

RURAL DISTRICT COUNCIL OF CHIPPING SODBURY.

COMMONS ACT, 1899.

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

WESTERLEIGH COMMON.

SCHEME.

1. The piece of land with the ponds paths and roads thereon commonly known as Westerleigh Common. situate in the parish of Westerleigh in the county of Gloucester and hereinafter referred to as "the common," as the same is delineated in a plan deposited at the office of the Rural District Council of Chipping Sodbury, hereinafter called "the Council," and thereon coloured green being a "Common" 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. Description of common and management by District Council.
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 common 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. Appointment of officers.
3. The Council may execute any works of drainage raising levelling or fencing or other works for the protection and improvement of the common 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 seats upon and light the common and otherwise improve the common 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 common or interfere with free access to every part thereof, and shall not erect upon the common any shelter pavilion or other building without the previous consent of the person entitled to the soil of the common. Protection and improvement of common.
4. The Council shall maintain the common free from all encroachments and shall not permit any trespass on or partial or other enclosure of any part thereof. Against encroachments.
5. The inhabitants of the district and neighbourhood shall have a right of free access to every part of the common 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. Public right of access and recreation.
6. The Trees and Shrubs are as far as possible to be preserved by the Council. Preservation of objects of interest.

Maintenance and construction of paths and roads.

7. The Council shall have power to repair and maintain the existing paths and roads on the common and to set out make and maintain such new paths and roads on the common as 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 common.

Fencing of quarries,

8. The Council may for the prevention of accidents fence any quarry pit pond or other like place on the common.

Games, &c.

9. The Council may set apart for games any portion or portions of the common 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 straying thereon but such grounds shall not be laid out so near to any dwelling-house as to create a nuisance or be an annoyance to the inhabitants thereof.

Byelaws.

10. The Council may for the prevention of nuisances and the preservation of order on the common 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 common, or in any pond thereon, of road-sand, materials for repair of roads, dung, rubbish, 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 common, and from cutting, felling, or injuring any gorse, heather, timber, or other tree, shrub, brushwood, or other plant growing on the common ;
- 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 common, in exercise of any right of common or other right over the common ;
- d. For prohibiting the injury, defacement, or removal of seats, fences, notice boards, or other things put up or maintained by the Council on the common ;
- e. For prohibiting or regulating the posting or painting of bills, placards, advertisements, or notices on trees or fences or notice-boards on the common ;
- 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 common ;
- g. For prohibiting or regulating the drawing without lawful authority upon the common of any carriage, cart, caravan, truck, or other vehicle, and the erecting or permitting to remain on the common, without the consent of the Council or other lawful authority, any building, shed, tent, fence, post, railing, or other structure, whether used in connection with the playing of games or not, and for authorising an officer of the Council to remove from the common any vehicle drawn upon the common and any structure erected thereon in contravention of any such byelaw ;
- h. For prohibiting (except in the case of a fair lawfully held) or regulating the placing on the common of any photographic cart, or of any show, exhibition, swing, roundabout, or other like thing, and for authorising an officer of the Council to remove from the common any thing placed upon the common in contravention of any such byelaw ;
- j. For prohibiting or regulating the lighting of any fire on the common ;
- k. For prohibiting or regulating the firing or discharge of firearms or the throwing or discharge of missiles on the common ;

- l. For regulating games to be played and other means of recreation to be exercised on the common, and assemblages of persons thereon;
- m. For regulating the use of any portion of the common temporarily enclosed or set apart under this scheme for any purpose;
- n. For prohibiting or regulating horses being exercised or broken in without lawful authority by grooms or others on the common;
- o. For prohibiting any person without lawful authority from turning out or permitting to remain on the common any cattle, sheep, or other animals; and for authorising an officer of the Council to remove from the common any cattle, sheep, or other animal being upon the common in contravention of any such byelaw;
- p. Generally, for prohibiting or regulating any act or thing tending to injury or disfigurement of the common or to interference with the use thereof by the public for the purposes of exercise and recreation;
- q. For authorising an officer of the Council, after due warning, to remove or exclude from the common any person who within his view commits, or whom he reasonably suspects of committing, an offence against any byelaw made under this scheme or against the Vagrancy Act, 1824.
- r. 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.

11. All byelaws made under this scheme shall be published on notice boards placed on such parts of the common (not less than three) as to the Council may appear desirable. Publication of byelaws on Common.

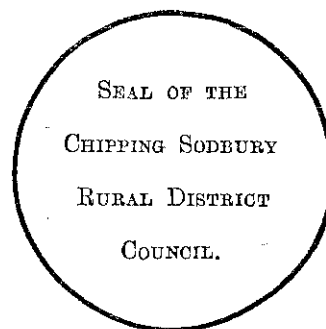
12. Nothing in this scheme or any byelaw made thereunder shall prejudice or affect any right of the person entitled as lord of the manor or otherwise to the soil of the common or of any person claiming under him which is lawfully exercisable in or over or on the soil or surface of the common in connection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

13. Printed copies of this scheme 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. Copies of scheme.

The Common Seal of the Council was affixed hereto at a Meeting of the Chipping Sodbury Rural District Council on the 21st day of October, 1903, in the presence of

Signed, WILLIAM SHERBORNE, Chairman.

JOHN L. B. TRENFIELD, Clerk.



Approved by the Board of Agriculture and Fisheries the 7th day of November, 1903.

T. H. ELLIOTT,

Secretary.

BYE-LAWS

WITH RESPECT TO

Westerleigh Common

IN THE

Parish of WESTERLEIGH, GLOUCESTERSHIRE.

THE COMMONS ACT, 1899.

We, the Rural District Council of Chipping Sodbury in the County of Gloucester, acting under the authority of the Commons Act, 1899, and of every other power enabling us in that behalf.

Do hereby make the following bye-laws for the regulation of Westerleigh Common :

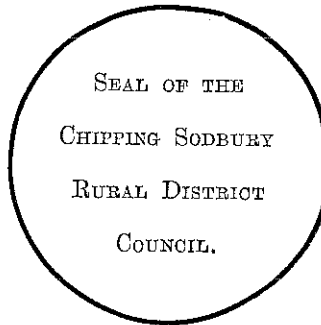
1. Throughout these bye-laws the expression "The Council" means the Rural District Council of Chipping Sodbury, and the expression "the Common" means the piece of land with the ponds, paths, and roads thereon commonly known as Westerleigh Common, situate in the Parish of Westerleigh and referred to as "the Common" in the scheme approved under the Commons Act, 1899, on the Seventh day of November, 1903, by the Board of Agriculture and Fisheries.
2. A person shall not wilfully or improperly remove, or carelessly or negligently deface, any notice-board, plate, or tablet, or bill, or notice, or any support, fastening, or fitting of any such board, plate, or tablet put up or maintained by the Council on any part of the Common.
3. A person shall not wilfully, carelessly, or negligently remove, or carelessly or negligently deface or injure any fence or seat or other thing put up or maintained by the Council on the Common.
4. A person shall not without lawful authority turn out or permit to remain on the Common any cattle, sheep or other animals ; and if any person, after being required by any officer of the Council to remove any such cattle, sheep or other animals so turned out or permitted by him to remain upon the Common, shall refuse, fail, or neglect to so remove such cattle, sheep or other animals, such officer may forthwith remove the same from the Common.
5. A person shall not, without lawful authority, draw upon any part of the Common other than any road or cartway on or across the same (and then only for the purpose of passing over the same), any cart, caravan, barrow, truck, or machine, or any other vehicle ; and if any person, after being required by any officer of the Council to remove any such cart, caravan, barrow, truck, or machine, or other vehicle so drawn upon the Common, shall refuse, fail, or neglect to so remove such cart, caravan, barrow, truck, machine, or other vehicle, such officer may forthwith remove the same from the Common.

6. A person, other than a person acting under the authority of the Council, shall not paint or post any bill, placard, or notice to or upon any tree, or fence, or notice-board on the Common.
7. A person shall not at any time, without lawful authority, take, dig, or cut any gravel, sand, sod, clay, turf, or other substance on, or from the Common, or carelessly or negligently injure any timber, brushwood, gorse, heather, or furze thereon.
8. A person shall not wilfully, carelessly, or negligently soil or defile any part of any building, or of any fixed or movable seat, or post, or of any other structure or erection, on the Common, or throw or deposit any filth, rubbish, or refuse, or cause or suffer any filth, rubbish, or refuse to fall or to be thrown or deposited upon any part of the Common.
9. A person shall not wilfully, carelessly, or negligently throw or discharge on the Common any stone or other missile to the damage or danger of any person ; nor discharge any firearm on the Common.
10. A person shall not at any time, without lawful authority, exercise or break in, or cause to be exercised or broken in any horse on the Common.
11. A person shall not light any fire on the Common, or wilfully, carelessly, or negligently do any act which might cause any timber, wood, brushwood, gorse, heather, furze, fern, earth, paper, rubbish, or other substance to take fire or be burned on the Common.
12. A person shall not, without the consent of the Council or other lawful authority, erect any post, railing, fence, pole, tent, booth, stand, swing, building, or other structure on any part of the Common.
13. A person shall not frequent and use the Common for the purpose of betting or wagering or of agreeing to make any bet or wager.
14. A person shall not on the Common use any indecent or obscene language to the annoyance of any person.
15. A person shall not wilfully obstruct, disturb, interrupt, or annoy any other person in the proper use of the Common, or hinder or obstruct any officer of the Council in the proper execution of his powers, or duties under the scheme hereinbefore referred to or under any of these bye-laws.
16. Every person who shall offend against any of the foregoing bye-laws shall be liable for every such offence to a penalty of FORTY SHILLINGS.

Provided nevertheless, that the justices or court before whom any complaint may be made or any proceedings may be taken in respect of any such offence may, if they think fit, adjudge the payment, as a penalty, of any sum less than the full amount of the penalty imposed by this bye-law.

17. Every person, who, within the view of any officer of the Council, shall commit an offence against any of these bye-laws, or against the Vagrancy Act, 1824, or who shall reasonably be suspected by any such officer of the Council of committing any such offence, may, after due warning be removed or excluded from the Common by such officer.

The Common Seal of the Rural District Council of Chipping Sodbury was affixed hereto at a meeting of the Council held after due notice thereof this 24th day of February, 1904, in the presence of



WILLIAM SHERBORNE, Chairman.

ROBERT WILSON, Clerk.



The foregoing Bye-laws with respect to Westerleigh Common are hereby Allowed by the Local Government Board this eighth day of April, 1904.

S. B. PROVIS,

Secretary.

Acting on behalf of the said Board under the authority of their General Order dated the twenty-sixth day of May, 1877.