

CHORLEYWOOD PARISH COUNCIL

BYELAWS FOR CHORLEYWOOD COMMON

Byelaws made by the Parish Council of Chorleywood under section

1 of the Commons Act 1899, with respect to Chorleywood Common.

Interpretation

1. In these byelaws:

"the Common" means the piece of land with the ponds, paths and roads thereon, commonly known as Chorleywood Common, situate in the Parish of Chorleywood in the County of Hertfordshire, and referred to as "the Common" in the Scheme made by the Urban District Council of Chorleywood on 11 October 1954 and approved by the Minister of Agriculture and Fisheries on 29 November 1954, under section 1 of the Commons Act 1899 for the regulation and management of Chorleywood Common;

"the Council" means the Parish Council of Chorleywood;

"cycle" means a bicycle, a tricycle, or a cycle having four or more wheels, not being in any case a motor cycle or motor vehicle;

"invalid carriage" means a vehicle, whether mechanically propelled or not, the unladen weight of which does not exceed 150 kilograms, the width of which does not exceed 0.85 metres and which has been constructed or adapted for use for the carriage of one person, being a person suffering from some physical defect or disability and is used solely by such a person;

"model aircraft" means an aircraft which either weighs not more than 5 kilograms without its fuel or is for the time being exempted (as a model aircraft) from the provisions of the Air Navigation Order;

"motor cycle" means a mechanically propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which unladen does not exceed 410 kilograms;

"motor vehicle" means a mechanically propelled vehicle, not being an invalid carriage, intended or adapted for use on roads;

"power-driven" means driven by the combustion of petrol vapour or other combustible vapour or other combustible substances;

"trailer" means a vehicle drawn by a motor vehicle or by a horse, and includes a caravan.

Cattle, sheep, goats, etc

2. No person shall, without the consent of the Council or otherwise in the exercise of any lawful right or privilege, bring or cause to be brought onto the Common any cattle, sheep, goat or pig or any beast of draught or burden.

Vehicles

3. (1) No person shall, without reasonable excuse, ride or drive a cycle, motor cycle, motor vehicle or any other mechanically propelled vehicle on the Common, or bring or cause to be brought on to the Common a motor cycle, motor vehicle, trailer or any other mechanically propelled vehicle (other than a cycle), except on any part of the Common where there is a right of way for that class of vehicle.
- (2) If the Council has set apart a space on the Common for use by vehicles of any class, this byelaw shall not prevent the riding or driving of those vehicles in the space so set apart, or on a route, indicated by signs placed in conspicuous positions, between it and the entrance to the Common.
- (3) This byelaw shall not extend to invalid carriages.

Games

4. Where the Council has, by a notice placed in a conspicuous position on the Common, set apart an area on the Common for the playing of such games as may be specified in the notice, no person shall:
 - (a) play in such an area any game other than the game for which it has been set apart;
 - (b) use any such area so as to give reasonable grounds for annoyance to any person already using that area for any purpose for which it has been set apart; or
 - (c) play any game so specified on any other part of the Common in such a manner as to exclude any person not playing the game from the use of that part.

5. No person shall, in any area of the Common which may have been set apart by the Council for any game, play any game when the state of the ground or other cause makes it unfit for use and a notice is placed in a conspicuous position prohibiting play in that area of the Common.

6. (1) No person shall on the Common play any game:
 - (a) so as to give reasonable grounds for annoyance to any other person on the Common; or
 - (b) which is likely to cause damage to any tree, shrub or plant on the Common.

- (2) This byelaw shall not extend to any area set apart by the Council for the playing of any game.

7. Where the Council in pursuance of Article 7 of the Scheme for the regulation of the Common has reserved any portion of the Common for the playing of any particular game by any club during such hours as may be specified by the Council, and described by a notice placed on or near such portion, no person other than a member or employee of such club, an associated member or a person playing with or introduced by a member of such club, or a person playing or taking part in any match with such club, shall play on such portion during the hours so specified and described.

Erection of structures

8. No person shall on the Common, without the consent of the Council, erect any post, rail, fence, pole, tent, booth, stand, building or other structure.

Removal of structures

9. No person shall, without reasonable excuse, remove from or displace on the Common any barrier, railing, post or seat, or any part of any structure or ornament, or any implement provided for use in the laying out or maintenance of the Common.

Pollution of waterways

10. No person shall intentionally, carelessly or negligently foul or pollute any waterway comprised in the Common.

Bathing

11. No person shall, without reasonable excuse, bathe or swim in any waterway comprised in the Common, except in an area where a notice exhibited by the Council permits bathing and swimming.

Protection of wildlife

12. (1) No person shall on the Common intentionally kill, injure, take or disturb any animal or fish, or engage in hunting, shooting or fishing, or the setting of traps or nets, or the laying of snares.
- (2) This byelaw shall not prohibit any fishing which may be authorised by the Council.

Fires

13. (1) No person shall on the Common intentionally light a fire, or place, throw or let fall a lighted match or any other thing so as to be likely to cause a fire.
- (2) This byelaw shall not prevent the lighting or use of a properly constructed camping stove or cooker in any area set aside for the purpose, in such a manner as not to cause danger of or damage by fire.

Climbing

14. No person shall, without reasonable excuse, climb any wall or fence on or enclosing the Common, or any tree, or any barrier, railing, post or other structure.

Camping

15. No person shall on the Common, without the consent of the Council, erect a tent or use any vehicle, including a caravan, or any other structure for the purpose of camping, except on any area which may be set apart and indicated by notice as a place where camping is permitted.

Trading

16. No person shall on the Common, without the consent of the Council, sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article.

Horses

17. (1) No person shall on the Common intentionally or negligently ride a horse to the danger of any other person using the Common.
- (2) Where any part of the Common has, by notices placed inconspicuous positions on the Common, been set apart by the Council as an area where horse-riding is permitted, no person shall, without the consent of the Council, ride a horse on any other part of the Common.
- (3) No person shall, without the consent of the Council, bring or cause to be brought on to the Common a horse-drawn trailer.

Noise

18. (1) No person on the Common shall, after being requested to desist by an officer of the Council, or by any person annoyed or disturbed, or by any person acting on his behalf:
- (a) by shouting or singing;
- (b) by playing on a musical instrument;
- or
- (c) by operating or permitting to be operated any radio, gramophone, amplifier, tape recorder or similar instrument; cause or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons on the Common.

- (2) This byelaw shall not apply to any person holding or taking part in any entertainment held with the consent of the Council.

Metal detectors

19. No person shall on the Common use any device designed or adapted for detecting or locating any metal or mineral in the ground, except in any area which may be set apart and indicated by notice as an area where the use of such devices is permitted.

Model aircraft

20. (1) Except on any part of the Common which has, by notice conspicuously exhibited on the Common, been set apart by the Council for the flying of power-driven model aircraft, no person in any other part of the Common shall release any such aircraft for flight, or control the flight of such an aircraft, and no person shall-
- (a) cause such an aircraft to take off; or
 - (b) without reasonable excuse, cause such an aircraft to land,
- in such other part of the Common.
- (2) Where an area within a part of the Common so set apart for the flying of power-driven model aircraft is designated by the Council as an area from which aircraft may be launched and is described in a notice placed in a conspicuous position on the Common, no person shall release such an aircraft for flight, or cause such an aircraft to take off, in any part of the Common other than that area.

21. (1) No person shall-
- (a) on the Common release any power-driven model aircraft for flight or control the flight of such an aircraft; or
 - (b) cause any such aircraft to take off or land on the Common, unless
 - (i) the noise emitted by the aircraft gives a noise measurement of not more than 82dB(A) at a distance of 7 metres from the aircraft when measured by means of the equipment described, and by the method set out, in the Code of Practice issued in pursuance of the approval given by the Control of Noise (Code of Practice on Noise from Model Aircraft) Order 1981; and
 - (ii) subject to paragraph (2) below, the aircraft is fitted with an effectual silencer or similar device.
- (2) Paragraph 1(ii) above shall not have effect in relation to an aircraft to which the fitting of a silencer or similar device is not reasonably practicable.

Obstruction

22. No person shall on the Common:
- (a) intentionally obstruct any officer of the Council in the proper execution of his duties;
 - (b) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
 - (c) intentionally obstruct any other person in the proper use of the Common, or behave so as to give reasonable grounds for annoyance to other persons on the Common.

Savings

23. (1) An act necessary to the proper execution of his duty on the Common by an officer of the Council, or any act which is necessary to the proper execution of any contract with the Council, shall not be an offence under these byelaws.
- (2) Nothing in or done under any of the provisions of these byelaws shall in any respect prejudice or injuriously affect any public right of way over the Common, or the rights of any person acting legally by virtue of some estate, right or interest in, over or affecting the Common or any part thereof.

Removal of offenders

24. Any person offending against any of these byelaws may, after due warning, be removed from the Common by an officer of the Council.

Penalty

25. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Revocation

26. Byelaws 1, 7 and 16 of the series of byelaws made by the Chorleywood Urban District Council on 10 March 1958 and confirmed by the Secretary of State for the Home Department on 14 May 1958, and the byelaws made by Chorleywood Parish Council on 5 December 1977 and confirmed by the Secretary of State for the Home Department on 27 January 1978 are hereby revoked.

*Given under our hands and seals this 20th day of January,
one thousand nine hundred and ninety five.*

MARGARET A. JARRETT
Chairman of the Parish Council

JANE E. WEITZMANN
Vice Chairman of the Parish

Council

JOHN A. WALKER
Clerk to the Council

**The foregoing byelaws are hereby confirmed by the
Secretary of State and shall come into operation on
the eighteenth day of April 1995.**