

Rural District Council of Chipping Sodbury.

COMMONS ACT, 1899.

(62 and 63 Vict., c. 30).

PARISH OF HAWKESBURY.

SCHEME.

Description of
common and
management by
District Council.

1. The pieces of land with the ponds, streams, paths and roads thereon commonly known as Hawkesbury Common, Assley and Hareley Common and Inglestone Common, situate in the Parish of Hawkesbury in the County of Gloucester and hereinafter referred to as "the commons" as the same are delineated in a plan sealed by and deposited at the office of the Rural District Council of Chipping Sodbury, hereinafter called "the Council", and thereon coloured green, being "Commons" within the meaning of the Commons Act, 1899, shall henceforth be regulated by this scheme and the management thereof shall be vested in the Council.

Appointment of
Officers.

2. The powers of the Council generally as to appointing or employing officers and servants and paying them under the general Acts applicable to the Council shall apply to all such persons as in the judgment of the Council may be necessary and proper for the preservation of order on and the enforcement of byelaws with respect to the commons and otherwise for the purposes of this scheme and the Council may make rules for regulating the duties and conduct of the several officers and servants so appointed and employed and may alter such rules as occasion may require.

Protection and
improvement of
commons.

3. The Council may execute any necessary works of drainage, raising, levelling or fencing or other works for the protection and improvement of the commons and shall preserve the turf, shrubs, trees, plants and grass thereon and for this purpose may for short periods enclose by fences such portions as may require rest to revive the same and may plant trees and shrubs for shelter or ornament and may place or erect seats, shelters, pavilions, drinking fountains and conveniences upon and light the commons and otherwise improve the commons as a place for exercise or recreation but the Council shall do nothing that may otherwise vary or alter the natural features or aspect of the commons or interfere with free access to every part thereof, and shall not erect upon the commons any shelter pavilion or other building without the previous consent of the person entitled to the soil of the commons.

Against
encroachment.

4. The Council shall maintain the commons free from all encroachments and shall not permit any trespass on or partial or other enclosure of any part thereof.

Public right of
access and
recreation.

5. The inhabitants of the district and neighbourhood shall have a right of free access to every part of the commons and a privilege of playing games and of enjoying other species of recreation thereon, subject to any byelaws made by the Council under this scheme.

Maintenance and
construction of
paths and roads.

6. The Council shall have power to repair and maintain the existing paths and roads on the commons and to set out construct and maintain or authorise the construction and maintenance of such new paths and roads on the commons as may appear to the Council to be necessary or expedient and to take any proceedings necessary for the stopping or diversion of any highway over the commons.

Fencing of
quarries, &c.

7. The Council may for the prevention of accidents fence any quarry, pit, pond, stream or other like place on the commons.

Games, &c.

8. The Council may set apart for games any portion or portions of the commons as they may consider expedient and may form cricket grounds and may allow the same to be temporarily enclosed with any open fence so as to prevent cattle and horses from straying thereon but such grounds shall not be so near to any dwelling house or road as to create a nuisance or to be an annoyance to the inhabitants of the house or to persons using the road.

Byelaws.

9. The Council may, for the prevention of nuisances and the preservation of order on the commons and subject to the provisions of section 10 of the Commons Act, 1899, make, revoke and alter byelaws for any of the following purposes, viz :-

- a. For prohibiting the deposit on the commons, or in any pond or stream thereon, of road-sand, materials, for the repair of roads, dung, rubbish, litter, wood, or other matter ;
- b. For prohibiting any person without lawful authority from digging, cutting, or taking turf, sods, gravel, sand, clay, or other substance on or from the commons, and from cutting, felling, or injuring any gorse, heather, timber, or other tree, shrub, brushwood, or other plant growing on the commons ;
- c. For regulating the place and mode of digging and taking turf, sods, gravel, sand, clay, or other substance, and cutting, felling, and taking trees or underwood on or from the commons, in exercise of any right of common or other right over the commons.
- d. For prohibiting the injury, defacement, or removal of seats, shelters, pavilions, fences, notice-boards, or other things put up or maintained by the Council on the commons ;
- e. For prohibiting or regulating the posting or painting of bills, placards, advertisements, or notices on trees or fences, erections, or notice-boards on the commons ;
- f. For prohibiting any person without lawful authority from bird-catching, setting traps or nets or liming trees or laying snares for birds or other animals, taking birds' eggs or nests, and shooting or chasing game or other animals on the commons ;
- g. For prohibiting or regulating the drawing, driving or placing upon the commons without lawful authority of any carriage, cart, caravan, truck, motor vehicle, motor cycle, aeroplane, flying machine or other vehicle, and the erecting or permitting to remain on the commons, without the consent of the Council or other lawful authority of any building, shed, tent, fence, post, railing, or other structure, whether used in connection with the playing of games or not ;
- h. For prohibiting (except in the case of a fair lawfully held) or regulating the placing on the commons of any photographic cart, or of any show, exhibition, swing, roundabout, or other like thing ;
- i. For prohibiting or regulating the lighting of any fire on the commons ;
- j. For prohibiting or regulating the firing or discharge of firearms or the throwing or discharge of missiles on the commons ;
- k. For regulating games to be played and other means of recreation to be exercised on the commons, and assemblages of persons thereon ;
- l. For regulating the use of any portion of the commons temporarily enclosed or set apart under this scheme for any purpose ;
- m. For prohibiting or regulating horses being exercised or broken in without lawful authority by grooms or others on the commons ;
- n. For prohibiting or regulating the landing or departure of any aeroplane and flying machines on or from the commons ;
- o. For prohibiting any person without lawful authority from turning out or permitting to remain on the commons any cattle, sheep, or other animals ;
- p. For prohibiting any person from bathing in any pond or stream on the commons save in accordance with regulations made by the Council ;
- q. Generally for prohibiting or regulating any act or thing tending to injury or disfigurement of the commons or to interference with the use thereof by the public for the purposes of exercise and recreation ;
- r. For authorising any officer of the Council, after due warning to remove from the commons any vehicle or animal drawn, driven or placed or any structure erected or placed thereon in contravention of any Byelaw made under this Scheme or to exclude from the commons any person who within his view commits or whom he reasonably suspects of committing an offence against any such byelaw or against the Vagrancy Act 1824 (a).
- s. For prohibiting the hindrance or obstruction of an officer of the Council in the exercise of his powers or duties under this scheme or under any byelaws made thereunder.

Publication of
byelaws on
commons.

10. All byelaws made under this scheme shall be published on notice-boards placed on such parts of the commons (not less than two) as to the Council may appear desirable.

Saving of rights,
&c., in the soil
and highways.

11. Nothing in this scheme or any byelaw made thereunder shall prejudice or affect any right of the person entitled as lord of the manor or otherwise to the soil of the commons or of any person claiming under him which is lawfully exercisable in or over, under or on the soil or surface of the commons in connection with timber, game or with mines minerals or other substrata or otherwise or prejudice or affect any rights of the commoners in or over the commons or the lawful use of any highway or thoroughfare on the commons or affect any power or obligation to repair any such highway or thoroughfare.

Copies of Scheme.

12. Printed copies of this scheme and of any byelaws made thereunder shall at all times be sold at the Office of the Council to all persons desiring to buy the same at a price not exceeding sixpence each.

The Common Seal of the Council was affixed
hereto at a Meeting of the Rural Council on the
seventh day of *September* 1925
in the presence of

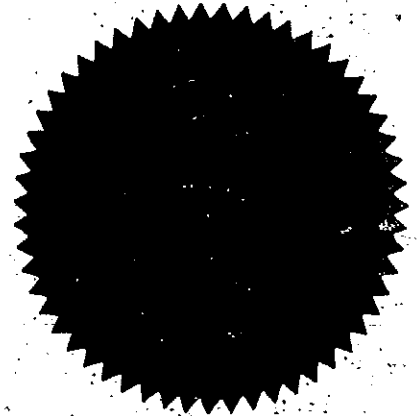
Henry Matthews
Chairman.

Robert Wilson. Clerk.

order of
Approved by the Minister of Agriculture
and Fisheries, this *15th* day of
September 1925.

(Signed) F. A. HILLARD,

Authorized by the Minister



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