

Appendix B - Byelaws

Waverley District Council

By virtue of the Local Government Act 1972 and the property orders made thereunder, the property and function of Hambledon Rural District Council in relation to common land were at from the 1st day of April 1974 vested in the Waverley District Council.

Rural District of Hambledon

Bye-laws under the Commons Act 1899

Parishes of Bramley, Chiddingfold, Cranleigh, Dunsfold, Ewhurst and Wonersh in the County of Surrey.

1. Throughout the Bye-laws the expression "the Council" means the Rural District Council of Hambledon in the County of Surrey, the expression "the Commons" means, except where inconsistent with the context, each of the pieces of land with the ponds, streams, paths and roads thereon in the County of Surrey, and referred to as "the Commons" in the Scheme approved under the Commons Act, 1899 on the 22nd day of February, 1951 by order of the Ministry of Agriculture and Fisheries; and the expression "Scheme" means the aforesaid Scheme.
2. An act necessary to the proper execution of his duty on the commons by an officer of the Council, or by any person or servant of any person employed by the Council, shall not be deemed an offence against these Bye-laws.
3. A person shall not without lawful authority:-
 - (a) Dig, cut or take turf, sods, gravel, sand, clay or other substance on or from the commons, or cut, fell or carelessly or negligently injure any gorse, heather, timber or other tree, shrub, brushwood or other plant growing on the commons.
 - (b) Post or paint bills, placards, advertisements, or notices on trees or fences, or erections on the commons.
 - (c) Catch birds, set traps or nets, or lay snares for birds or other animals, take birds' eggs or nests, or shoot or chase game or other animals on the commons, provided that this bye-law shall not apply in any case where an offence is committed against any of the provisions of the Wild Birds Protection Acts, 1880 to 1939 or of any Order made thereunder and for the time being in force in the Hambledon Rural District.
 - (d) Draw, drive or place upon the commons, or any part thereof, any carriage, cart, caravan, truck, motor cycle or other vehicle or any aircraft (except in the case of accident or other sufficient cause), provided that this bye-law shall not be deemed to apply to a wheel chair, perambulator or chaise drawn or propelled by hand, and used solely for the conveyance of a child or children or an invalid; or to any vehicle on or proceeding to or from, any space set apart by the Council as a parking place.
 - (e) Light any fire on the commons.
 - (f) Erect any tent or camp on the commons.
 - (g) Fire or discharge fire arms or throw missiles on the commons.
 - (h)
 - (i) Break in any horse on the commons.
 - (ii) Drive or exercise any horse on the commons to the danger of any other person.
 - (i) Turn out or permit to remain on the commons any cattle, sheep or other animals.
4. A person who in the exercise of any right of common or other right over the commons, shall dig or take turfs, sods, gravel, sand, clay or other substance or shall cut, fell, or take trees or underwood shall not:-
 - (a) Commit any unnecessary damage to the commons or the turf, trees shrubs, brushwood, gorse, heather, ferns or other natural products thereon;

(b) Do so on any part of any of these commons which is enclosed temporarily for the revival of turf, trees, shrubs or plants or set aside for games, or the parking of motor or other vehicles, if similar substance as aforesaid can conveniently be dug or taken, or cut, felled or taken from some other part of the commons.

5. A person shall not carelessly or negligently injure or deface, or wilfully, carelessly, or negligently remove any seat, shelter, pavilion, drinking fountain, fence, rubbish receptacle, or any works erected or maintained by the Council on the Commons.

6. (i) A person shall not, without lawful authority, place on the commons any show, exhibition, swing, roundabout or other like thing.

(ii) Where the Council set apart any space on the commons for the holding of a lawfully held fair, a person shall not place any show, exhibition, swing, roundabout or other like thing on any other part of the commons.

7. Where the Council temporarily enclose, or set apart any space on any of the commons for the purpose of games, or as a parking place for vehicles, a person shall not interfere with the proper use of that space for the purpose for which it is intended.

8. The charge made for the use of a parking place on the commons shall not exceed the appropriate charge set out in the following schedule:-

Motor Bus or Motor Coach - 12.5p Motor Car - 5p Motor Cycle - 2.5p

9. A person shall not on the commons wilfully obstruct, disturb, interrupt or annoy, any other person in the proper use of the commons, or hinder or obstruct any officer of the Council in the exercise of his powers or duties under the Scheme or under any of the foregoing bye-laws.

10. Every person who shall offend against any of the foregoing bye-laws shall be liable on summary conviction to a fine not exceeding TWENTY POUNDS.

11. It shall be lawful for any officer of the Council, after due warning, to remove from the commons any vehicle or animal drawn, driven or placed thereon in contravention of the Scheme, or any of the foregoing bye-laws, 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 bye-laws, or against the Vagrancy Acts.

The Seal of the Rural District Council of Hambleton was hereunto affixed at a Meeting of the Council held on the twenty-sixth day of February 1953.

(Signed) J.W.Dixon, Chairman.

(Signed) Robin J. Garland, Clerk.

I hereby confirm the foregoing bye-laws and fix the date on which they are to come into operation as 1st July 1953.

Signed David Maxwell Fyfe, One of Her Majesty's Principal Secretaries of State.
Whitehall, 21st May 1953.

Byelaw No. 10 was by Resolution of the Council, made on the 23rd day of September 1969, and sealed on the 7th day of October 1969, in the presence of M.M. Marnan, Chairman and C.J.Wagg, Clerk, amended to read as printed above, the maximum fine having been increased from 2 to 20 pounds. This byelaw as amended was confirmed by the Secretary of State as follows:

The Secretary of State this day confirmed the foregoing byelaw and fixed the date on which it is to come into operation as the First day of February, 1970.

(Signed) Philip Woodfield, Assistant Under Secretary of State.

Whitehall, 19th January 1970.