

GERRARDS CROSS COMMON BYELAWS

made under Section 10 of the Commons Act 1899 by

SOUTH BUCKS DISTRICT COUNCIL

In pursuance of a scheme made by Eton District Council on the 9th June 1914 and approved by the Ministry of Agriculture and Fisheries under the provisions of the Commons Act 1899 with respect to the pieces of land with ponds, paths, and roads thereon commonly known as Gerrards Cross Common in the Parish of Gerrards Cross in the County of Buckinghamshire.

INTERPRETATION

1. In these byelaws:-

(1) "The Council" means the District Council of South Bucks;

(2) "The Common" means the pieces of land with the ponds, paths and roads thereon, commonly known as Gerrards Cross Common, situate in the Parish of Gerrards Cross in the County of Buckingham and referred to as "the Common" in the Scheme;

(3) "The Scheme" means the Scheme for the regulation and management of the Common, approved under the Commons Act 1899 on the 16th day of April 1920 by the Ministry of Agriculture and Fisheries;

(4) "Officer of the Council" shall be in any case where the Council shall have empowered members of the Parish Council of Gerrards Cross to enforce these byelaws include members of the said Parish Council.

REPEAL

2. The byelaws relating to the Commons which were made by Eton Rural District Council on the 1st Day of June 1920 and allowed by the Minister of Health on the 15th day of July 1920 are hereby repealed.

PROHIBITED ACTS

3. NO PERSON SHALL ON THE COMMON OR ANY PART THEREOF:-

(1) Except in the exercise of any lawful right or privilege, have in his possession while he is on the land any firearm unless it is so covered with a securely fastened gun cover that it cannot be fired.

In this byelaw the expression "firearm" means any lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged.

This byelaw shall apply to all parts of the land except any part thereof which is a public right of way;

(2) Use any obscene or indecent language or indulge in obscene or indecent behaviour to the annoyance of any person.

(3) Fish in any pond during the closed season (i.e. from 15th March to 15th June);

(4) Soil or displace any notice board, fence, seat or other thing put up or maintained upon the Common by or on behalf of the Council.

(5) Wilfully obstruct, disturb or annoy any person engaged in the lawful use of the Common.

(6) Hinder or obstruct any Officer of the Council in the exercise of his powers or duties under the Scheme or under or in the enforcement of any of these byelaws:

ACTS WHICH ARE PROHIBITED UNLESS DULY AUTHORISED BY THE COUNCIL

4. NO PERSON SHALL WITHOUT LAWFUL AUTHORITY, UPON THE COMMON OR ANY PARTS THEREOF:-

(1) Remove or displace turf, sods, gravel, sand, clay or other substance;

(2) Post, erect or paint any bill, placard, notice or advertisement;

(3) Bathe, wade, wash in, foul or pollute any lake, pond or stream or any other water;

(4) Kill, molest or wilfully disturb any animal, bird or fish, or engage in hunting, shooting or fishing or set any traps or nets or lay any snares;

(5) Fish in any pond except (subject to Byelaw 3(3)) during hours of daylight with rod and line from the banks thereof;

(6) Land any helicopter, save in a case if genuine emergency;

(7) Draw, drive, ride, propel or park any car, carriage, cart, caravan, truck, motorcycle or other vehicle other than a wheeled chair or perambulator drawn or propelled by hand and solely for the conveyance of an invalid or child or children;

(8) Erect or permit to remain any building, shed, tent, fence, post, railing or other structure whether used in connection with the playing of games or otherwise;

(9) Place, erect or permit to remain any stall, market, exhibition, show, swing, roundabout or similar thing otherwise than as part of a fair lawfully held;

(10) Light any fire or place, throw, drop or let fall a lighted match or thing so as to be likely to cause a fire;

(11) Canter or gallop any horse or pony;

(12) Ride or exercise any horse or pony on any footpath;

(13) Turn out or permit to remain any cattle, sheep or other animals.

GAMES

5. No person shall play any game of football, quoits, bowls, hockey, cricket, golf or any other game which by reason of the rules or manner of playing or for the prevention of damage, danger or discomfort to any person on the Common may necessitate at any time during the continuance of the game the exclusive use by the player or players of any space on the Common EXCEPT where the Council shall have set apart any portion or portions of the Common as may be defined or described in a notice or notices which shall be offered or set up in conspicuous position or positions on the Common for any such game.

ENFORCEMENT

6. (1) Every person who shall offend against any of the foregoing byelaws shall be liable for every such offence to a penalty not exceeding fifty pounds;

(2) It shall be lawful for any officer of the Council or constable to remove from the common any vehicle drawn upon the common or any structure erected thereon or any cattle, sheep or other animals being upon the Common in contravention of the foregoing byelaws;

(3) It shall be lawful for any officer of the Council or any constable after due warning to remove or exclude from the Common any person who, within his view, commits or whom he reasonably suspects of committing any offence against the foregoing byelaws.

SAVING OF RIGHTS ETC.

7. Nothing in these byelaws shall prejudice or affect any right of the person entitled as Lord of the Manor or otherwise to the soil of the Common or of any person claiming under him which is lawfully exercisable in, over, or on the soil or surface of the Common in connection with game, or with mines, minerals or other substrata or otherwise, or prejudice or affect any rights of the Commoners in or over the Common or the lawful use of any highway or thoroughfare on the Common, or affect any power or obligation to repair any such highway or thoroughfare.

The COMMON SEAL of the SOUTH BUCKS DISTRICT COUNCIL was hereunto affixed the twenty fifth day of February 1981 in the presence of:-

P. PALMER Chairman of the Council

A.P. LEVINGS District Secretary

Footnote:-

The foregoing byelaws are rules specifically applicable to the Common. There are various Statutes in force such as the Public Health Acts, the Litter Acts, the Criminal Damage Act and the Theft Act which deal with offences against the general law and are additional to these byelaws.

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on 6th May 1981.

G. I. de DENEY An Assistant Under Secretary of State