



RUNNYMEDE BOROUGH COUNCIL

ENGLEFIELD GREEN COMMITTEE

1 DECEMBER 2004

APPENDICES

<u>APPENDIX</u>	<u>REPORT</u>	<u>PAGE</u>
A	MINUTES OF MEETING HELD ON 28 JULY 2004	1
B	EXISTING BYELAWS	4
C	MODEL BYELAWS	6
D	PROCEDURE FOR MAKING BYELAWS	19
D1	PROPOSED HORSE ROUTE	23
E	LETTER FROM HONORARY WARDEN	24

Runnymede Borough Council

ENGLEFIELD GREEN COMMITTEE28 July 2004 at 7.00 p.m.

Members of the Committee present: Councillors J.E. Haas, Miss M.N. Heath, H.W.V. Meares, N. Thewlis and K.J.T Walmsley

Residents' Representative: Mrs M.E.J. Bairstow

Members of the Committee absent: Councillor Mrs C.Y. Jones

Residents' Representative: Mr A.E. Panter

122. ELECTION OF CHAIRMAN

RESOLVED that -

Councillor H.W.V. Meares be elected Chairman for the Municipal Year 2004/2005.

123. ELECTION OF VICE-CHAIRMAN

RESOLVED that -

Mr A.E. Panter be elected Vice-Chairman for the Municipal Year 2004/2005.

124. MINUTES

The Minutes of the meeting of the Committee held on 25 February 2004 were confirmed and signed as a correct record.

125. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Mrs C.Y. Jones and Mr A.E. Panter.

126. DECLARATION OF INTEREST

Mrs M.E.J. Bairstow declared a personal interest under the Runnymede Code of Conduct for Members in respect of the item concerning the Barley Mow Road/Northcroft Road footway extension owing to the proximity of her home to the proposed works. As Mrs Bairstow did not consider the interest to be prejudicial she remained in attendance and participated in the debate thereon.

127. ENGLEFIELD GREEN CRICKET PAVILION

(Ref: Minutes of Englefield Green Committee, December 2002, page 855, para 475 and February 2004, page 1325, para 725)

At its meeting in December 2002, the Committee had agreed to the termination of the lease for the Pavilion, preferably by surrender, in order to allow a new lease to be granted directly to the Englefield Green Cricket Club. The existing Pavilion Trustees were no longer active and in breach of a number of repairing obligations in the lease. It was hoped that the cricket club, which had effectively been the sole user of the facility in recent years, would prove to be more proactive in its management of the Pavilion.

Members now noted that two of the three remaining Pavilion Trustees were agreeable to the surrender of the lease. The third, a Mr Humphries, had, however, indicated that he opposed the proposed arrangements, raising concerns as to the financial viability of the cricket club and the effectiveness of its management control. The Committee agreed that if Mr Humphries did not provide written consent to a surrender it would be necessary to seek forfeiture on the grounds of

failing to satisfactorily uphold the repair covenants or on the basis that there were no longer the minimum of four Trustees as required by the lease.

RESOLVED that -

in the event that Mr Humphries does not provide written consent to a termination of the lease, the Director of Administration and Leisure be instructed to seek termination either by forfeiture, or on the grounds that there are no longer an adequate number of Trustees as required under the terms of the lease.

128. ENGLEFIELD GREEN - MANAGEMENT AND MAINTENANCE

(Ref: Minutes of Englefield Green Committee, February 2004, page 1085, para 641)

The Committee received a report outlining matters of current interest concerning the management and maintenance of the Green.

Following concerns raised at the previous meeting, it was now noted that the Council's grounds maintenance contractor had made a number of attempts to slit the surface of the Green in order to break through a layer of compacted soil which was adversely affecting the condition of the grass. The ground had, however, proved to be too hard and the contractors would be unable to undertake the work until ground conditions were suitable, probably following a sustained period of rain. Two small footbridges, approved at the previous meeting in order to traverse reprofiled ditches created to deter traveller and vehicular access, were due to be installed in the coming weeks.

Members were also informed that Surrey County Council intended to correct the line of Public Footpath 19, which ran through the woodland close to Coopers Hill Lane. The footpath had deviated from its definitive line over the years and it was proposed that this be corrected by the creation of an access onto Coopers Hill Lane. Meanwhile, it was suggested that a horse route be established through the woods, parallel with the road, to replace a horse margin (a grass verge where the riding of horses was permitted) which had been lost through the construction of the new tarmac footway along Bishopsgate Road. Officers were asked to work up the detail of an appropriate scheme to be presented to the next meeting of the Committee.

RESOLVED that -

detailed proposals for the creation of a horse route through the woodland area of the Green, parallel with Bishopsgate Road, be presented to the next meeting of the Committee.

129. URGENT ACTION - STANDING ORDER 42

Members noted that the following action had been taken after consultation with the Chairman of the Committee, under Standing Order 42.

<u>Officer</u>	<u>Action Taken</u>	<u>Central Index No.</u>
Director of Administration and Leisure	Authorisation for the use of the Green for a childrens charity walk on 30 June 2004 and the Village School Proms on 10 July 2004.	N/A

130. BARLEY MOW ROAD/NORTHCROFT ROAD FOOTWAY EXTENSION

The Chairman agreed to the consideration of this item as a matter of urgency in order to avoid delaying the preparation of the proposed scheme beyond the next meeting of the Committee, in December.

The Committee gave preliminary consideration to a proposal by Surrey County Council to link the footway between Barley Mow Road and the Coach House in the interests of road safety. Members noted that the County Council intended to construct a 1.8m wide footway on the southern section of

Northcroft Road, widening the carriageway slightly onto the traffic island which formed part of the Crown land. Dropped kerbs would be provided at all the existing vehicle accesses. It was unclear at this stage whether the County Council intended to purchase the land or dedicate it as highway.

The proposed works appeared likely to have only a limited effect on the Green itself other than the loss of a small strip of grass verge on the traffic island. Members therefore supported the principle of the scheme on road safety grounds. Concern was, however, expressed that the new footway would make the corner outside the Coach House even narrower for vehicular traffic than was already the case. It was suggested that there might be a need to reset the boundary wall of Crown House further back. Consideration would need to be given to the detailed design of the scheme before approval for the works was granted. The consent of the Crown Estate would also be required and, dependent upon the detail of the proposal, the County Council might need to obtain planning approval.

RESOLVED that -

the provision of land for widening of the carriageway onto the Green verge to facilitate the linkage of the footway between Barley Mow Road and the Coach House be approved in principle, subject to consideration of a further report setting out the final scheme detail and the grant of all necessary consents.

Chairman

(The meeting ended at 8.00 p.m.)

BYELAWS

made by the Borough Council of Runnymede and
confirmed by the Secretary of State for the Home Office
with respect to

ENGLEFIELD GREEN

1. Throughout these byelaws the expression 'The Council' means the Borough Council of Runnymede; the expression 'the Common' means the piece of land with ponds, streams, paths and roads thereon commonly known as Englefield Green situate in the Borough of Runnymede in the County of Surrey and referred to as 'the Common' in the Scheme approved under the Commons Act, 1899, on the Twenty-eighth day of June 1955, by the Minister of Agriculture, Fisheries and Food; and the expression 'the Scheme' means the Scheme approved by the Minister of Agriculture Fisheries and Food hereinbefore referred to.
2. A person shall not without lawful authority place or leave on the Common any roads and, materials for repair of roads or wood.
3. A person shall not, except in the exercise of any lawful right or privilege or with previous consent in writing from the Council, remove or displace any turf, sods, gravel, sand, clay or other substances on the Common .
4. A person shall not carelessly or negligently injure or deface or, without lawful authority, remove any works or property maintained by the Council on the Common.
5. A person shall not without lawful authority post or paint any bill, placard, advertisement, or notice on any tree or fence or erection on the Common.
6. A person shall not without lawful authority shoot or chase game or other animals or set traps or nets or lay snares for animals on the Common.
7. A person shall not (except in the case of a fair lawfully held) place on the Common any show, exhibition, swing, roundabout, or other like thing.
8. A person shall not wilfully, carelessly or negligently throw or discharge any missile on the Common to the damage or danger of any person.
9. A person shall not without lawful authority fire or discharge any firearm on the Common.
10. Where the Council set apart any such part of the Common as may be fixed by the Council, and may be described in a notice board affixed or set up in some conspicuous position on the Common for the purpose of any game specified in the notice board, which, by reason of the rules or manner playing, or for the prevention of damage, danger or discomfort to any person on the Common, may necessitate the exclusive use by the player or players of any space on such part of the Common - a person shall not in any space elsewhere on the Common play or take part in any game so specified in such a manner as to exclude persons not playing or taking part in the game from the use of such space.
11. A person shall not without lawful authority turn out or permit to graze on the Common any cattle, sheep or other animals.
 - 11A A person shall not without lawful authority ride a horse within the area bounded by St Jude's Road, Bishop's Gate Road, Barley Mow Road and the highway adjacent to the Cricket Pavillion except that no person shall be prohibited from walking horses within a distance of 5m of the perimeter of that part of the Common.
 - 11B A person shall not on the Common drive, chip or pitch a solid golf ball.

- 11C A person shall not without lawful authority or otherwise in the exercise of any right or privilege draw, ride, drive or place upon the Common or any part thereof any carriage, cart, caravan, truck, cycle, motor-cycle or other vehicle, except in the case of accident or emergency.

Provided that where a space is set apart on the Common for any class of vehicle this byelaw shall not be deemed to prohibit the riding or driving in or to that place by a direct route of any vehicle of the class for which the space is set apart.

- 11D No person shall erect a tent or any other structure for the purpose of camping on the Common.
- 11E No person shall light a fire on the Common, or place or throw or let fall a lighted match or any other thing so as to be likely to cause a fire.
12. A person shall not 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 byelaws.
13. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding fifty pounds.
14. An Officer of the Council may, after due warning, remove from the Common any structure erected or placed thereon in contravention of the Scheme, or any animal driven or placed on the Common in contravention of these byelaws.
15. An Officer of the Council may, after due warning, remove from the Common any person who, within his view, infringes any of these byelaws, or any provision of the Vagrancy Acts.

COMMONS MODEL BYELAWS

1. AIRCRAFT

No person shall, except in case of emergency or with the consent of the Council, take off from or land upon the Common in an aircraft, helicopter, hang-glider or hot-air balloon.

2. ANGLING

No person shall on the Common cast any net or line used or intended for use in angling except upon any waters comprised in the Common where fishing is permitted by the Council.

3. ARCHERY

No person shall on the Common, except in connection with an event organised by or with the consent of the Council, engage in the sport of archery.

(Above byelaw can be combined with discus/hammer/javelin throwing and shot-putting byelaws, as required.)

4. BAIT DIGGING

- (i) In this byelaw "restricted area" means such parts of.....as lie above the low water line.
- (ii) No person shall dig for any form of fishing bait in the restricted area.

5. BALL GAMES

- (1) No person who has attained the age of 14 years shall play or take part in any ball game on the Common.
- (2) This byelaw shall not apply to any person who being bona fide in charge of a child under the age of 14 years plays or takes part in any ball game with that child.

6. BATHING

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.

7. BOATS : (PROHIBITION)

No person shall, without the consent of the Council, launch, operate or sail on any waterway comprised in the Common any boat, power craft, dinghy, canoe, sailboard, inflatable or any like craft.

8. BOATS : (REGISTERED BOATS ONLY)

No person shall operate or sail on any waterway comprised in the Common any boat which is not for the time being registered with the Council. Such registration shall be effected by the Council upon written application by the owner of a boat, by:

- (a) entering in a register kept by a duly authorised officer of the Council the name and address of the owner, a general description of the boat and the serial number of the registration; and
- (b) issuing to the owner a certificate of registration incorporating these particulars.

9. BOATS : (ONLY IN DESIGNATED AREAS)

No person shall, without the consent of the Council, operate or sail on any waterway comprised in the Common any boat, except in an area where a notice exhibited by the Council permits the use of boats.

10. BOATS : (EXCEPT MODEL BOATS)

No person shall, without the consent of the Council, place on any lake or other waterway comprised in the Common, any boat other than a model yacht or toy boat.

11. CAMPING

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.

12. CHILDREN'S PLAY APPARATUS

No person who has attained the age of 14 years shall use any apparatus on the Common which, by a notice placed on or near thereto, has been set apart by the Council for the exclusive use of persons under the age of 14 years.

13. CHILDREN'S PLAY AREAS

- (1) No person who has attained the age of 14 years shall enter or remain in the children's play area known as
- (2) This byelaw shall not apply to any person who is bona fide in charge of a child under the age of 14 years.

14. CLIMBING

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.

15. CRICKET BALLS

No person shall on the Common, use any cricket ball, except in any part of the Common which by a notice placed in a conspicuous position has been set aside by the Council as an area where a cricket ball may be used.

16. CYCLING

No person shall, without reasonable excuse, ride a cycle, except on any part of the Common where there is a right of way for cycles, or along such routes as may be fixed by the Council and indicated by signs placed in conspicuous positions on the Common.

17. DISCUS THROWING

No person shall on the Common, except in connection with an event organised by or with the consent of the Council, engage in the sport of discus throwing.

(Above byelaw can be combined with archery, hammer and javelin throwing and shot-putting byelaws, as required.)

18. ERECTION OF STRUCTURES

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.

19. FIRES

(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.

20. GAMES

(i) 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 in 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.
- (ii) 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 Common 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.
- (iii) (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.

21. GATES

Where the Council indicates by a notice conspicuously exhibited on or alongside any gate on the Common that leaving that gate open is prohibited, no person having opened that gate, or caused it to be opened, shall leave it open.

22. GOLF

No person shall on the Common drive, chip or pitch a hard golf ball [except on land set aside by the Council for use as a golf course, golf driving range, golf practice area or putting course].

23. GRAZING

No person shall, without the consent of the Council, turn out or permit any animal to graze on the Common.

24. HAMMER THROWING

No person shall on the Common, except in connection with an event organised by or with the consent of the Council, engage in the sport of hammer throwing.

(Above byelaw can be combined with archery, hammer and javelin throwing and shot-putting byelaws, as required.)

25. HORSES : (DANGEROUS RIDING)

No person shall on the Common intentionally or negligently ride a horse to the danger of any other person using the Common.

26. HORSES : (PROHIBITION)

No person shall, except in the exercise of any lawful right or privilege, ride a horse on the Common.

27. HORSES : (ONLY IN DESIGNATED AREAS)

Where any part of the Common has, by notices placed in conspicuous positions on the Common, been set apart 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.

28. INTERFERENCE WITH LIFE-SAVING EQUIPMENT

No person shall, except in case of emergency, remove from or displace on the Common or otherwise tamper with any life-saving appliance provided by the Council.

29. INTERPRETATION

In these byelaws:

“the Council” means- [.....]

“the Common” means- [.....]

30. JAVELIN THROWING

No person shall on the Common, except in connection with an event organised by or with the consent of the Council, engage in the sport of javelin throwing.

(Above byelaw can be combined with archery, discus and hammer throwing and shot-putting byelaws, as required.)

31. KITES

No person shall on the Common fly or cause or permit to be flown any kite in such a manner as to cause a danger or annoyance to any other person on the Common.

32. METAL DETECTORS

No person shall on the Common use any device designed or adapted for detecting or locating any metal or mineral in the ground.

33. MISSILES

No person shall on the Common, to the danger or annoyance of any other person on

the Common, throw or discharge any missile.

34. MODEL AIRCRAFT*

(Note: Byelaw 1 gives the interpretation of terms used in byelaws 2—6; use those which occur in the byelaws selected. Byelaw 2 bans model aircraft flying altogether. Byelaw 3 allows flying in a designated area on the land. Byelaw 4 places controls on the type of model aircraft flown. Byelaw 5 allows times and days to be specified on which flying is allowed. Byelaw 6 places constraints on noise levels. Select those appropriate. N.B.: Byelaw 2 cannot be used with any of byelaws 3-6.)

1. In these byelaws:

“model aircraft” means an aircraft which either weighs not more than 7 kilograms without its fuel or is for the time being exempted (as a model aircraft) from the provisions of the Air Navigation Order;

“power-driven” means driven by the combustion of petrol vapour or other combustible vapour or other combustible substances *insert if necessary for public safety the following reference to models which are silent in operation and do not need regulation to control noise pollution* or by one or more electric motors or by compressed gas;

[insert if referred to in the following byelaws “radio-controlled” means controlled by a radio signal from a wireless transmitter or similar device;

insert if referred to in the following byelaws “jet-propelled or rocket-propelled” means driven by jet propulsion or by means of a rocket, other than by means of a small reaction motor powered by a solid fuel pellet not exceeding 2.54 centimetres (1 inch) in length].

2. (1) (a) No person shall on the Common release any power—driven model aircraft for flight or control the flight of such an aircraft.

(b) No person shall cause any power—driven model aircraft to take off or land on the Common.

(2) (a) No person shall in the ground release any jet-propelled or rocket-propelled model aircraft for flight or control the flight of such an aircraft.

(b) No person shall cause any jet-propelled or rocket-propelled model aircraft to take off or land in the ground.

3. (1) Where any part of the Common has, by a 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, in such other part of the Common:

(a) cause such an aircraft to take off; or

- (b) without reasonable excuse, cause such an aircraft to land.
- (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.

4. No person shall on the Common:

- (a) 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 it is *[insert as necessary according to the circumstances of the ground]* attached to a control line [or] radio-controlled [and] kept under effective control.

5. No person shall on the Common:

- (a) 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,

except on the days and during the hours specified in the following table:

Name of land	Days	Hours

6. (1) No person shall on the Common:

- (a) 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, 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.

* Councils should take account of the provisions of the Code of Practice on Noise from Model Aircraft, approved on 1 February 1982, which is obtainable from Her Majesty's Stationery Office and through booksellers. They should also consult the Safety Code of the British Model Flying Association for guidance on what types of model might be flown in particular grounds. Before making and advertising the byelaws the Council should bring their proposals to the notice of the British Model flying Association, Chacksfield House, 31 St Andrew's Road, Leicester, LE2 8RE and of any local model aircraft clubs and should consider their views.

35. MODEL BOATS : (ONLY IN DESIGNATED AREAS)

No person shall, without the consent of the Council, operate or sail on any waterway comprised in the Common any model boat, except in an area where a notice exhibited by the Council permits the use of such boats.

36. MODEL BOATS (POWER-DRIVEN) (ONLY IN DESIGNATED AREAS)

- (1) No person shall operate or sail on any waterway comprised in the Common any power-driven model boat, except in any area where a notice exhibited by the Council permits the use of such boats.
- (2) In this byelaw, "power-driven" means driven by the combustion of petrol vapour or other combustible vapour or other combustible substances.

37. NOISE

- (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.

38. OBSTRUCTION

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.

39. OVERNIGHT PARKING

No person shall, without the consent of the Council, leave any vehicle or cause or permit any vehicle to be left on the Common between the hours of 12 midnight and 6 am.

40. PENALTY

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.

41. POLLUTION OF WATERWAYS

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

42. PROTECTION OF FLOWER BEDS, TREES, GRASS, ETC

- (i) No person who brings or causes to be brought onto the Common a vehicle shall wheel or park it over or upon:
 - (a) any flower bed, shrub or plant, or any ground in the course of preparation as a flower bed, or for the growth of any tree, shrub or plant; or
 - (b) any part of Common where the Council, by a notice placed in a conspicuous position in the ground, prohibits its being wheeled or parked.
- (ii) No person shall on the Common tread upon:
 - (a) any flower bed, shrub or plant, or any ground in the course of preparation as a flower bed, or for the growth of any tree, shrub or plant; or
 - (b) any part of the Common set aside for the renovation of grass or turf, where adequate notice to keep off such grass or turf is exhibited.

43. PROTECTION OF WILDLIFE

- (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.

44. PUBLIC SHOWS, EXHIBITIONS AND STRUCTURES

No person shall on the Common, without the consent of the Council, place or take part in any show or exhibition, or set up any swing, roundabout or other like thing.

45. REMOVAL OF STRUCTURES

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.

46. REMOVAL OF SUBSTANCES

No person shall remove from or displace on the Common any stone, soil or turf, or the whole or any part of any plant, shrub or tree.

47. REMOVAL OF VEHICLES, ANIMALS & STRUCTURES

Any officer of the Council may, after due warning, remove from the Common any vehicle or animal drawn, driven or placed on the Common, or any structure (including a caravan) erected or placed thereon, in contravention of the Scheme or of any of these byelaws.

48. REPAIRING OF VEHICLES

No person shall clean, paint or carry out repairs to any vehicle parked on the Common, except in the event of an accident, breakdown or other emergency.

49. REVOCATION

(i) The byelaws made
by.....on..... and
confirmed by.....on.....
relating to the Common are hereby revoked.

(ii) Byelaws []and[] of the byelaws made by
.....
onand confirmed by
the[Secretary of State for Rural Affairs and Local Environmental Quality]
on

relating to the Common are hereby revoked.

50. SAVINGS

- (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 through 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.

51. SHOT-PUTTING

No person shall on the Common, except in connection with an event organised by or with the consent of the Council, engage in the sport of shot-putting.

(Above byelaw can be combined with archery and discus/hammer/javelin throwing byelaws, as required.)

52. SKATEBOARDING AND ROLLER SKATING

No person shall on the Common skate on rollers, skateboards, wheels or other mechanical contrivances in such a manner as to cause danger or nuisance or give reasonable grounds for annoyance to other persons on the Common.

53. TRADING

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.

54. VEHICLES (& CYCLES)

- (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 land a motor cycle, motor vehicle, trailer or any other mechanically propelled vehicle (other than a cycle), except in any part of the 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.

(4) In this byelaw:

“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;

“motor cycle” means a mechanically propelled vehicle, not being an invalid carriage, with fewer 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;

“trailer” means a vehicle drawn by a motor vehicle, and includes a caravan.

55. VEHICLES

- (1) No person shall, without reasonable excuse, ride or drive a motor cycle, motor vehicle or any other mechanically propelled vehicle (other than a cycle) 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 in any part of the Common where there is a right of way for that class of vehicle.
- (2) No person shall, without reasonable excuse, ride a cycle, except in any part of the Common where there is a right of way for cycles, or along such routes as may be fixed by the Council and indicated by signs placed in conspicuous positions on the Common.
- (3) 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.
- (4) This byelaw shall not extend to invalid carriages.
- (5) In this byelaw:

“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 led 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;

“motor cycle” means a mechanically propelled vehicle, not being an invalid carriage, with fewer 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;

“trailer” means a vehicle drawn by a motor vehicle, and includes a caravan.

56. WATERCOURSES

No person shall knowingly cause or permit the flow of any drain or watercourse on the Common to be obstructed or diverted, or open, shut or otherwise work or operate any sluice or similar apparatus on the land.

PROCEDURE FOR MAKING BYELAWS – GUIDANCE NOTES

The following notes have been prepared for the guidance of byelaw making authorities who wish to make byelaws (new sets or amendments to existing sets) which require confirmation by the Secretary of State, Department for Environment, Food & Rural Affairs, Countryside Division, Zone 1/03, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6EB.

The procedure for making byelaws has been laid down in sections 235-238 of the Local Government Act 1972; these notes explain the provisions contained in that Act.

1. Provisional Approval of the byelaws

Although it is not a statutory requirement, byelaw making authorities are strongly advised to submit their proposals to the Department for Environment, Food & Rural Affairs in draft for provisional approval before they are formally adopted or published. In this way, mistakes can be rectified and adjustments can be made to byelaws before an authority has incurred the expense and delay of advertising them. Copies of model byelaws are available from this office. Please submit a draft copy of proposed byelaws and a list of the areas of land to which they are intended to relate. We also require details of by virtue of which Act you intend to use powers to make byelaws.

2. Making the byelaws

When the draft byelaws have been approved provisionally and the byelaw making authority has formally resolved to adopt them, sub section 236(3) of the 1972 Act requires that they should be made under the common seal of the authority or, in the case of byelaws made by a parish or community council not having a seal, under the hands and seals of two members of the council. Two sealed documents are required.

Where the byelaws are made by a parish or community council not having a seal a suitable subscription to the byelaws would be:

“Given under our hands and seals this.....day
of.....20.....

(Signed)..... (Seal) [Sealing wax/parchment seals may be
obtained from Law Stationers]

(Signed)..... (Seal)

Members of the.....Parish/Community Council”.

If members of the parish or community council who sign the byelaws do not possess personal seals, the imprint of a signet ring, coin or thumb on sealing wax will suffice.

3. Advertising the byelaws and holding them on deposit

After the byelaws have been sealed, a notice of the authority's intention to apply for their confirmation must be given in one or more newspapers circulating in the area to which the byelaws apply (subsection (4) of section 236). Additionally, for at least one month after the date of publication of the newspaper containing the notice a copy of the byelaws must be held on deposit at the offices of the authority for inspection by the public at all reasonable hours (subsection (5) of section 236).

The usual wording for the newspaper notice is as follows:

**"COUNTY/DISTRICT/PARISH/COMMUNITY OF
.....CONFIRMATION OF BYELAWS**

Notice is hereby given that the
County/District/Parish/Community/Council of.....intend after
the expiry of the period mentioned below to apply to the Secretary
of State for confirmation of the byelaws made by the Council
[Insert here a description of the byelaws].

Copies of the byelaws will be kept at the office of the Council
at....., and will be open to inspection without payment on
any week day during the usual office hours for one calendar
month from and after the date of the publication of this notice.
Copies of the byelaws will also be supplied on receipt of an
application [free of charge/accompanied by a fee of..... for each
copy.]

Any representation to the confirmation of the byelaws may be
made by letter addressed to the Secretary of State, Department
for Environment, Food & Rural Affairs, Zone 1/03, Temple Quay
House, 2 The Square, Temple Quay, Bristol, BS1 6EB within one
calendar month from the publication date of this advertisement.
Where representations are received, copies may be forwarded to
the byelaw making authority for their comments before any
decision is taken on whether the byelaws should be confirmed.
Please indicate in your letter if you do not wish your
representation to be made public.

[Signed]

Proper Officer of the
Council

[Insert date of Signature].....20.....”.

It is sometimes overlooked that it is “a copy of the byelaws” which by subsection (5) has to be held on deposit. The period of deposit can, therefore, not begin effectively until the byelaws have been brought into existence by being sealed. To avoid confusion, authorities are advised to ensure that the byelaws are advertised after they have been sealed.

Subsection (6) of section 236 requires the authority to provide any person who applies with a copy of the byelaws or with a copy of any part of the byelaws. It also allows the council to charge a fee of not more than 10 pence for every hundred words contained in any copy supplied.

4. Applying for confirmation of the byelaws

The application for confirmation should not be made until the month of deposit has expired. Two sealed copies of the byelaws should be sent (3 copies of byelaws made under section 82 of the Public Health Acts Amendment Act 1907) and a copy or copies of the newspaper or newspapers containing the notice of intention to apply for confirmation. The application should also include a statement that a copy of the byelaws as forwarded for confirmation has been deposited for inspection for a full calendar month after the date of publication of the newspapers.

In order to provide sufficient room for the official stamp and the Secretary of State's seal signifying that the byelaws have been confirmed, at least 6 inches (15 cm) space should be left after the council's seal.

On receipt of the sealed byelaws, provided that they correspond with those for which provisional approval has already been given and no representations have been received, the byelaws will normally be confirmed and returned to the local authority within two weeks. Where representations have been received copies may be forwarded to the local authority (or confirming authority if this is not a local authority) for their comments before any decision is taken on whether the byelaws should be confirmed. In contentious cases, particularly those where the arguments are finely balanced, it is open to the Secretary of State under section 250 of the Local Government Act 1972 to order a public inquiry to be held. It is rare for inquiries to be held into byelaw applications and in the normal course the Secretary of State would hope that the issues, and any scope for compromise, might be determined by discussion locally between the council and the objectors.

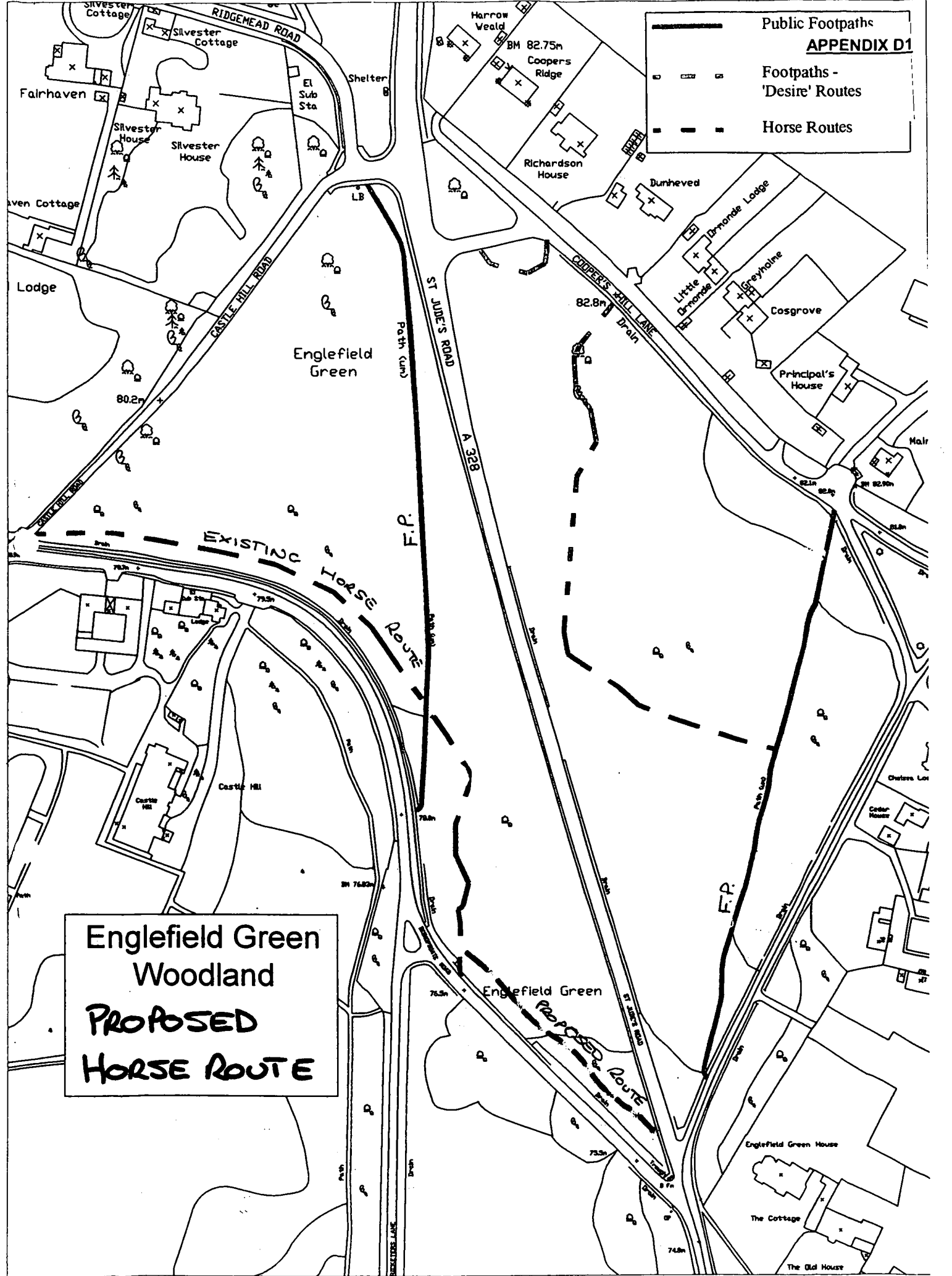
5. The date of operation of the byelaws

When she confirms byelaws the Secretary of State may, under subsection (4) of section 236, fix the date upon which they are to come into force. In order to give byelaw making authorities an opportunity to make any necessary arrangements, this date will normally be one month from the date of confirmation, unless there are special circumstances which make it desirable for the byelaws to operate at an earlier date. If this is the case, a suitable request and the reasons for it should accompany the application for confirmation.

6. Further information

Drafts of byelaws for provisional approval, sealed byelaws and any other queries should be addressed to:

The Secretary of State
Department for Environment, Food & Rural Affairs
Countryside Division
Zone 1/03
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6EB
Telephone: 0117 372 8106



Public Footpaths	
APPENDIX D1	
[Symbol: Dashed line]	Footpaths - 'Desire' Routes
[Symbol: Solid line]	Horse Routes

Englefield Green
Woodland
**PROPOSED
HORSE ROUTE**

A.J. & M.T. Power
4, Beauforts,
Englefield Green,
Egham, Surrey.
TW20 ODW

The Chairman of The Englefield Green Committee

1st November 2004

A Proposal that NO Goal Posts be put on The Green for a trial period of three years.

Dear Hugh

I am writing to you as Honorary Warden and on behalf of local residents who are still opposed to Goal Posts on The Green.

This year the junior goal post has stood in the middle of The Green 24 hours a day 7 days a week, from 23rd July to 8th September. During that period it has been used by its target group for only **18 hours** (5%) of its usable time of **564 hours**, (8am-8pm daily) which means that it has remained **unused for 95 % of its time**

The above figures are based on actual daily observations diligently and honestly recorded as I have done for the past two years. I am quite happy to sign an affidavit to this effect

The reason for the proposal is that the current goal post continues to have a *detrimental* visual effect on the village green and the surrounding *conservation* area, which is out of all proportion to its perceived benefits, all be it for the school holiday period. The terms "Architectural Graffiti" and "Eyesore" have been used to describe the post.

As trial periods for having goal posts on The Green have been going on for the past *three years*, it is strongly felt that it would be reasonable and fair to ask you and the Committee to seriously consider the proposal that *NO goal post* be placed on The Green for a similar three year trial period from 2005 so that a balanced picture of the pros and cons of the Goal Posts on The Green can be formed.

No youngsters will be prevented from playing and enjoying football or any other recreational pursuit on the village green (as they have done so for past decades) because there is not a junior goal post upon it, as the enclosed photocopies show.

Yours faithfully

Andy Power
Honorary Warden

Photocopies of photos No 58, &, 83 enclosed.