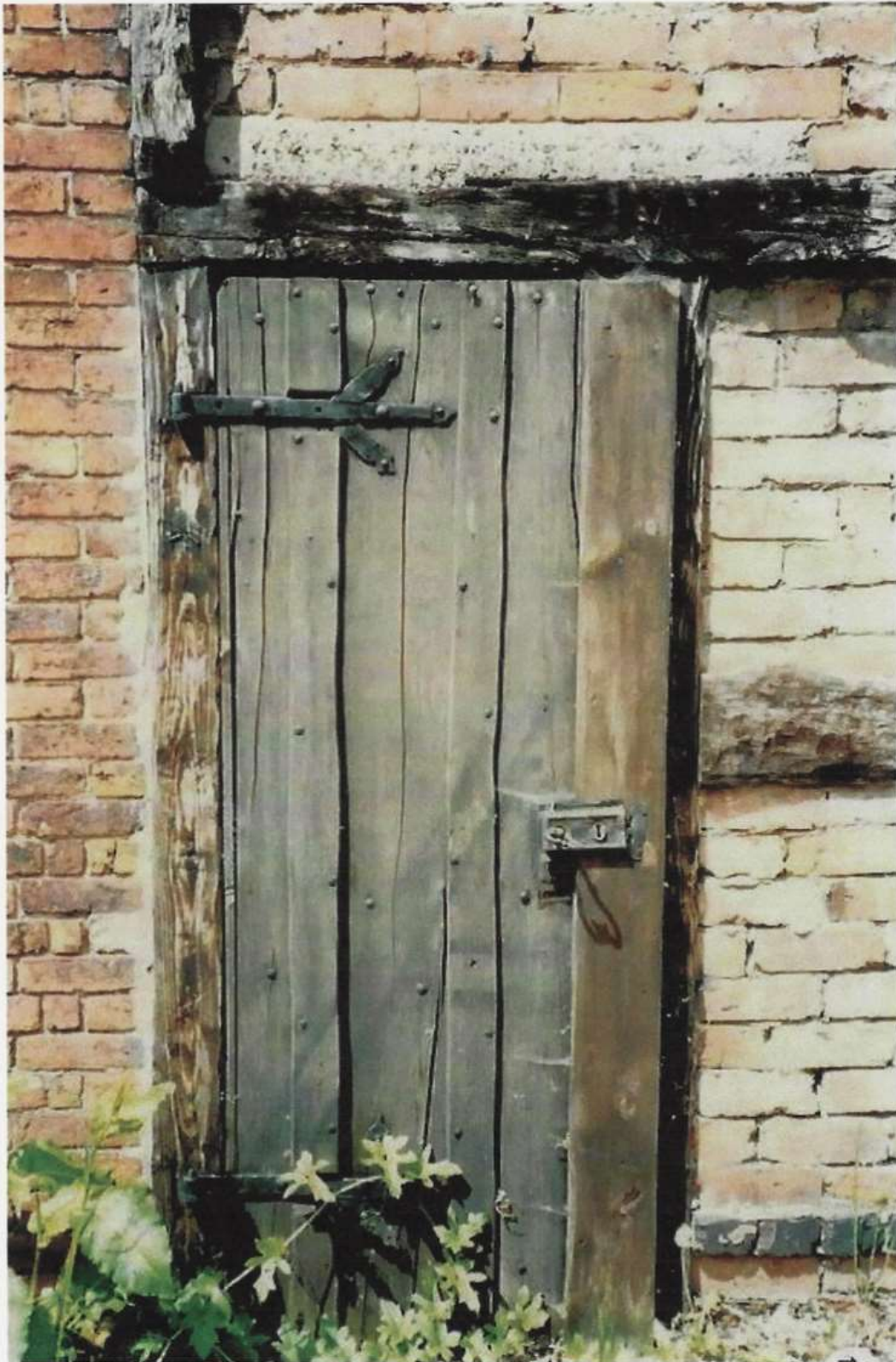
Hinges came in all shapes & sizes, from simple ones to those with intricate and highly decorated designs.

The weight of the doors, however, meant that they had to be much sturdier than the ones used today.



Photograph 4. showing older right hand section, dormer windows and front door.

The door of 'Boundary Cottage' certainly takes one back to those early days. Note the heavy studded oak planks and solid wrought iron hinges!



Photograph 5. Close up detail of Front Door.

Dormer windows date back to the Middle Ages and were also widely used in the 16th & 17th centuries, but it was in the 18th century when they really came into their own.

In thriving agricultural areas, especially the eastern counties, but also including places such as Weeford and Shenstone, farms were growing in size and in production. More labour was therefore needed. The workers slept in the attic, lit by a row of dormer windows. This also extended the living space below.

The middle section of the cottage, with two larger dormer windows, separate front door and staircase were probably added at a later date.

However, this construction was also quite old, as indicated by the following:-

- a) Ageing roofing tiles with their level having sunk in places, due to sagging of the roof purlins.
- b) The bricks were smaller in depth, possibly 2 ½" as against the 3" which are normally found with modern bricks.
- c) Instead of the more modern and common Stretcher Bond, the brickwork was more haphazard, with *headers* interspersed and appearing in complete rows on occasion.



Photograph 6, showing dormer windows.



Photograph 7, showing section of brickwork. Note the occasional courses of *headers*.

The single storey extension was probably built last. In actual fact, it may have been constructed in two parts, as there is a distinct difference in the age of the roof tiles.



Photograph 8, showing extension with differing roof tiles.



Photograph 9, showing South elevation of extension.



Photograph 10, showing part of the garden, with garden shed.



Photograph 11, showing front & side elevations.

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1. *Photographs from Keith & Janet Jordan's local history collection.*
2. *'Tracing the History of Houses' by Bill Breckon & Jeffrey Parker.*
 Countryside Books. 1991.

CHAPTER 6

SALE OF 'BOUNDARY COTTAGE'

'Boundary Cottage' was sold by the then owners, Mr Arthur & Mrs Marian Johnson, to The Secretary of State for Transport in 1986, for £53,750.

The sale included the cottage & freehold land totalling 575 square metres.

Mr & Mrs Johnson had been in occupation almost a quarter of a century, having purchased the property in 1963.

The couple had earlier attempted to sell their cottage the previous year by private treaty through Estate Agents Slater Dann & Co. The following advertisement appeared in the Sutton Observer on the 18th June 1985:-

JUST AVAILABLE

A MOST DELIGHTFUL, FREEHOLD DETACHED, ENGLISH COUNTRY COTTAGE, SAID TO BE SOME 200 YEARS OLD AND HAVING THE BENEFIT OF CENTRAL HEATING.

'BOUNDARY COTTAGE'
CANWELL

Situated in a delightful rural position with superb views over farmland towards Little Hay and Shenstone, yet within easy reach of all amenities. The property is most attractive in appearance with a wealth of exposed beams, and viewing is highly recommended. Briefly comprising: Reception area, dining room, living room, lounge, kitchen, bathroom, separate w.c., Two staircases, three bedrooms, shed, attractive well laid out and stocked gardens. Viewing: strictly by prior appointment with the Sole Agents Slater Dann & Co, Four Oaks Office. 021 308 8111. Ref: 875 5RB.

**OFFERS IN THE REGION OF £58,000
INVITED, FREEHOLD**



Estate Agents particulars

Slater Dann described 'Boundary Cottage' as:-

A most delightful freehold detached English country cottage, said to be some 200 years old and having the benefit of central heating.

Situated in a delightful rural position, with superb views over farmland towards Little Hay & Shenstone, yet within easy reach of all amenities.

The property is most attractive in appearance, with a wealth of exposed beams and viewing is highly recommended.

The Estate Agents then went on to say:-

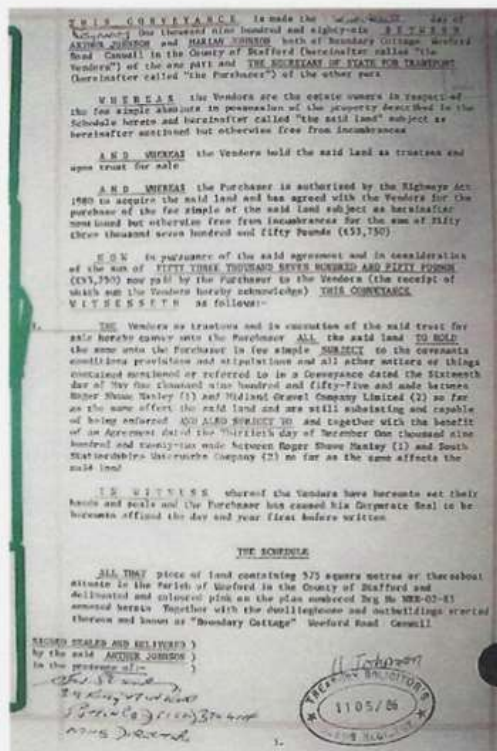
The property briefly comprises:- reception area, dining room, living room, lounge, kitchen, bathroom, separate W.C., two staircases, three bedrooms, shed & attractive well laid out and stocked gardens.

Offers in the region of £58,000 were invited.

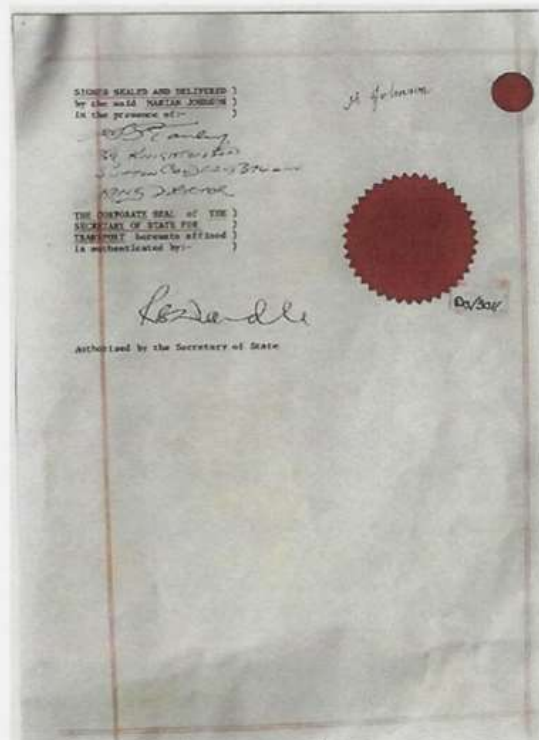
A sale, however, was not forthcoming, the prime reason, no doubt, being due to the fact the cottage was in the direct path of a proposed motorway and this would have become all too apparent once the necessary searches had been carried out by the Solicitor acting on behalf of any 'would-be' purchaser.

Considering the subsequent sale to The Secretary of State for Transport was effectively a 'compulsory purchase', the final agreed price appeared to be a very fair one.

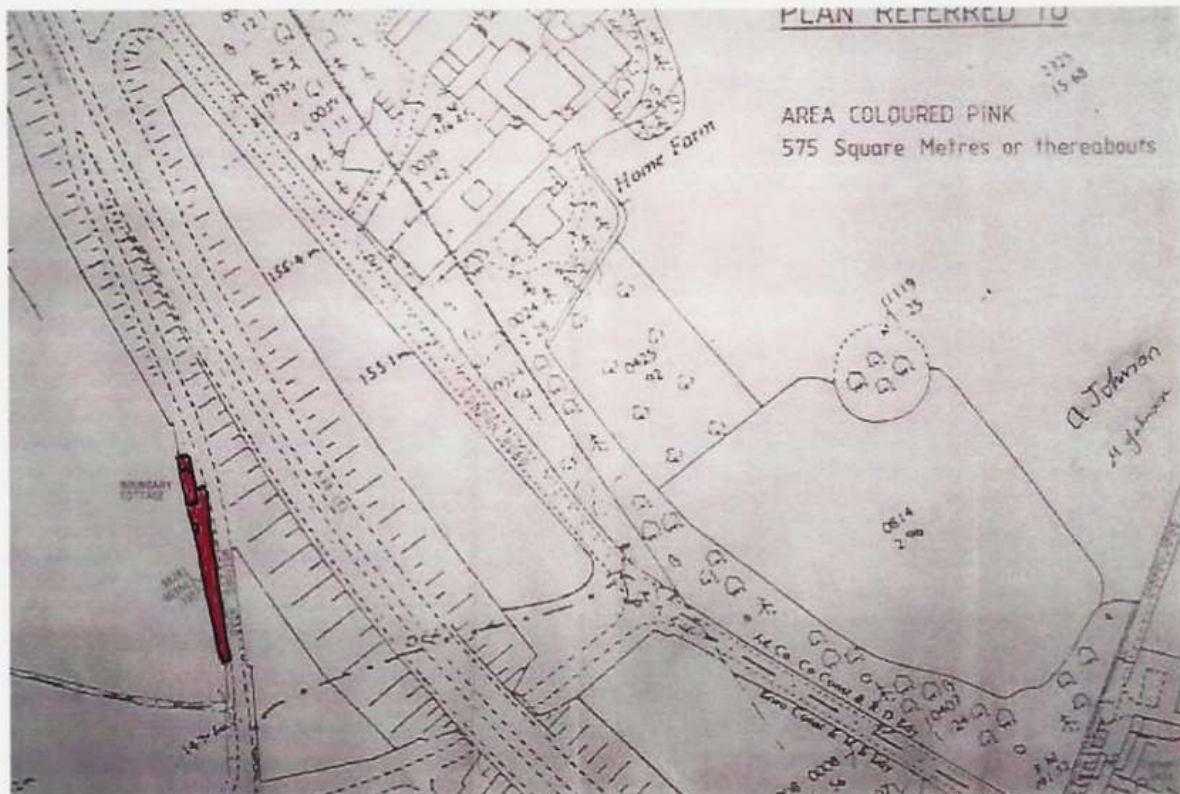
Conveyancing documents were duly drawn up by the Treasury Solicitors between Arthur Johnson, Marian Johnson & The Secretary of State for Transport, which were signed and witnessed by the appropriate parties on the 17th February 1986.



Page 1 of the Conveyance



Page 2 of the Conveyance showing seals.



Page 3 of the Conveyance indicating 'Boundary Cottage' & Freehold Plot of Land, marked out in RED.

H M Land Registry registered the land under Title No. SF224998 on the 27th March 1986 and issued the necessary Land Certificate.



Back sheet of Land Certificate.

This office copy shows the entries subsisting on the register on 23 APRIL 1998. This date must be quoted as the 'search from date' in any official search application based on this copy. Under s.113 of the Land Registration Act 1925 this copy is admissible in evidence to the same extent as the original. Issued on 24 April 1998 by HM Land Registry. This title is administered by the BIRKENHEAD District Land Registry.

Edition date : 17 November 1992

TITLE NUMBER : SF224998

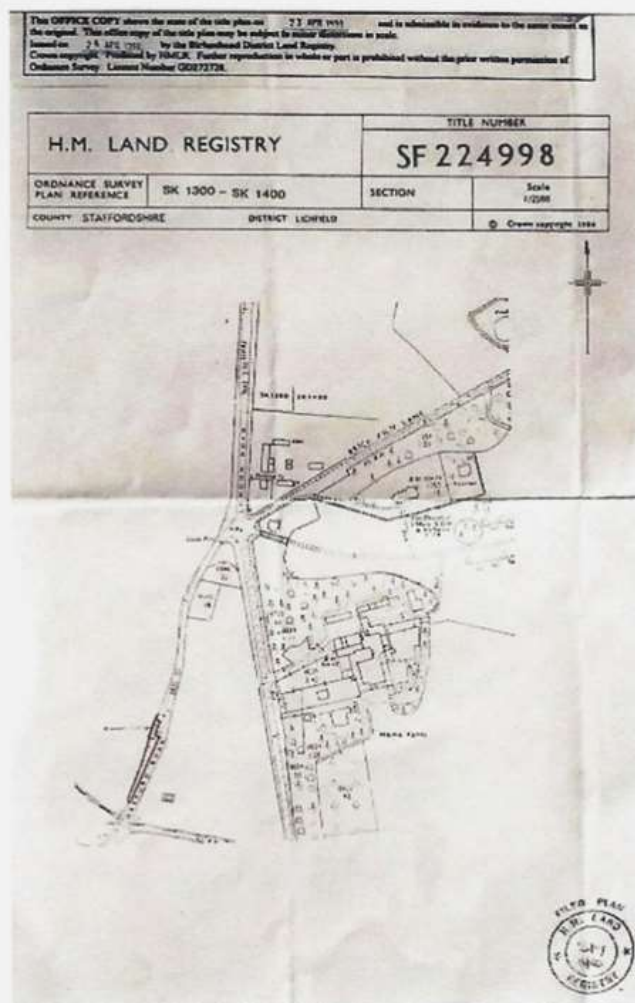
Entry No.	A. PROPERTY REGISTER <small>containing the description of the registered land and the estate comprised in the title</small>				
	<table> <tr> <td>COUNTY</td><td>DISTRICT</td></tr> <tr> <td>STAFFORDSHIRE</td><td>LICHFIELD</td></tr> </table>	COUNTY	DISTRICT	STAFFORDSHIRE	LICHFIELD
COUNTY	DISTRICT				
STAFFORDSHIRE	LICHFIELD				
1.	(27 March 1966) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Boundary Cottage, Mount Road, Canwell.				

Entry No.	B. PROPRIETORSHIP REGISTER <small>setting out the title, estate, interest and description of the proprietor of the land and any other person claiming the right of disposing thereof</small>
	TITLE ABSOLUTE
1.	(27 March 1966) Proprietor(s): THE SECRETARY OF STATE FOR TRANSPORT 2 Marsham Street, London, SW1P 3EB.

**** END OF REGISTER ****

NOTE : A date at the beginning of an entry is the date on which the entry was made in the Register.

Copy of the Property Register.



Title Plan.

A Land Certificate was the official document formerly given to the Owner of the land, as evidence of title. It included the following:-

- i) Land Certificate.
- ii) Copy of the Register.
- iii) Filed Plan.

Subsequent to the Land Registration Act 2002, which came into force on the 13th October 2003, Land Certificates are no longer issued. They have been replaced by an extension to the 'System of Notices' namely:-

- a) An Agreed Notice.
or
- b) An Unilateral Notice.

Bibliography

1. *Sales Particulars by Slater Dann & Co. Sutton Observer dated 18th June 1985.*
2. *Conveyance between Mr Arthur Johnson, Marian Johnson & The Secretary of State for Transport. 17th February 1986.*
3. *Land Certificate issued by the Land Registry. 27th March 1986.*

CHAPTER 7

BIRMINGHAM NORTHERN RELIEF ROAD (M6 TOLL)

(The Early Stages)

In 1980 proposals for a new motorway in the West Midlands were put forward by the Department of Transport and a number of alternative routes were considered.

The original plan had two main aims (i) to provide relief for the existing M6 between Junction 4 (Coleshill) & Junction 11 (Laney Green) and (ii) to provide a distributor road to the north & east of the West Midlands conurbation, linking the M42 and a new Western Orbital Motorway (later scrapped).

The Secretary of State for Transport, in 1986, chose one of the schemes and this was designated as the 'Preferred Route'.

During 1988, Draft Orders were published and an Inquiry was held, which recommended the road should be built. There was only muted opposition at the time, as local people did not believe they had any chance of fighting the proposals.

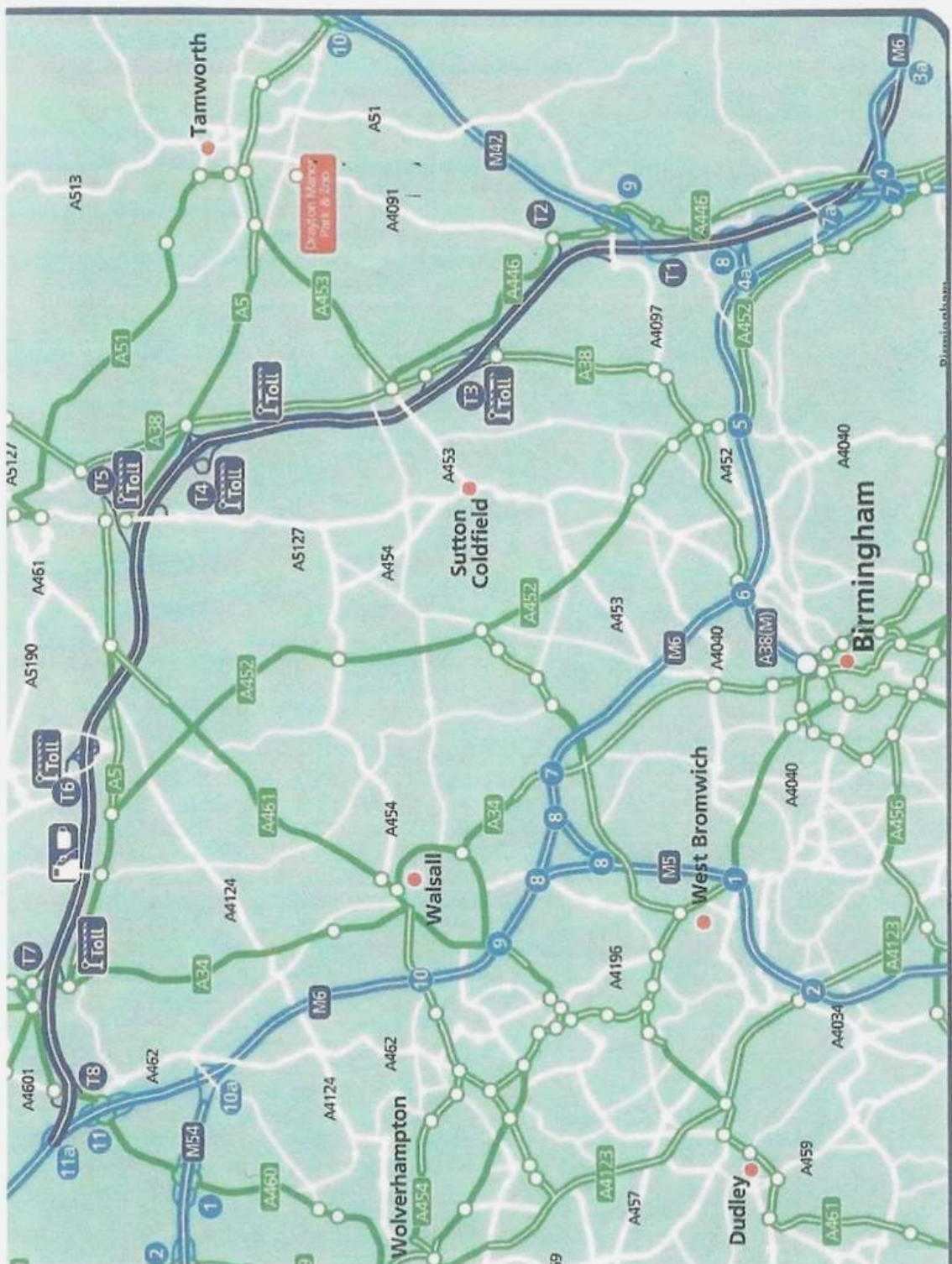
The following year, the Secretary of State for Transport announced that a private sector competition would be held for the concession to design, construct, operate and finance the Toll Road.

The tendering process attracted three bidders and, subsequently, a secret agreement was signed with Midland Expressway Limited in 1991. MEL was owned by Macquarie Bank of Australia, in conjunction with Autostrada of Italy (Construction) & Aker Kvaerner of Norway (Engineering).

After numerous amendments to the proposals during 1992, MEL were awarded the concession and a provisional route was announced.

In 1993, further changes took place, as part of the design & environmental assessment process but, eventually, the final route, known as the BNNR, was established and duly published

The ensuing public enquiry into the proposed scheme lasted from June 1994 until October 1995: the longest ever into a road scheme in the UK.



Map showing the final route of the M6 Toll.

Bibliography

1. *Environmental Statement (Non-Technical Summary) – Volume 1. Issued jointly on behalf of the Department of Transport & Midland Expressway Ltd. 1993.*
2. *A briefing issued by the Friends of the Earth, Transport 2000 & CPRE. December 2003.
(<http://www.transport2000.org.uk>)*

CHAPTER 8

THE BIRMINGHAM NORTHERN RELIEF ROAD (M6 TOLL)

(The Protest Period – The Alliance)

As mentioned earlier, initial public reaction to the scheme was low key but, when it was clear the BNNR was definitely going ahead, a much more concerted campaign developed.

An informal coalition, originally set up by West Midlands Friends of the Earth, evolved into the 'Alliance Against the BNNR'. This brought together over 30 different organizations, including environmental groups & residents, along the whole length of the route.

The Alliance lobbied local councils & MPs and the official consultation process resulted in over 10,000 letters of objection. The Alliance also co-ordinated evidence against the BNNR at the public enquiry.

On the 1st May 1998 the Alliance descended upon London, to take the battle against the BNNR to the High Court.

Armed with logic, reason & legal arguments they went there to challenge the Government's refusal to release details of the secret agreement with Midland Expressway Limited to construct and operate the proposed M6 Toll.

The Alliance had raised a 'fighting fund' of £40,000, to help pay for the legal action.

More than 20 supporters arrived by way of a specially chartered coach. They comprised a cross section of individuals, which included:-

Mr Charles Bradshaw-Smith	Business consultant and Chairman of the Alliance.
Dr. Jack Stuart (79)	Retired GP.
Mrs Sandra Bullivant (53)	President of Curdworth Womens Institute.
Mrs Anne Chant (50)	Self-employed computer specialist.
Mr Alan Vaughan (55)	Retired building surveyor.

After staging a demonstration outside the court, the protestors spent the day listening to the opening of the complex legal case.

The Alliance believed the contract with MEL to build and run the motorway contained details of a substantial compensation package for the firm if the Government ever decided to axe the scheme.



Anti-BNRR protestors outside the High Court in London

The group said if this was the case, the Labour Government may have acted illegally in giving the go-ahead.

Mr John Howell QC, for the Alliance, told the court Mr John Prescott, Secretary of State for the Environment, had effectively acted illegally by refusing to divulge details of the agreement. MEL claimed the documents contained commercially sensitive material, which the Government said it was duty bound not to disclose. Mr Howell said, however, that under European Law, the Government did have a duty to disclose the information to the public.

In the event, the Government & MEL were successful in maintaining the commercial confidentiality of key sections of the agreement and, eventually, the spiralling cost of taking the case further, forced the Alliance to pull out.

(The Protest Period - Eco-Warriors)

In addition to the Alliance, anti-road protestors set up a number of camps along the proposed route. The camps were in place for over a year between November 1997 and January 1999 when the last one was cleared by the police, under the instruction of the courts

Over the 27 mile route of the M6 Toll, 41 dwellings were demolished. Within the 5.8 mile section between Weeford Island and Holly Lane, Wishaw five properties were affected, namely:-

Money more Cottages.
Money more House.
Longfield Farmhouse &
Boundary Cottage.

All lay directly in the path of the relief road.

On the 24th February 1998, a demolition request was put forward by the Highways Agency to Lichfield Council.

Subsequently, anti-road protestors moved into the unoccupied, 'Boundary Cottage' on the 9th March, as the campaign against the controversial road scheme intensified.

The eco-warriors, now squatting in the derelict cottage, threatened to take legal action to block plans to demolish the crumbling building.

The squat represented the second base for the protestors, who had already made a makeshift tree-top camp at Green Wood copse, off the A38.

The Lichfield District Council Planning Committee met on Monday 16th March to consider the application to demolish the property and, predictably, this was duly approved.

By early April, the protestors had already ignored two notices to quit, served upon them by the Highways Agency. The Government then stepped up legal moves by filing a High Court Writ against the protestors, named only as 'Dave, Chris, Richard, Peter and persons unknown'.

The eco-warriors, however, were determined to fight any move to evict them and said they would have to be dragged, kicking & screaming, from the cottage before they capitulated. They were already making arrangements to barricade themselves in against the anticipated arrival of the bailiffs.

Dave, aged 37, said that their *"Plan was to evade arrest for as long as possible. If that meant chaining themselves to a lump of concrete, digging & tunnelling within the property, or just running across the roof to make it difficult for the bailiffs, then so be it"*.

Peter, aged 20, a fellow protestor, who was one of the veterans who took direct action against the building of the Newbury by-pass, said during the campaign he *"Had been arrested at least 15 times"*.

Midlands Expressway Limited said it had plans of its own to deal with the eco-warriors, but it was holding fire until the legal challenge was over.

By mid-April, 'Boundary Cottage' had been protected with armour-plated doorways, reinforced with concrete and the squatters were in the process of constructing a chain of tunnels.

The protestors said at the time that some of the locals had been brilliant and had been taking supplies to their camp.



Protestors on the roof of 'Boundary Cottage'.



Eco-warrior Steve brings another bucketful of soil to the surface, from one of the tunnels at 'Boundary Cottage'.

Shortly afterwards, however, on the 12th April 1998 tragedy struck, when one of the eco-warriors was found dead in his sleeping bag by fellow environmentalists on the Sunday morning.

The protestor was known as 'Sorted Dave' and he was immediately hailed as the 'first martyr of the campaign'.

It was later discovered that he was named David Richards, and was a fugitive from the French Foreign Legion. He had been on the run since deserting his post in South America in 1994.

His sister-in-law, Mrs Kym Richards, told how Mr Richards was stationed in French Guyana guarding an Arian rocket base, when he thought it was "*A pretty useless thing to be doing*". He then climbed the fence and spent the next 6 weeks fighting his way through the jungle until he reached the capital Georgetown. Once there, he sought the help of the British Embassy. His sister-in-law wired him money for the airfare home and he duly returned to England.

The cause of his death was believed to be from a previously unknown heart condition and this became related to inflammation of the arteries and hypothermia.

Mrs Richards said *"He was a happy-go-lucky sort of chap, who had his principles. Once he decided to do something, he just did it. The campaign was something he believed in passionately"*.



Eco-warrior David Richards, 'Sorted Dave', who died fighting the BNNR.

The same day, the six remaining eco-warriors were forced out of the cottage, after being told by the police that they needed access to complete their inquiries into Mr Richard's death.



The scene on Tuesday 14th April 1998. The police had secured the site and contractors were about to arrange for 'Boundary Cottage' to be demolished.

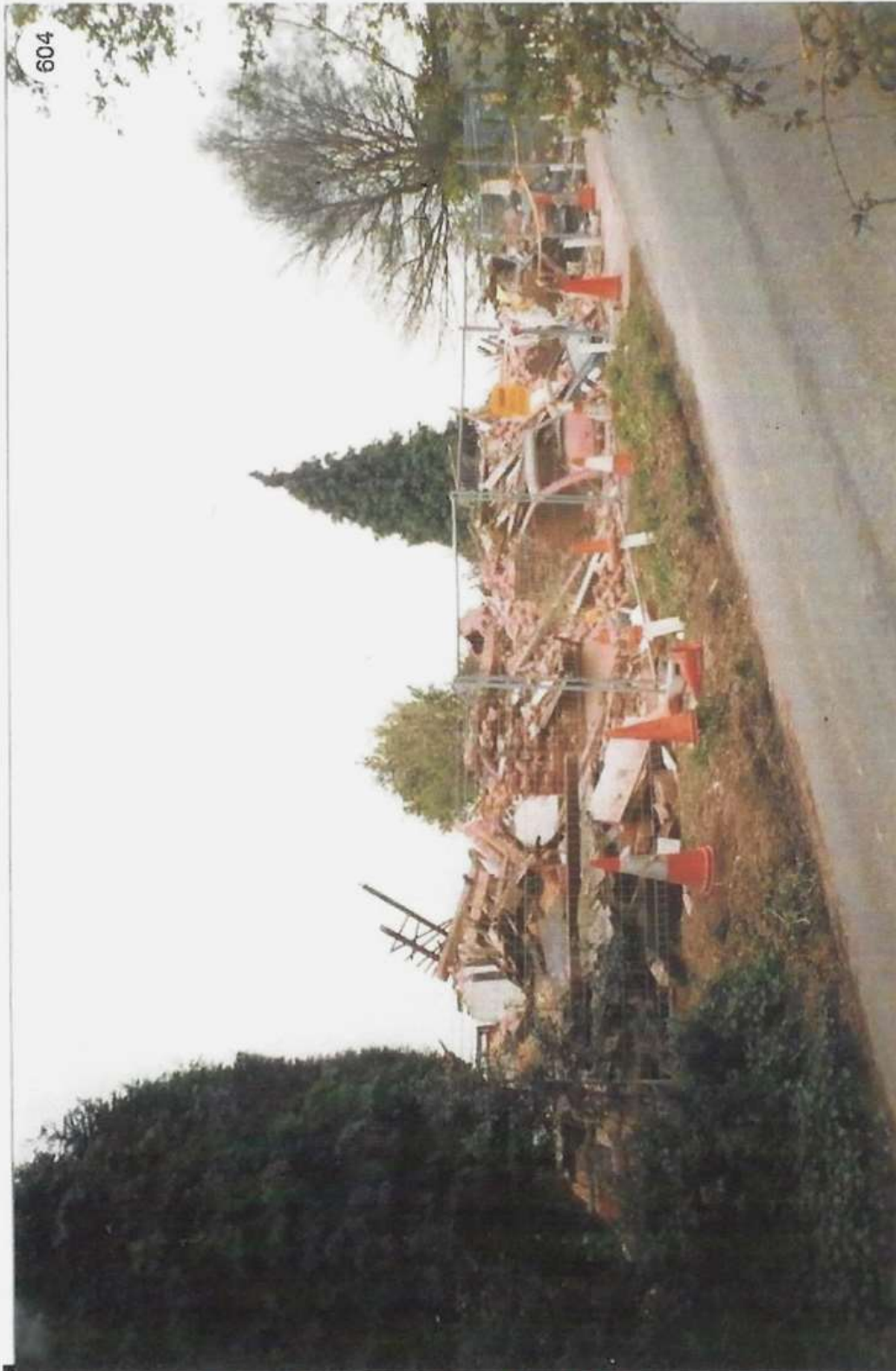


Another view of the cottage, shortly after the eco-warriors had vacated the building.

The squatters were intending to move back into 'Boundary Cottage', as soon as the police had finished. When they returned, however, they found it had been demolished.



'Boundary Cottage', following its demolition on the Wednesday.

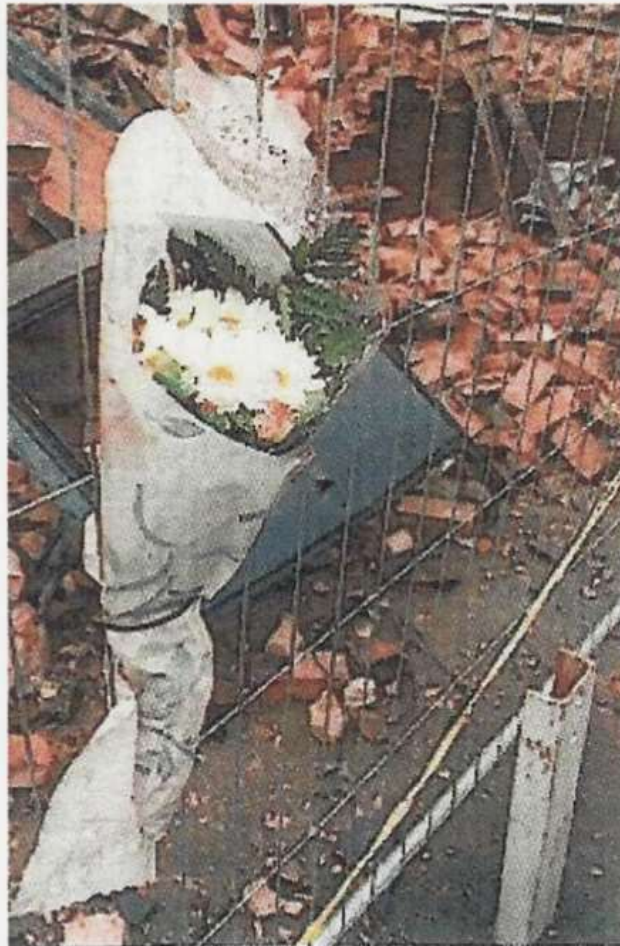


Further view of the demolished cottage.

The protestors were, predictably, furious and eco-warrior Alice, a 21-year old Australian, said *"What they have done is shocking and I am completely disgusted at such insensitivity. If anything, it has given us more determination to keep going, as a memorial to Dave"*.

Mrs Kym Richards also said *"This is an insensitive move and doesn't do anything for the memory of Dave, but it doesn't surprise me or his brother Mark. The police asked us to give them a call after we visited the cottage to lay flowers on Tuesday, which suggested they were waiting for us to leave before they moved in. Once they had got the protestors out of the property, there was no way they were going to let them back in"*

A spokesman for the Highways Agency responded by saying *"Boundary Cottage was owned by them and it was in a very dangerous condition and was due to be demolished in any event. Having completed their enquiries, the police handed the property back to us. We made a decision, based upon the condition of the building, that safety should come first and we therefore had no choice but to knock it down"*.



Flower tributes on the fencing outside the demolished 'Boundary Cottage', on Wednesday 15th April 1998.

On the 24th April, campaign supporter, the Rev. David Shawcross, Methodist Minister for Burntwood, organized a memorial service at the main protest camp at Green Wood, next to the Arc Quarry on the A38. About 70 family members and friends gathered to pay tribute. The Minister said *"David Richards died fighting what he believed in and he had made a difference by devoting his life to protecting the environment. We have all come here because we have lost a person who was a friend. This is the way in which he wanted to live, moving on when things were done. This is the person we loved."*

At the end of the service, Mr Richard's brother Mark said *"After the cremation, some of his brother's ashes would be scattered at Green Wood and the remainder in the West Country, where he had many friends"*.

The following month, Staffordshire, Warwickshire & West Midlands police forces said they were facing a multi-million pound operation patrolling camps set up by protestors along the proposed route of the motorway.

They went on to say that disturbing features were now appearing. Following the demolition of 'Boundary Cottage', evidence had emerged of the way the squatters had fortified the premises, during their time in occupation.

Staffordshire's Chief Constable, Mr John Giffard, said *"A fortified underground area had been constructed in the cellar, with a series of lock-on devices into which protestors would have secured themselves to prevent eviction. The findings served to reinforce the genuinely held concern that, before too long, someone, either an eco-campaigner, police officer or a bailiff, would die as a direct result of the reckless actions of the protestors"*

Mr Giffard went on to say he thought the eco-warriors were currently fortifying two other cottages, together with a stable & outhouses at Moneymore.

In June, eco-warriors alleged the police were leading a smear campaign against them. It appeared that remarks were made at an earlier press conference when police said they had found booby-traps in the now demolished 'Boundary Cottage'.

Speaking at a subsequent press conference, Assistant Chief Constable, Steve Green, said *"They had no wish to interfere in a peaceful protest, but the police had a duty to protect life. We cannot stand back and allow people to deliberately construct devices, which could cause harm to themselves and others"*.

At the same time as the press conference was taking place, 40 officers were serving notices at three protest sites, warning campaigners they would be held criminally liable for any deaths or serious injuries which occurred, due to their activities.

Campaigner Briggs later said *"We are here to try to save woods, not to cause harm to ourselves or anybody else. We are not terrorists."*

She also claimed *"When the police served the warning notices, they took the names & addresses of members of the public who just happened to be around. They were trying to scare off the support we have."*

In the event, over the next few months, adverse publicity started to appear in the newspapers and the fact the protestors were now, very often, likened to terrorists, caused public support for their actions to gradually wane and the protests and demonstrations slowly got less and less until, by the end of the year, they had virtually stopped altogether.

From that point on, when construction work on the motorway did eventually commence, it continued to be trouble-free, until its completion.

No one knows what happened to the campaigners, but it is probable they individually or collectively took up other banners or followed new crusades elsewhere.

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4. *Photographs from the Birmingham Post & Mail.*
5. *Photographs from Keith & Janet Jordan's local history collection.*

CHAPTER 9

BIRMINGHAM NORTHERN RELIEF ROAD (M6 TOLL)

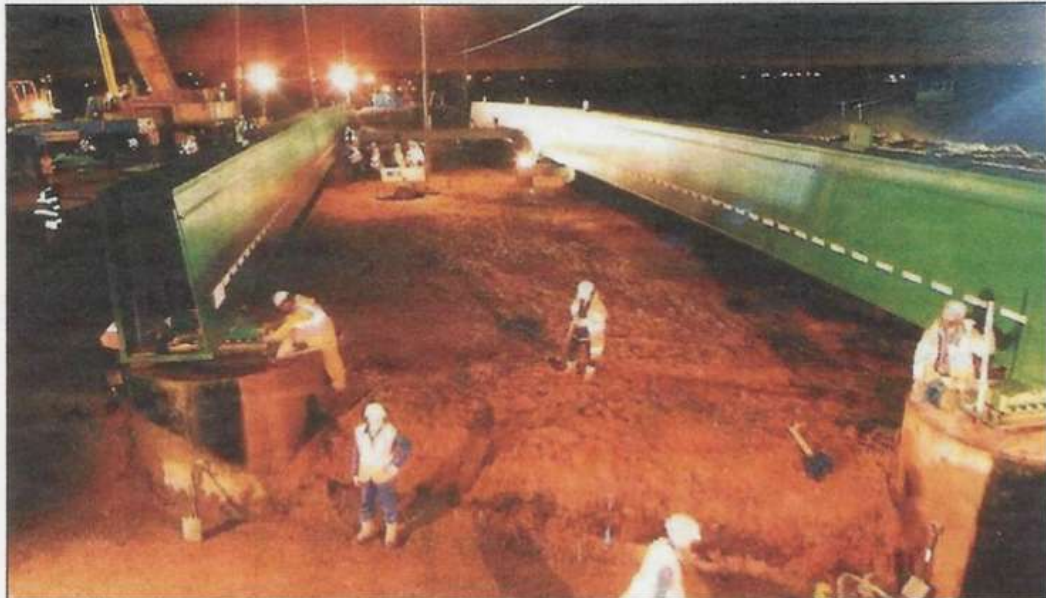
(Construction)

In the early 1990s, many local Labour MPs opposed the construction of the BNNR and, in 1994, Labour's then Shadow Transport Secretary, Frank Dobson, issued a press release saying that a future Labour Government would not build the road. This remained the party's position going into the 1997 General Election.

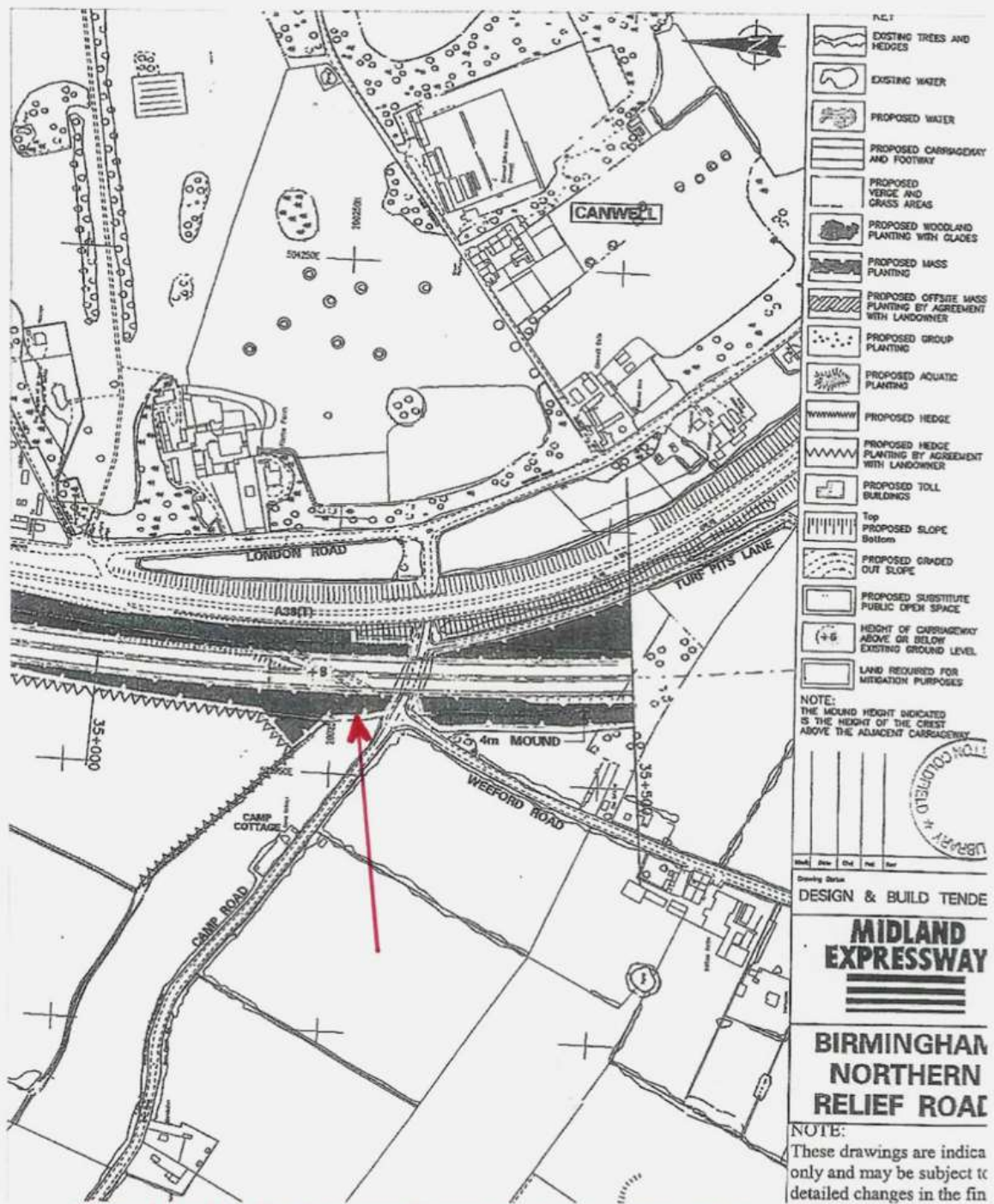
However, in July 1997, just three months after an election victory was achieved, the Government performed a complete U-turn and gave permission for the road's construction. No surprises there then!

The construction consortium, given responsibility for building the BNNR, comprised Carillion, Alfred McAlpine, Balfour Beatty & AMEC, under the combined heading of CAMBBA. The total overall cost of £900 million was financed by the Bank of America and Abbey National.

Work on the M6 Toll officially commenced in April 2001 and approximately 1,200 workers were employed during the construction period.



A construction crew works through the night to install a new railway bridge.



Plan of the M6 (Toll), where Camp Road passes beneath the motorway.
The site of 'Boundary Cottage' is shown by an arrow.



View from the junction of Weeford Road & Camp Road, looking North East towards the slip road leading to the London Road. This road is now beneath the motorway. The site of 'Boundary Cottage' is depicted by the conifers, which were in the garden.



Looking towards the site of 'Boundary Cottage' from Camp Road.



**Looking south along the M6 Toll, towards Moxhull Hall Hotel.
The A38 Sutton by-pass is in the foreground.**



**The M6 Toll, showing the site of the Weeford Tolling Station.
The A38 is shown to the left of the photograph.**

The BNNR was required to be built over a 33 month period but, remarkably, the 27 mile route was completed more than a month ahead of schedule.

Due to the complexity of the project, it took CAMBBA 14 months to prepare the tender of works. Construction was also a mammoth task, with 10 million cubic metres of earth having to be moved, 57 bridges erected and 27 miles of concrete & asphalt laid. In order to achieve the former, a huge fleet of almost 200 earth movers had to be employed, consisting of small Caterpillar diggers right up to large hydraulic, self-propelled scrapers, each of which were capable of moving tons of earth.

The BNNR is Britain's first toll road for over 200 years. The road itself is a 6-lane motorway, having 3-lanes in each direction and comprises 8 tolling stations & a service station at Norton Canes, which was built separately by Galliford and is operated by RoadChef.

The Norton Canes Service Area includes the following:-

- (a) Restaurant.
- (b) Fast-food outlets.
- (c) Shops.
- (d) Entertainment facilities.
- (e) Petrol filling station.
- (f) Picnic area.
- (g) 50-bed Lodge.
- (h) M6 Toll Museum, exhibiting some of the archaeological finds along the route.

Archaeologists excavated more than 40 sites of historical interest. Evidence of early settlements were found, particularly outside Sutton Coldfield, from the bronze & iron ages.

It was estimated approximately 70,000 cars per day would use the M6 Toll and it was anticipated motorists would save approximately 45 minutes off their journey times during the rush hour, compared to the M6.

The motorway crosses 3 counties, acres of greenbelt and affects two designated 'Sites of Special Scientific Interest'.

The official opening ceremony took place at Weeford on Tuesday 9th December 2003, when the Transport Secretary, Alistair Darling cut the ribbon and pressed the button to set the new toll booths operating. Midland Expressway Limited are based at the

Weeford tolling station, together with a motorway maintenance area and a small Police Station for the Central Motorway Police Group.

The following initial charges were announced for using the M6 Toll:-

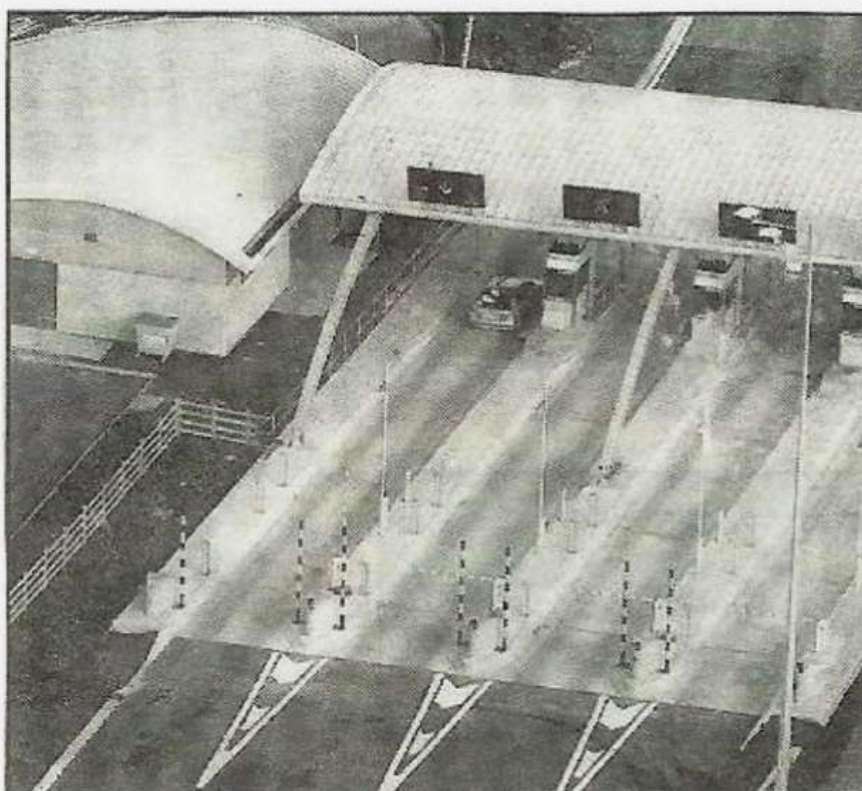
Cars	£ 2.00 peak times. £ 1.00 off peak.
Vans	£ 5.00 peak times. £ 4.00 off peak.
Lorries	£10.00 peak times. £ 9.00 off peak.

The first 10 million motorists qualified, prices were then increased by £1.00 across the range.

MEL were granted a management period of 50 years, before the toll road is placed into the hands of the Government in 2054.



The barriers come up after Alistair Darling presses the button to open the M6 Toll to drivers for the first time.



An aerial view of the Weeford toll booths.



Some of the first vehicles passing through the Weeford toll booths.

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(<http://www2000.org.uk/news>)`*
3. *Sutton Coldfield Observer dated 05/04/2002 & 12/12/2003.*
4. *Sutton Coldfield News dated 24/01/2003 & 12/12/2003.*
5. *Photographs from Keith & Janet Jordan's local history collection.*

CHAPTER 10

PRESENT DAY

Where the cottage originally stood, close to the junction of Weeford Road & Camp Road, is now the motorway embankment.

The following photographs were taken from Weeford Road on the 6th March 2006, looking North. Camp Road can be seen in the foreground.



In the right foreground is the underpass, which takes Camp Road beneath the motorway.

An extensive landscaping schedule was undertaken, which will eventually screen and soften the environs of the motorway. Already the toll road is an accepted part of the area and the events of the past have faded from most peoples memories.



**The arrow points to the approximate former location of the cottage.
New tree planting can be seen on the embankment.**

'Boundary Cottage' has also now receded into history and the site upon which it stood has been buried beneath tons of earth and concrete.

I am, however, happy to have recorded some of its chequered past for anyone who may care to delve into the records.

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