

BOROUGH OF GUILDFORD

B Y E L A W S

MADE BY

The Mayor, Aldermen and Burgesses of the
Borough of Guildford, acting by the Council

WITH RESPECT TO

*the regulation and preservation of and the preservation of
Order on Merrow Downs*

BOROUGH OF GUILDFORD

BYELAWS

made under Section 39 of the Guildford Corporation Act 1967 by the Mayor Aldermen and Burgesses of the Borough of Guildford acting by the Council with respect to the regulation and preservation of and the preservation of Order on Merrow Downs.

1. In these byelaws the expression "the Council" means the Guildford Borough Council; the expression "the Common" means the pieces of land with the ponds, streams, paths and roads thereon commonly known as Merrow Downs situate in the Borough of Guildford in the County of Surrey and referred to as Merrow Downs in the Guildford Corporation Act 1967 under which the management of the common is vested in the Council.

2. A person shall not on the common

(i) Wilfully, carelessly or negligently soil or defile any wall or fence or hedge on or enclosing the common;

(ii) Climb any wall or fence on or enclosing the common, or any tree or other erection.

3. No person shall without lawful authority place, throw or let fall any lighted or combustible substance, article or thing which may cause or be likely to cause damage by fire to any turf, gorse, heather, fern, grass, timber, shrub, brushwood or other trees or plants upon the common.

4. A person shall not affix any bill, placard or notice, to or upon any wall or fence on or enclosing the common, or to or upon any tree, or plant, or to or upon any part of any building, barrier or railing, or of any other erection or ornament on the common.

5. (i) A person shall not except in the exercise of any lawful right or privilege bring or cause to be brought onto the common any barrow, truck, machine or vehicle other than:—

(a) a wheeled bicycle, tricycle or other similar machine;

(b) 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.

Provided that where the Council set apart a space on the common for the use of any class of vehicle, this byelaw shall not be deemed to prohibit the driving in or to that space by a direct route from the entrance to the common of any vehicle of the class for which it is set apart.

(ii) A person shall not except in the exercise of any lawful right or privilege ride any bicycle, tricycle, or other similar machine on any part of the common;

(iii) A person who brings a vehicle onto the common shall not wheel or station it upon any part of the common where the Council by a notice board affixed or set up in some conspicuous position on the common prohibits its being wheeled or stationed.

6. A person shall not on the common

(i) except as hereinafter provided erect any post, rail, fence, pole, tent, booth stand, building or other structure.

Provided that this prohibition shall not apply where upon an application to the Council they grant permission to erect any post, rail, fence, pole, tent, booth stand, building, or other structure, upon such occasion and for such purpose as is specified in the application;

(ii) beat, shake, sweep, brush or cleanse any carpet, drugget, rug or mat, or any other fabric containing dust or dirt;

(iii) hang spread or deposit linen or other fabric for drying or bleaching;

(iv) sell or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article, unless, in pursuance of an agreement with the Council, or otherwise in the exercise of any lawful right or privilege, he is authorised to sell or let to hire on the common such commodity or article.

7. No person shall except in the case of a fair lawfully held place on the common any show, exhibition, swing, roundabout or other like thing.

8. No person shall without lawful authority land on or depart from the common in an aeroplane or other flying machine except in the case of accident or other sufficient cause.

9. A person shall not bring or cause to be brought onto the common any cattle, sheep, goats or pigs, or any beast or draught or burden, unless, in pursuance of an agreement with the Council or otherwise in exercise of any lawful right or privilege, he is authorised to do so.

10. A person shall not cause or suffer any dog belonging to him or in his charge to enter or remain on the common, unless such dog be and continue to be under proper control and be effectually restrained from causing annoyance to any person, and from worrying or disturbing any animal or waterfowl.

11. No groom or other person shall without lawful authority exercise or break in any horse on the common.

12. A person on the common shall not wilfully obstruct, disturb, interrupt, or annoy any other person in the proper use of the common, or wilfully obstruct, disturb or interrupt any officer of the Council in the proper execution of his duty on the common or of any work in connection with the laying out or maintenance of the common.

13. Where the Council set apart any such part of the common as may be fixed by the Council, and 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 of playing, or for the prevention of damage, danger or discomfort to any person on the common may necessitate at any time during the continuance of the game, the exclusive use by the player or players of any space in 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 manner as to exclude persons not playing or taking part in the game from the use of such a space.

14. A person resorting to the common and playing or taking part in any game for which the exclusive use of any space on the common has been set apart shall:—

(i) not play on the space any game other than the game for which it is set apart;

(ii) in preparing for playing and in playing, use reasonable care to prevent undue interference with the proper use of the common by other persons;

(iii) when the space is already occupied by other players not begin to play thereon without their permission;

(iv) where the exclusive use of the space has been granted by the Council for playing of a match, not play on that space later than a quarter of an hour before the time fixed for the beginning of the match unless he is taking part therein.

15. A person shall not on any part of the common which may have been set apart by the Council for any game play or take part in any game when the state of the ground or other cause makes it unfit for use and a notice is set up in some conspicuous position prohibiting play on that part of the common.

16. Nothing in these byelaws shall prejudice or limit the rights reserved to the Guildford Golf Club under the Grants from the Council confirmed to them by Provisional Order.

17. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding £20.

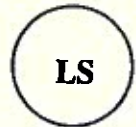
18. Every person which shall infringe any byelaw for the regulation of the common may be removed therefrom by any officer of the Council, or by any constable in any one of the several cases hereinafter specified; that is to say:—

(i) Where the infraction of the byelaw is committed within the view of such officer or constable, and the name and residence of the person infringing the byelaw are unknown to and cannot readily be ascertained by such officers or constable;

(ii) Where the infraction of the byelaw is committed within the view of such officer or constable, and, from the nature of such infraction, or from any other fact of which such officer or constable may have knowledge, or of which he may be credibly informed, there may be reasonable ground for belief that the continuance on the common of the person infringing the byelaw may result in another infraction of a byelaw or that the removal of such person from the common is otherwise necessary as a security for the proper use and regulation thereof.

19. As and from the date of confirmation of these byelaws the byelaws made by the Conservators on the Twentieth day of April One thousand nine hundred and six pursuant to the Inclosure Act 1845 to 1899 and confirmed by the Secretary of State on the Twenty-Sixth day of May One thousand nine hundred and six are hereby repealed.

THE COMMON SEAL of THE MAYOR
ALDERMEN AND BURGESSES OF THE
BOROUGH OF GUILDFORD was here-
unto affixed on the Twentieth day of February
1973 in the presence of:—



(Signed) BILL BELLERBY

Mayor

(Signed) HERBERT C. WELLER

Town Clerk

The Secretary of State this day confirmed the foregoing byelaws and fixed the date on which they are to come into operation as the first day of January 1974.

(Signed) K. P. WITNEY