

21 JUN 1915  
3744  
AND FISHERIES

A SCHEME for the Regulation of certain Common or Waste Lands situate in the Parishes of Barcombe, Chailey and Newick, within the Rural District of Chailey, Sussex.

SCHEME.

Description of Commons and management by District Council.

1. The pieces of land, with the ponds, paths and roads thereon, commonly known as Markstakes Common and other common or waste lands in the Parish of Barcombe; North Common, Lane End Common, Godley's Green, part of the Village Green and other common or waste lands in the Parish of Chailey; and part of Fletching Common, the Village Green and other common or waste land in the Parish of Newick, all in the County of Sussex, and hereinafter referred to as "The Commons," as the same are delineated in a plan deposited at the office of the Rural District Council of Chailey, 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 bye-laws 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 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 seats upon and light the Commons and otherwise improve the Commons as places 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, or any erection whatever, without the previous consent of the person entitled to the soil of the Commons.

Against encroachments.

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.

the right of  
access and  
recreation.

Maintenance and  
construction of  
paths and roads.

Fencing of quarries,  
&c.

Games, &c.

Bye-laws.

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 bye-laws made by the Council under this scheme.

6. The Council shall have power to repair and maintain the existing paths and roads on the Commons and to set out, make, and maintain such new paths and roads on the Commons as appear to the Council to be necessary or expedient, subject to the previous consent in writing of the owner of the soil as to such new paths and roads, and to take any proceedings necessary for the stopping or diversion of any highway over the Commons.

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

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 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.

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 bye-laws for any of the following purposes, viz. :—

- a. For prohibiting the deposit on the Commons, 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 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, 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 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 without lawful authority upon the Commons of any carriage, cart, caravan, truck, or other vehicle, and the erecting or permitting to remain on the Commons, 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 Commons any vehicle drawn upon the Commons and any structure erected thereon in contravention of any such bye-law ;

- 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, and for authorising an officer of the Council to remove from the Commons any thing placed upon the Commons in contravention of any such bye-law ;
- j.* For prohibiting or regulating the lighting of any fire on the Commons ;
- k.* For prohibiting or regulating the firing or discharge of firearms or the throwing or discharge of missiles on the Commons ;
- l.* For regulating games to be played and other means of recreation to be exercised on the Commons, and assemblages of persons thereon ;
- m.* For regulating the use of any portion of the Commons temporarily enclosed or set apart under this scheme for any purpose ;
- n.* For prohibiting or regulating horses being exercised or ridden without lawful authority by grooms or others on 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 ; and for authorising an officer of the Council to remove from the Commons any cattle, sheep, or other animal being upon the Commons in contravention of any such bye-law.
- p.* 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 ;
- q.* For authorising an officer of the Council, after due warning to remove or exclude from the Commons any person who within his view commits, or whom he reasonably suspects of committing, an offence against any bye-law 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 bye-laws made thereunder.

10. All bye-laws made under this scheme shall be published on notice-boards placed on such parts of the Commons (not less than 15) as to the Council may appear desirable, which shall be renewed from time to time when necessary.

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

11. Nothing in this scheme or any bye-law 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 exerciseable in, over, under, or on the soil or surface of the Commons in connection with 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 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.

Sealed with the Common Seal of the Chailey Rural District Council by resolution of the Council the eighteenth day of June One thousand nine hundred and fifteen by me



*Francis G. Selater,*  
Presiding Chairman

In the presence of

*Chas Patrick*  
Clerk to the Council.

*Approved by Order of  
the Board of Agriculture  
& Fisheries this eighth  
day of September nineteen  
hundred and fifteen.*

*7.*

*Sydney Oliver*  
Secretary.