

# **Folkestone & Hythe District Heritage Strategy**

## **Appendix 1: Theme 2b Harbours & Ports – Cinque Ports, Limbs and Connected Towns**

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## **2(b) Cinque Ports**

### **1. Summary**

The Cinque Ports were an arrangement of ports along the Kent and East Sussex coast that provided vital ship service to the Crown from the eleventh century through to the sixteenth century. As a predecessor of the Royal Navy, they were essential in the defence of the realm at sea against foreign attacks or invasion, and also contributed to fleets which were involved in major historical events such as the Hundred Years' War and Spanish Armada. Later known as the Confederation of the Cinque Ports, they were granted a number of privileges and rights in return for their ship service and at their height were amongst the most important ports in England. Two out of the five original Cinque Ports lie within the district, as well as a number of towns that were included in the Confederation as 'limbs'. Whilst the Confederation only exists today in name and as a ceremonial body, it has a long and rich maritime heritage that has largely shaped the nation's seafaring and naval traditions.

### **2. Introduction**

The Cinque Ports (later the Confederation of the Cinque Ports) was a group of five maritime towns in Kent and East Sussex (Hastings, Romney, Hythe, Dover, Sandwich) which were deemed capable of providing ships and men for the military and transportation needs of the Crown. They were active in this capacity between the eleventh and sixteenth centuries, with their importance peaking under the Plantagenet Kings of the twelfth and thirteenth centuries. Each port was granted important legal and fiscal privileges as well as valuable commercial benefits and social status in return for the provision of ships and men (ship service). All of the towns that became Cinque Ports had harbours and fishing fleets, and are often considered as being the predecessors to a standing fleet or as the 'Cradle of the Royal Navy'. Today few of their ancient rights and privileges survive and most have diversified beyond their seafaring origins, however the Confederation continues to promote public awareness of this proud history and the assets relating to this heritage continue to influence the local, regional and national identity.

The origins of the Cinque Ports can probably be traced back as far as the Saxon kings of England, who may have first organised an informal arrangement of the key coastal towns in Kent and Sussex to provide ships and men under the inducement of various rights and privileges. Some historians have even suggested that the Roman Saxon Shore Forts, which defended the southern and eastern coasts of Roman Britain during the third and early fourth centuries AD, may be even earlier predecessors to the Cinque Ports though this cannot be confirmed. It is clear that during the reign of Edward the Confessor (1042 – 1066 AD) this informal arrangement of coastal defence developed and would become the origins for the later formalised Confederation of the Cinque Ports.

Following the Norman Conquest of 1066, William the Conqueror (1066 – 1087 AD) appears to have continued this arrangement of ship service from the strategically well-placed ports in Kent and East Sussex. The substantial constitutional, fiscal and trading privileges granted to the ports continued to be given in return for the furnishing of ships and crew for strictly limited periods of time for the Kings service. The ship service provided by Dover, Sandwich and Romney was recorded in the

Domesday Book (1086 AD) and is further evidence that the arrangement of the Cinque Ports was already established and operating by the eleventh century. Under the Norman Kings the Cinque Ports and the required ship service would become an essential means of defending England's coast as well as maintaining order over the two halves of the Norman realm, England and Normandy. Following the later loss of Normandy in 1204, the ships of the Cinque Ports suddenly became England's first line of defence against a French attack or invasion.

The earliest known charter to the collective Confederation of the Cinque Ports was granted by King Henry III in 1260, though there is much evidence for the ports acting together prior to this. It was also widely regarded that a general charter was less effective than one that was granted to an individual town or port, and so there is evidence of several instances where these individual charters were given even after the first collective grants. In 1111 Henry II granted charters to the original five Cinque Ports (Hastings, Romney, Hythe, Dover, Sandwich), also referred to as the 'Head Ports', as well as to the two 'Ancient Towns' of Winchelsea and Rye. The rights and privileges that were bestowed on the ports were given in return for the supply of 57 fully manned ships for 15 days a year with each port fulfilling a proportion of this duty. The privileges that the towns and ports enjoyed as a result included:

- Exemption from tax and tolls,
- Self-government,
- Permission to levy tolls,
- Punishment of those who shed blood and flee justice,
- Punishment of minor offences,
- Ability to detain and execute criminals both inside and outside the port's jurisdiction,
- Punishment for breaches of the peace,
- Possession of lost goods that remained unclaimed after a year, goods thrown overboard and floating wreckage.

The leeway that was given to the Cinque Ports which resulted in a level of turning a blind eye to certain misbehaviours led to issues such as smuggling and involvement in piratical activity. Whilst smuggling and piracy were common practices elsewhere, given the status of the Cinque Ports their involvement in such activities became an embarrassment to the Crown.

By the 1150s it appears that a formalised Confederation of the Cinque Ports was well on its way with its 'Court of Shepway' established providing a basis for the joint organisation to emerge over the next 150 years. Between 1150 and 1350 the Cinque Ports were at the height of their influence, and the ship service that they could provide was of marked importance in the defence of the realm as well as in trading activity. At their peak, the five Head Ports and two 'Ancient Towns' were also joined

by a large number of additional towns and villages as 'limbs' connected to the Head Ports. Head Ports often found it difficult to fulfil the required number of ships and men as part of their obligations of ship service to the Crown, and so they enlisted the assistance of smaller ports and towns which became known as limbs or connected towns. In return for this support, the limbs and connected towns shared some of the privileges of the Head Ports as well as their protection. At different times, the towns and villages shown in the table below acted as limbs or members of the Cinque Ports, and those shown in bold are still members of the Confederation today.

<b>Head Port/Ancient Town</b>	<b>Limbs/Connected Towns</b>
<b>Hastings</b>	Bulverhythe
	Northeye
	Pevensey
	Hydneye
	Seaford
	Guestling
	Petit Iham
	Bekesbourne
	Grange
<b>Winchelsea</b> (originally itself a limb of Hastings)	
<b>Rye</b> (originally itself a limb of Hastings)	<b>Tenterden</b>
<b>New Romney</b>	<b>Lydd</b>
	Old Romney
	Dengemarsh
	Oswaldstone
	Broomhill
<b>Hythe</b>	West Hythe
<b>Dover</b>	<b>Folkestone</b>
	<b>Faversham</b>
	<b>Margate</b>
	St Johns
	Goresend
	Birchington
	Woodchurch
	St Peters
	Ringwold
	Kingsdown
<b>Sandwich</b>	<b>Deal</b>
	<b>Ramsgate</b>
	Brightlingsea
	Fordwich
	Sturry
	Walmer
	Stonar
	Sarre
	St Nicholas
	Reculver

## Development of the Confederation of the Cinque Ports

### *Yarmouth Herring Fair*

An important factor in the development of a more formal Confederation with common institutions arose from the need to regulate the lucrative **Yarmouth Herring Fair**. During the medieval period, herring was a staple food throughout Europe and the economic value of controlling a substantial element of this important trade would have been significant. The Yarmouth Herring Fair was one of the most important trading fairs of medieval Europe, and lasted from the end of September through to mid-November. Every year hundreds of fishermen were lured to the sandbanks by the bait of large catches and lucrative trade. In the early days of the Fair, there was freedom to all to catch, sell and buy herrings at Yarmouth, and so it quickly grew in popularity and importance. Great numbers of fishermen began to travel to the Fair from across the world; places such as France, Holland, Italy and Scandinavia.

The fishermen of the Cinque Ports had long been accustomed, from at least Saxon times, to following the herring shoals on their annual migrations through the English Channel and southern North Sea. Early royal charters to the Cinque Ports confirmed their customary right to land and dry their nets on the shores at Great Yarmouth (known as *Den and Strand*). This also entitled the portsmen of the Cinque Ports to land their ships at Great Yarmouth during the herring season without paying a fee, and to act in the administration of the Herring Fair. Their responsibilities included the sounding of the 'Brasen Horn of Saylence' at the opening of the Yarmouth Herring Fair, a sixteenth century example of which survives and is currently kept at New Romney. The Cinque Ports continued to send representatives each year to share in the governance of the town during the Fair from the eleventh century through to the early seventeenth century.

Conflict began to build between the townsmen and the portsmen who were merely viewed as visitors to the town who only stayed a short time before leaving again. Resentment over the rights granted to the portsmen during the Herring Fair grew, and with the ever growing influx of people from various nationalities the preservation of order became increasingly difficult. The need to defend and manage the vital herring economic interest at Yarmouth led directly to the development of the *Court of Brodhull*, which meant that the Cinque Ports were granted the right to appoint two bailiffs to control the Herring Fair.

Yarmouth continued to prosper, but when the fortunes of the Cinque Ports began to wane by the late fourteenth century due in large to changes in their coastlines which led to costly battles against silting and erosion, the scales of power tipped in Yarmouth's favour. The Cinque Port Barons continued to attend the Fair for many years, their banner was still carried through the streets of Yarmouth and the 'Brasen Horn of Saylence' was still sounded to proclaim the Fair open. The visiting Barons were often provoked or obstructed by the townsmen, but by the time of Elizabeth I's reign relations seemed to have calmed. An offer was allegedly made from the Cinque Ports for Yarmouth to join their Confederation; however there is no official record of this ever being put into practice. By the Elizabethan period the visit of the Cinque Port Barons had become largely ceremonial and was more of a social occasion. By 1662 the Barons stopped attending the Fair and the often confusing power that they had held in Yarmouth effectively came to an end.

### ***Honours at Court and other privileges***

Another factor in the development of a more formal collective Confederation was the need to make detailed arrangements for the infrequent but significant *Honours at Court* that are known to have been in existence from at least 1141. The 'Barons of the Cinque Ports' were granted the privilege of providing and bearing canopies over the King and Queen during the Coronation procession to Westminster Abbey. This privilege still exists today but is solely honorary in nature. The barons were also given the honour of dining at the King's right hand during the subsequent banquet at Westminster Hall.

All freemen of the Cinque Ports, termed 'portsmen', were deemed in the age of Feudalism to be Barons, and thus were members of the Baronage entitled to attend the King's Parliament. Known as the 'Barons of the Cinque Ports', they reflected an early concept whereby military service at sea constituted land tenure *per baroniam* making them quasi feudal Barons. The existence of common seals of the barons for individual ports suggests that they later formed a corporation. The seals were designed to affix to charters and legal documents which bound them as a single body. Over the course of the Cinque Ports existence, the warden and barons have often clashed over jurisdiction. By the twenty-first century the title of 'Barons of the Cinque Ports' is now reserved for Freemen that are elected by the Mayor, Jurats and Common Council of the Ports to attend a Coronation at which they hold the canopy over the new monarch.

As has already been mentioned, the portsmen enjoyed a number of other rights and privileges in return for their ship service to the Crown. These varied over time and from one port to the other according to the particular charter. The rights and liberties that were most often granted included:

- Freedom from a wide range of taxes and tolls;
- Freedom from *fifteenths* and *tenths* (national taxes levied by the Crown);
- The right to *withernam* – if a portsman was owed a debt by the resident of another town, or if he was unjustly charged a toll or levy elsewhere, a warning letter was sent to the offending town and repayment was demanded within 15 days. If redress was not forthcoming, the next visitor from that town would be arrested and following a hearing was sent home with a notice of judgement against his townspeople. If that too did not work, then the next traveller from the offending town was liable to be detained and his goods confiscated and sold to cover the outstanding debt. The Court of Brodhull would sometimes issue a *general withernam* so that sums could be collected in this way from across the whole territory of the Cinque Ports;
- Freedom from pleading in their own courts of law.

### ***The Courts of the Cinque Ports***

Amongst the many privileges of the Cinque Ports, the portsmen enjoyed freedom from the jurisdiction of external courts of law. Apart from the towns own local courts which dealt with criminal offences and civil disputes between their townsfolk,

increasingly courts developed with jurisdiction across the whole territory of the Cinque Ports.

The **Court of Shepway** is often considered as the earliest of these common courts and is shown to have been in existence by 1150. It was a royal court which was primarily intended as a means of bringing the Cinque Ports under the control of the King's representative, the **Lord Warden**. The creation and appointment of the Lord Warden by the Sovereign was instituted primarily after the portsmen had sided with the Earl of Leicester against Henry III during the Second Barons' War (1264 – 1267). It was intended as a way of providing some central authority over the Cinque Ports which were essentially independent of the King's sheriffs. The Lord Warden presided over the Court of Shepway which also included representatives of the ports who acted as judges.

The Court dealt with both civil and criminal cases in addition to other administrative functions which included in later years matters relating to ship service. For many years the main business of the Court of Shepway was the formal installation in office of new Lord Wardens, a position that exists today as an honorary title. It is believed that the Court originally met at a place on Lympne Hill to the west of Hythe and is marked today by the **Shepway Cross** which is designated as a Grade II Listed Building. The Cross was a gift from the then Lord Warden and Admiral Earl Beauchamp in 1923 and erected on land donated by the owner of Lympne Castle. It is a war memorial which is dedicated to the bravery of the men of the Cinque Ports and serves as a reminder of their historic contributions to the defence of the realm.

Through most of the seventeenth and eighteenth centuries the new Lord Wardens were installed at the *Bredenstone* or '*Devil's Drop of Mortar*' on the Western Heights overlooking Dover. Most of the Bredenstone was destroyed during the construction of the Drop Redoubt in 1779, but a small piece of the foundations were later excavated and preserved and served during three further installation ceremonies, the last being that of Earl Beauchamp in 1914. Since then, the Court of Shepway has met on the site of the ancient Priory of St Martin in the grounds of the Dover College.

The rules for summoning the Court of Shepway and its procedures were cumbersome, and so it became an increasingly unsatisfactory way of administering justice. In 1267 the position of Lord Warden was combined with the office of **Constable of Dover Castle**, and the Lord Warden then attempted to use this new office and extend the jurisdiction of the **Court of Castle Gate** which had originally been established to deal with cases concerning the Castle garrison. Strictly speaking the Castle was outside the liberty of the Cinque Port of Dover, and so the portsmen soon complained that they were being subjected to the jurisdiction of a 'foreign' court. As a result, during the fourteenth century the Lord Warden established a new court, the **Court of St James**, which sat within the town of Dover though was still close to the Castle. The new Court gradually took over the caseload from the older Court of Shepway, though by the sixteenth century the Court of St James was largely restricted to special royal cases and appeals from the local town courts. The jurisdiction of the Court of St James was ultimately abolished in 1855 by the Cinque Ports Act.



The Lord Warden also holds the office of **Admiral of the Cinque Ports** with a maritime jurisdiction that extends into the middle of the English Channel from the Sussex shoreline and around to Essex. The **Admiralty Court of the Cinque Ports** dealt with a range of crimes including piracy, claims of salvage and disputes arising from collisions at sea. The court would be held in the town from which the case arose and would often take place in the open air or on the seashore. In the case of bad weather, the local church would be used. For example, in 1381 the Admiralty Court sat in St Lawrence's Church of New Romney for two and a half days. The Dover Admiralty Court also had a wider role across the ports and received returns from other local inquests by the Admiralty Court, punishing local offenders presented by the local courts and handling more general enquiries. The Court continued to sit regularly until around the outbreak of the First World War in 1914.

The traditional symbol of an Admiral's authority is a ceremonial mace in the form of an oar. Such oar-maces probably represent the steering oar of early vessels such as thirteenth century cogs. The original admiralty oar of the Cinque Ports was made by a London goldsmith in around 1660 and was one of the earliest surviving examples. It would have been placed in front of the judge whilst the Admiralty Court was in session. However, this seventeenth century oar was stolen during the 1960s and has never been recovered. The Confederation of the Cinque Ports commissioned a modern replacement for the installation of HM Queen Elizabeth the Queen Mother as Lord Warden in 1979. This new oar is still used on ceremonial occasions today.

The **Court of Lodemanage** was responsible for the regulation of pilotage in Dover and dates from at least the fifteenth century. The Lord Warden effectively acted as a chairman of a sort of guild that was originally formed by the local Dover pilots in order to protect and regulate their profession. The Court also met in the St James's Church in Dover, and their jurisdiction was eventually extended to the whole of the East Kent Coast. The Duke of Wellington was Lord Warden from 1828 to 1852 and took a particular interest in the Cinque Ports' pilots. He resisted proposals to transfer their regulation to Trinity House of Deptford Strond, but shortly after his death this ultimately took place.

There were also the **Courts of Brotherhood and Guestling** relating to the Cinque Ports. The **Brodhull** (as the Brotherhood was formerly known) comprised representatives from each of the five Head Ports and was established by the ports themselves to preside over the **Speaker of the Cinque Ports** independent from the Lord Warden. It is believed that the Brodhull originates from around the same time as the Court of Shepway, but it only assumed its significance as the main decision-making assembly during the fourteenth century when it sat at New Romney. The term *Brodhull* was probably the name of a place that was close to modern Dymchurch and would have been the original meeting place for the Court. *Brotherhood* is therefore likely to be a corruption of this earlier name.

The primary duties of the Brodhull included the appointment of bailiffs to supervise the Yarmouth Herring Fair, defending the common privileges of the ports and making arrangements for the exercise of Honours at Court. From the fourteenth century, the appointment and allocation of ship service between the various ports was also under its administration.

The **Guestling** appears to have been in existence by 1388 though may have been established earlier during the twelfth century. It was originally the meeting of the three Sussex ports (Hastings, Winchelsea and Rye) to consider matters of mutual interest. It is likely that the name was derived from the original meeting place; the village of Guestling which sits between Hastings and Rye and exists to this day. The advantages to this arrangement became clear to the neighbouring Kentish ports that from the fifteenth century held similar meetings with their limbs. By the end of the sixteenth century, the two Guestlings were combined and met later on the same day as the Brodhull.

From the latter half of the nineteenth century the Brodhull and Guestling were combined as a single **Court of Brotherhood and Guestling**, and continue as such to the present day. All current member towns of the Confederation, including the surviving limbs, have equal voting rights at the Court which is convened infrequently for primarily ceremonial purposes. The last occasion was in 2002 when the Court marked the death of the previous Lord Warden, HM Queen Elizabeth the Queen Mother and the Golden Jubilee of HM Queen Elizabeth II. Since 1902 the administrative business of the Confederation has been handled by a Standing Joint Committee which meets at least once a year and again for which all surviving member towns, including limbs, have equal voting rights in. The surviving minutes of the Courts of Brotherhood and Guestling from 1432 to 1955, known as the 'White and Black Books of the Cinque Ports', are kept at the Kent County Archives in Maidstone. The current volume is held on behalf of the Confederation by the New Romney Town Council.

### ***The height of the Cinque Ports***

The Cinque Ports were at their height during the period 1150 to 1350. They provided a vital means for the protection of the realm at sea, and the value of their ships and crew in this service was particularly marked with the loss of Normandy in 1204. The ship service provided helped to suppress piracy and on occasion aided in the transportation of soldiers. During the reign of the Plantagenet Kings, the Cinque Ports were important in supporting war efforts as well as providing a first line of defence for the country in case of invasion or attack. At times, some 30 'limbs' were attached to the Head Ports and they stretched from Seaford in the west to the Essex port of Brightlingsea in the north.

The distinctive heraldic emblem of the Cinque Ports is the front half of the three lions of England on a red background joined with three ships on a blue background which symbolises the port's ship service to the Crown. This heraldic device almost certainly originated between 1194 (when the three lions were adopted as the arms of the English Kings) and 1305 when the port's arms featured on a common seal used by the town of Dover. It is impossible to date the origins precisely, but evidence suggests that they were granted by Edward I during the final decade of the thirteenth century.

There are some variations of the arms, such as whether the ships hulls should be coloured gold or silver. The earliest evidence of the arms is taken from official seals, but these do not show colouring so are little help. Most evidence points to the ships being gold, such as a surviving banner which was commissioned for the Yarmouth Herring Fair in 1632. It is likely that these would have depicted the correct colouring

as protocol would have been strictly followed. Some evidence for the silver ships is derived from descriptions of the arms by certain member towns during the fifteenth and sixteenth centuries. However, this may have been in an effort to distinguish themselves from the arms that was used by the Confederation as a collective and so may not be entirely reliable. Other towns went further, such as Hastings which shows the arms with a complete gold lion as the middle charge.

### ***The Cinque Ports decline***

The influence of the Confederation of the Cinque Ports began to wane by the fourteenth century. This decline can be attributed to a number of different circumstances including the physical changes to the coastline and its harbours as well as changes in methods of naval warfare. Whilst the Cinque Ports had survived a number of raids by the Vikings and French in their earlier years, a number of natural disasters caused irreparable damage to the ports and their ability to provide ship service. Bouts of plague during the fourteenth century diminished populations, and other towns such as Hythe experienced further losses to extensive fires in 1400. The most devastating factor was the silting of harbours and the withdrawal of the sea which undermined a number of the Cinque Ports and their limbs or connected towns. This is particularly true of Hythe and New Romney, the former becoming gradually silted by the sixteenth century and the latter becoming landlocked following the Great Storm of 1287.

Changes in naval warfare and the introduction of naval artillery led to a need for larger ships. From the fourteenth century, the ports were allowed to provide fewer ships on the condition that each ship provided was manned by a larger crew of 42 men and were capable of carrying double the amount of goods and equipment. Other larger ports began to rise that were able to accommodate larger ships such as Southampton and Bristol. Eventually fishing vessels were replaced by purpose-built warships, and the size of ships required rendered the harbours of the Cinque Ports obsolete. During the fifteenth century New Romney was still considered as the central port of the Confederation and was also the place of assembly for the Cinque Ports Court. The White and Black Books of the Cinque Port Courts were also kept here which further reflects the towns continued importance despite the decline of its harbour.

By the reign of Elizabeth I (1558 - 1603) the Cinque Ports had effectively ceased to be of any real significance and was absorbed into the general administration of the realm. The last real offensive operation carried out by the Cinque Ports was in the provision of ships for the fleet to meet the Spanish Armada in 1588, although various ships, troops and ship money were requested at times of trouble into the seventeenth century. In 1569 Elizabeth I sanctioned the first national lottery in a bid to raise funds for the declining Cinque Ports.

With the advances in shipbuilding techniques, towns such as Bristol and Liverpool grew and a wider development of other ports such as Gravesend, London and Plymouth as well as the royal dockyards of Chatham, Portsmouth, Greenwich, Woolwich and Deptford further contributed to the decline of the Cinque Ports. The development of the railway network across Britain not only increased the quantity of overseas trade, but also distributed the trade across the new major ports from the eighteenth century. Local Government reforms and Acts of Parliament passed during

the nineteenth and twentieth centuries eroded the remaining administrative and judicial powers of the Confederation which now only remains in name.

### ***Founding of the Royal Navy***

Warships had been used by the English kings from the early medieval period, and the Cinque Ports are often referred to as the 'Cradle of the Royal Navy'. During the sixteenth century, Henry VIII was aware of the growing importance of naval power and began building up his own standing fleet, known as the Navy Royal. Such a large fleet required a more developed administration and so the Navy Board was established. In later years when civil war broke out, the Commonwealth regime created the most powerful and efficient British fleet that had ever been seen. By the time that Charles II came to the throne in 1660 he inherited a huge fleet of around 154 ships. This was the beginning of a permanent and professional Royal Navy as we know it today. Of all the United Kingdom's armed services, the Royal Navy is the oldest and is known as the Senior Service.

### ***The Cinque Ports today***

Today, the Confederation consists of the five original Head Ports, two 'Ancient Towns' and seven limbs; Deal, Faversham, Folkestone, Lydd, Margate, Ramsgate and Tenterden. Local Government reforms and Acts of Parliament passed during the nineteenth and twentieth centuries have largely removed the administrative and judicial powers that the Cinque Ports once possessed, and the Confederation's role is now a ceremonial one. Places of honour are still reserved for the Barons of the Cinque Ports at Westminster Abbey during coronation ceremonies, and the Lord Warden remains an office with great ceremony at Dover.

Only some of the Cinque Ports survive as working ports, such as Dover, which is now a major international cross channel hub. Others, such as Hastings, maintain their historic role as centres for inshore fishing. Many are now unable to operate as a port at all due to extensive silting and becoming landlocked over the years; New Romney, Winchelsea and Tenterden are notable examples of this. It is often difficult to imagine that all of these towns were once amongst the most important ports in England, and that they played a significant and sometimes violent role in the development of the nation's seafaring and naval traditions. However, the Confederation and its ports remain proud of their maritime heritage and the relationship with the Royal Navy. Since 1953 there has been a formal affiliation between the Confederation and one of Her Majesty's ships. The Cinque Ports are currently affiliated with the HMS *Kent*.

## **3. Description of the Heritage Assets**

Two of the five Head Ports for the Confederation lie within the district, as well as several towns and villages which also became members as limbs or connected towns.

### **Hythe**

During the Roman period there was port and fort at Lympne (*Portus Lemanis*) which lie within a sheltered lagoon that was protected by an extensive sand and gravel bank. The bank was itself the site of *Sandtun* which is believed to have been a seasonal trading port and fishing settlement that was probably a predecessor for Hythe during the middle to late Saxon period. Evidence suggests that the settlement

moved westwards first to West Hythe and then to Hythe which by the late middle Saxon period was an important sea port and became one of the five original Cinque Ports. In 1086 Hythe was recorded in Domesday as a borough with a probable population of between 900 and 1200 people. It must have had a substantial harbour and fishing fleet as there were at least two churches serving the local community; St Leonard's and St Mary's. By this time a medium-sized market was also likely to have developed, and in 1155 Henry II confirmed the borough status of Hythe with the privileges of the Cinque Ports.

In 1111 Henry II had granted charters to the original Cinque Ports and the two 'Ancient Towns' of Winchelsea and Rye which gave them rights and privileges (as detailed earlier) in return for the supply of 57 fully-manned ships for the King's use (ship service). A copy of a charter made by Edward I that sets out the port's privileges and obligations as contained in earlier charters is on display at Hythe's public library. The Head Ports often found their obligations for ship service difficult to fulfil and so enlisted the help of smaller ports which became known as 'limbs'. West Hythe was Hythe's only limb and was a non-corporate member of the Confederation.

In 1229 Hythe is recorded as providing five ships, each with a master and crew of twenty men for up to fifteen days per annum. Later in 1345 Hythe again provided six ships with 112 men in order to assist Edward III in his siege of Calais. In 1400, disaster struck the town when a serious fire destroyed 200 houses, whilst at about the same time the town also lost five ships at sea along with around 100 seamen. As a result the townsfolk petitioned Henry IV to allow them to abandon Hythe and to settle further along the coast. Although this request was refused, the King did exempt Hythe from ship service for five years though this had to be extended. After 1414 Hythe appears to have been unable to ever again provide full ship service and instead had to increasingly turn to hiring ships from other ports such as Smallhythe in order to fulfil its obligation to the Crown.

By the beginning of the sixteenth century Hythe was declining as a port as its harbour and access to the sea were becoming blocked. In 1556 Hythe is recorded as having no ships large enough for ship service, and so in 1588 when Hythe was ordered to provide a ship to join the fleet against the Spanish Armada, the town had to hire the *Grace of God* whilst preparing twelve small fishing boats with light arms to fulfil their obligation. This is the last real offensive operation carried out by the Cinque Ports, although various ships, troops and ship money were requested at times of trouble into the seventeenth century.

Local Government reforms and Acts of Parliament passed during the nineteenth and twentieth centuries have gradually eroded the administrative and judicial powers of the Cinque Ports, though the Confederation still survives in a largely ceremonial and honorary capacity. Since 1953 there has been a formal affiliation between the Confederation and one of Her Majesty's ships; this is currently with the HMS *Kent*. Hythe's status as a Cinque Port and continued member of the Confederation remains as a proud part of the town's history, and continues to shape its local as well as national identity today as an important maritime town along the coastline.

## **New Romney**

The formation of the Romney Marsh is a complex history of land reclamation and accumulation which began around 5000 years ago. New Romney was founded on a shingle spur which probably began to form during the late Neolithic period. Between 5000 BC and 500 AD a long shingle spit accumulated due to longshore drift and was deposited between Hastings and Hythe. A barrier developed, and behind this salt marshes were created through silting by waterways from the Weald. These waterways would eventually merge to form the river Limen (later the Rother). Sometime between 450 and 700 AD the shingle barrier was breached by the sea which created a wide marine inlet and an outlet for the Limen between Dymchurch and Lydd. By the mid-eighth century a shingle spur on the north-eastern side of this inlet was occupied by a small settlement which appears to have consisted of fishermen's huts and an early church, St Martin.

Many arguments have been made for New Romney as a resettlement of its predecessor at Old Romney; however this is now widely disputed. Recent field work and documentary study suggest that rather than being successive settlements, there was a scattered village concentrated around the surviving church of St Clement (Old Romney) and the Romanel of Domesday Book was situated close to the Saxon church of St Martin (New Romney). It is uncertain when the settlement at New Romney began, but the oratory and fishermen's houses are referred to in the charter of 741 AD. The settlement must have then grown in size and importance, and by the reign of Edward the Confessor the town and port had become well established and began supplying ship service to the King as one of the original five Cinque Ports.

As detailed above, in 1111 Henry II granted charters to the original five Cinque Ports and the two 'Ancient Towns' of Winchelsea and Rye, giving them various rights and privileges in return for the supply of 57 fully-manned ships for the King's use (ship service). The Head Ports often struggled to fulfil this obligation, and so enlisted the help of smaller ports and towns which became known as 'limbs'. In 1155 Lydd was established as a corporate member (limb) of New Romney who also had four non-corporate members; Old Romney, Dengemarsh, Oswaldstone and Broomhill. In 1278 Edward I's Great Charter demanded that New Romney and Old Romney should provide four ships and Lydd one ship, and then in 1364 Edward III confirmed the details and privileges of the 1111 charter. The Confederation of the Cinque Ports continued to see much action during the thirteenth century wars with France and against rising levels of piracy. However the Great Storm of 1287 had almost completely destroyed the town and port of New Romney, and by 1351 it was unable to fulfil its quota of ship service and for a time lost its privileges as a Cinque Port.

By the twelfth century the course of the river Limen had begun to silt up, and then when the shingle bank near Winchelsea was breached early that century, that gap became the river's outlet to the sea. New Romney lost its riverine connection with the Weald, and so the Rhee Wall (canal) was constructed in order to connect New Romney with the river Limen south of Appledore. Whilst the Rhee Wall did prove valuable in protecting parts of the Marsh against storms and flooding, reports suggest that it often became blocked and there were many attempts to remedy this through the construction of sluices.

The thirteenth century saw a number of particularly ferocious storms battering the southern British coast. The Great Storm of 1287 was especially devastating for New Romney when its sea defences were breached and the storm then destroyed some areas of the town whilst also depositing large amounts of sand and shingle across large parts of the settlement, completely blocking the Rhee Channel and the harbour. The storm defences were subsequently repaired and the Rhee Channel was opened up again, but serious silting continued during the second half of the fourteenth century. Several records indicate that clearances were attempted in the 1380s, 1406, 1409 and 1413. Despite these efforts, the Rhee Channel ultimately dried up and by 1427 had been let out to pasture. The sea continued to retreat from New Romney which was now landlocked, and by the reign of Henry VIII New Romney could no longer act as a port and was 1.5km from the sea.

When New Romney and Lydd were required to provide a ship of 50 tons to join the fleet against the Spanish Armada in 1588 they had to hire the John of Chichester from elsewhere. This was the last real offensive carried out by the Cinque Ports, although various ships, troops and ship money were requested at times of trouble into the seventeenth century. Local Government reforms and Acts of Parliament passed during the nineteenth and twentieth centuries have gradually eroded the administrative and judicial powers of the Cinque Ports, though the Confederation still survives in a largely ceremonial and honorary capacity. New Romney remains a member of the Confederation and its legacy as a Cinque Port is still an important part of its local and maritime heritage. Various assets relating to this heritage are also kept at New Romney, including the sixteenth century 'Brasen Horn of Saylence'.

The site of New Romney's medieval harbour has still yet to be confirmed, although some evidence has been found during programmes of digging and archaeological excavation in more recent years. It is believed to have been located south of St Nicholas church where a slope in the ground level may reflect the old shore line. In 1950 a workman digging new foundations for a bridge to carry Church Lane across the Main Sewer discovered the remains of timber beams of a wharf which had once stood near the churchyard at St Nicholas. Later in 2001 excavations on the site of Southlands School in Fairfield Road provided further evidence for the location of the harbour. The discovery of clenched nails also indicates that shipbuilding or ship repairing took place here.

Between 2004 and 2008 a scheme of archaeological works was undertaken during the installation of the First Time Sewerage Scheme throughout the town. Despite detailed investigation during this scheme, evidence for formalised 'harbour' facilities remain scant and are limited to a few finds such as wooden piles, sediment deposits and the remains of possible related wooden structures. Evidence for shore based activities as mentioned in historical sources was also found, and it is clear that ship-breaking and probably repair or construction of clinker built vessels was going on at New Romney. The current Fifth Continent Landscape Partnership Scheme includes a project entitled The Hunt for Romney Port which will utilise documentary evidence to locate and understand the medieval harbour through archaeological evidence.

## **Lydd**

Lydd stands on part of the shingle, sand and clay barrier which, as explained above, began to develop around 5000 years ago as a result of longshore drift. By the

Romano-British period Lydd was situated on a peninsula which was almost an island at the south-east end of a large inland lagoon that was fed by the rivers Limen (later Rother), Brede and Tillingham. Finds including Roman coins and pottery from Lydd indicate that this site was occupied at this time probably by salt workers and fishermen initially seasonally but was soon permanently occupied. Following the late Roman period rising sea levels probably caused a change in the course of the river Limen where the shingle barrier was breached and a new maritime inlet was formed north-west of Lydd, much to the settlements advantage. Occupation seems to have continued more or less continuously from the Roman period onwards.

Lydd's incorporation as a Cinque Port corporate 'limb' to New Romney in 1155 suggests that there was a fairly substantial community there by this time. Its economy is likely to have been largely dependent on fishing, stockbreeding, arable farming and salt production. Its commitment to the Cinque Ports fleet was fixed at one of New Romney's five ships for ship service which was given in return for a number of freedoms and privileges that came from being an incorporated member. The Great Royal Charter of Edward I in 1278 states that Romney was to provide four ships and Lydd to provide one. Lydd may also have become a 'quasi-borough' around this time.

During the thirteenth and fourteenth centuries the Confederation of the Cinque Ports saw much action in the wars with France as well as against rising levels of piracy. However, it was also at this time that the ports of Lydd and New Romney were becoming blocked. The storms of the thirteenth century were especially devastating. By the time of the last real offensive carried out by the Cinque Ports in 1588 against the Spanish Armada, neither Lydd nor New Romney had a port. They were asked to provide one ship which they ultimately had to order from elsewhere. Lydd only paid a fifth of this cost even though at this time it was three times wealthier than New Romney. Today Lydd is still a member of the Confederation as a limb of New Romney.

### **Folkestone**

Folkestone has Saxon ecclesiastical roots and by the medieval period had a market and important fishing industry. By the middle of the twelfth century King Stephen granted the same privileges to Folkestone as were enjoyed by the Cinque Port of Dover. From then onwards Folkestone appears to have been treated as a 'limb' of Dover, although it was not formally acknowledged until 1313 when it acquired its Charter of Incorporation. In 1299 Folkestone was required to provide seven ships, each with twenty men, to Dover but it seems never to have been wealthy enough to have provided more than one ship at any one time. In 1299, evidence suggests that a sailing vessel with a master and twenty-four men served with the fleet for eighteen days.

Folkestone was disadvantaged as a Cinque Port, primarily because it didn't have a sheltered haven in the Middle Ages, and would not have a formal harbour until the nineteenth century. Ships had either to be drawn up on the beach, known as the Stade, which exposed them to storms from the north-east, or berthed on the banks of the Pent Stream. Vessels were often damaged, and by the sixteenth century the beach was becoming more exposed with shingle banks and even houses being swept away by the tides and during bad weather. In 1540 Henry VIII made plans for



harbour installations and defences at Folkestone, however these plans were never realised and attention moved to Dover. In 1580 Folkestone was called upon to provide 135 foot soldiers against a possible invasion, and then in 1586 it supplied 4 vessels, 9 masters and 35 mariners for the war against Spain. Today Folkestone is still a member of the Confederation as a limb of Dover.

#### **4. Statement of Significance**

Whilst the Confederation of the Cinque Ports today exists in a primarily ceremonial capacity and has lost its former administrative and judicial powers, it still represents a proud chapter in the history of this country's seafaring activity and naval traditions. Its legacy goes back as far as the Saxon kings of England and is important as a predecessor to the British Royal Navy. At its height, the Confederation included the five original Head Ports, two 'Ancient Towns' as well as a number of limbs who collectively provided a vital service for the defence of the realm. The Confederation members today continue to promote public awareness of this proud history, and the assets relating to this heritage continue to influence the local, regional and national identity. As a result, the heritage relating to this theme has been assessed as being of **considerable significance**.

##### ***Evidential Value***

There is a high potential for future archaeological investigation at New Romney and Hythe to yield important evidence relating to the assets from this theme. At New Romney in particular very little archaeological evidence exists for the medieval harbour which at one time would have been well established and providing the Crown with ship service as one of the five original Cinque Ports. Only a few limited archaeological investigations have been undertaken within the town and its immediate surrounding areas to date. However, various service trenches within the town have revealed up to 1m of sand and shingle over large areas of the town as residue from the Great Storm of 1287. There is a high potential for surviving buried remains beneath this layer of storm deposits which could relate to the medieval harbour as well as to other structures within the pre-1287 town. There are also waterlogged deposits which survive on the south side of Church Road which again suggest potential for further surviving remains of the medieval harbour. As part of the current Fifth Continent Landscape Partnership Scheme, a community archaeology project is being undertaken with the aim of finding archaeological evidence of the harbour.

As with New Romney, only limited archaeological investigation has so far been carried out at Hythe, and so little is known about the extent of surviving sub-surface deposits. The harbour area has been completely blocked since the sixteenth century and has since been developed. However, there is potential for archaeological remains relating to the development of the medieval port if surviving areas of intact medieval and earlier stratigraphy can be located.

##### ***Historical Value***

The historical value of these sites is significant in illustrating major historical events relating to maritime activity, warfare and traditions going back to the eleventh century. The origins of the Cinque Ports can be traced back as far as the Saxon kings of England, with the height of their influence being between 1150 and 1350. During this time as well as afterwards, the ports provided important ship service for

use by the Crown in various major campaigns against foreign powers such as the French during the Hundred Years War (1337 – 1453). The last real offensive action taken by the Cinque Ports involved the provision of ships and men for the fleet against the Spanish Armada in 1588. This past role provides strong links to major historic events, primarily during campaigns by the English Crown against other European powers at the time. The Cinque Ports also highlight the changes in naval warfare and shipbuilding which ultimately contributed to their decline.

The Cinque Ports are also often credited with being the predecessors to the Royal Navy, and fulfilled the vital role of the defence of the realm at sea before a standing fleet had been established during the sixteenth and seventeenth centuries. Their affiliation with the Royal Navy continues today, and the Confederation and its heritage represent an important chapter in the development of an organised and efficient standing fleet. The ceremonial role that the Confederation fulfilled, such as bearing a canopy over the Kings and Queens of England during their Coronation ceremony at Westminster Abbey, provides further important links to historic traditions and privileges that were awarded to the major English ports of the time. Some of these ceremonial privileges and offices of the Confederation still exist today and is further evidence for the historic importance of the Cinque Ports.

### ***Aesthetic Value***

Many of the Cinque Ports have diversified beyond their seafaring origins, with most no longer able to act as ports such as New Romney and Hythe. However, there are still visible assets that relate to their maritime heritage which provide a link to this important legacy. These include assets such as a copy of the charter made by Edward I that sets out the port's privileges and obligations as contained in earlier charters which is on display at Hythe's public library. The Common Seal of the Barons of Hythe is a further reminder of the important maritime role that the town once played as one of the five original Cinque Ports. Other public events such as the annual Speaker's Day Parade, which was hosted at New Romney in 2014, further raises the profile of not only the host town but also of the Confederation and its rich maritime heritage and ceremonial role. If evidence of the medieval harbours at towns such as Hythe and New Romney could be uncovered in the future, this would make further contributions to the aesthetic value of the assets from this theme.

### ***Communal Value***

The communal value of the Cinque Ports and their related assets is high due to the ceremonial and historic value that is still placed on the Confederation and its remaining members. Whilst some of the towns are no longer able to act as ports, such as New Romney and Hythe, their maritime heritage is highly valued by the local communities and is important to the local character and identity. The Confederation also continues to promote public awareness for the proud history and seafaring traditions of the communities which played an important role in the early development of Great Britain as a naval and economic power.

## **5. Vulnerabilities**

The Cinque Ports within the district have been particularly vulnerable to a number of natural processes such as coastal erosion and silting. The evolution of the Romney Marsh coastline over many centuries in addition to harsh weather and coastal conditions has left towns landlocked and harbours completely blocked. This is

especially true of New Romney which became landlocked following the extensive deposition of silt and sand during the Great Storm of 1287. Despite many attempts to clear the harbour, New Romney was no longer able to act as a port by the reign of Henry VIII and was approximately 1.5km from the sea. This was also true at Hythe which had begun silting to such an extent that by the sixteenth century its harbour and access to the sea were also blocked. These natural processes contributed a great deal to the ultimate decline of the Cinque Ports from the fourteenth century, and the loss of their harbours.

Where these natural processes have been particularly extensive, little evidence now remains of the original harbours. For example, little is known of the medieval harbour at New Romney and only future archaeological work will be able to bring to light physical remains. This is needed in order to enhance understandings not only about the harbour itself, but also about the growth and development of the town and communities that operated around the harbour. It would also provide important evidence for one of the original five Cinque Ports.

The assets which survive that relate to this theme are vulnerable to criminal action such as theft. For example, the seventeenth century admiralty oar of the Cinque Ports was stolen during the 1960s and has never been recovered. Efforts should be made to best preserve and protect those assets that survive relating to the Cinque Ports in order to preserve this important heritage.

Another factor to consider is new development which puts assets from this theme at risk. Where harbours have fallen out of use or become inundated, the area may be developed for an alternative use such as housing. The medieval harbour at Hythe, which was blocked by the sixteenth century, has now been developed for housing leaving little evidence of its original function. Another example includes Dengemarsh which was once a non-corporate Cinque Port 'limb' to New Romney before falling out of use and eventually being built on as part of the Lydd ranges for the Second World War. Development puts the heritage from this theme at risk of being lost or obscured so that its original historic function and significance can no longer be appreciated.

## **6. Opportunities**

There are important opportunities relating to the assets from this theme primarily concerned with the potential for future archaeological work and community archaeology projects. Limited archaeological investigation has been undertaken to date at the Cinque Ports within the district. However, there is significant potential at sites such as New Romney for the survival of buried remains relating to the medieval harbour which would greatly enhance understandings about the development of the medieval town and its role within the Confederation.

Future archaeological work could also present valuable opportunities for community archaeology. This will not only engage the local communities with their Cinque Port heritage, but also provide opportunities to enhance the sense of place as well as bringing the community together to take ownership over their local heritage. This is important not only for the social wellbeing of the community, but also for the ongoing promotion, investigation and protection of this important heritage.

## 7. Current Activities

The Fifth Continent Landscape Partnership Scheme, which will deliver a number of projects relating to the Romney Marsh between 2017 and 2020, includes a programme entitled *The Hunt for the Romney Port*. This project will bring together archaeological professionals and members of the local community to work towards finding archaeological evidence for the port of Romney. Documentary evidence suggests that New Romney was an important medieval port though actual evidence of its exact location and form remain sparse. Archaeological evidence of the port would greatly enhance the understanding of the historic development of New Romney and its surrounding communities, as well as providing a unique opportunity for community archaeology.

The Confederation of the Cinque Ports continues in a ceremonial role, for example places of honour are still reserved for the Barons of the Cinque Ports at Westminster Abbey during coronations, and the Lord Warden remains an office with great ceremony at Dover. Since 1953 there has been a formal affiliation between the Confederation and one of Her Majesty's ships; this is currently with the HMS *Kent*. The Confederation and its ports continue to promote public awareness of its proud history and relationship with the Royal Navy. Assets relating to this heritage also continue to influence the local, regional and national identity. The rich maritime heritage of the towns is also promoted by local heritage groups such as the Hythe Local History Group and New Romney History Society.

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