

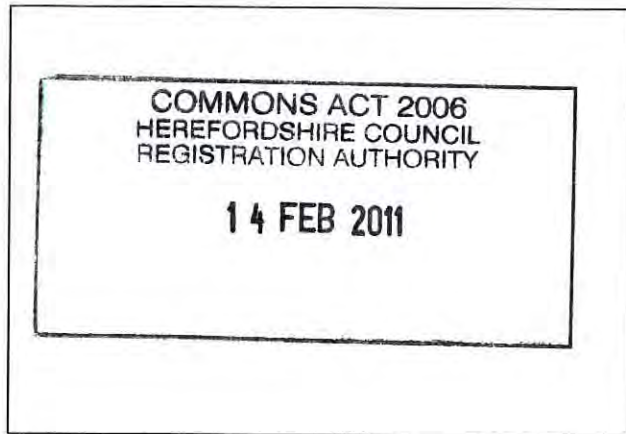
Form CA10

Commons Act 2006: section 19

Application to correct the register

This section is for office use only

Official stamp



Application number

2011/CL/005

Applicants are advised to read the 'Part 1 of the Commons Act 2006 (changes to the commons registers): Guidance to applicants in the pilot implementation areas' and to note the following:

- All applicants should complete parts 1–8.
- Any person can apply under section 19.
- An application submitted for a purpose described in Section 19(2) (a) is free, but applications under 19(2)(b), (c), (d) and (e) must be accompanied by a fee. Ask the registration authority for details of the fee.

| Note | Part |
|--|---|
| <p>Note 1</p> <p>Insert name of commons registration authority.</p> | <p>1. Commons Registration Authority</p> <p>To the:</p> <p>Tick one of the following boxes to confirm that you have:</p> <p>enclosed the appropriate fee for this application: <input type="checkbox"/></p> <p>or</p> <p>applied for a purpose in section 19(2)(a), so no fee is enclosed: <input checked="" type="checkbox"/></p> |
| <p>Note 2</p> <p>If there is more than one applicant, list all names. Use a separate sheet if necessary. State the full title of the organisation if the applicant is a body corporate or unincorporate. If you supply an email address in the box provided, you may receive communications from the registration authority or other persons (e.g. objectors) via email. If part 3 is not completed all correspondence and notices will be sent to the first named applicant.</p> | <p>2. Name and address of the applicant</p> <p>Name: Herefordshire Council</p> <p>Full postal address: Franklin House Plough Lane 4 Commercial Road Hereford Hereford HR1 2BB HR4 0LE</p> <p>Telephone number (incl. national dialling code): 01432 261991</p> <p>Fax number (incl. national dialling code): N/A</p> <p>E-mail address: commonsregistration@herefordshire.gov.uk</p> |
| <p>Note 3</p> <p>This part should be completed if a representative, e.g. a solicitor, is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here. If you supply an email address in the box provided, you may receive communications from the registration authority or other persons (e.g. objectors) via email.</p> | <p>3. Name and address of representative, if any</p> <p>Name: N/A</p> <p>Firm:</p> <p>Full postal address:</p> <p>Telephone number (incl. national dialling code):</p> <p>Fax number (incl. national dialling code):</p> <p>E-mail address:</p> |
| <p>Note 4</p> <p>For further details of the requirements of an application refer to Schedule 4, paragraph 11 to the Commons Registration (England) Regulations 2008.</p> | <p>4. Basis of application for registration and qualifying criteria</p> <p>Specify the register unit number to which this application relates: CL79</p> <p>Specify the rights number to which this application relates (if relevant):</p> <p>Tick one of the following boxes to indicate the purpose (described in section 19(2)) of your application. Are you applying to:</p> <p>Correct a mistake made by the commons registration authority: <input checked="" type="checkbox"/></p> <p>Correct any other eligible mistake: <input type="checkbox"/></p> <p>Remove a duplicate entry from the register: <input type="checkbox"/></p> |

| | |
|---|--|
| | Update the details of any name or address referred to in an entry: <input type="checkbox"/> Accretion or diluvion: <input type="checkbox"/> |
| Note 5 Explain why the register should be amended and how you think it should be amended. | 5. Describe the purpose for applying to correct the register and the amendment sought To correct the register to include land under the 1899 Commons Act that was not included in the application under the Commons Registration Act 1965. |
| Note 6 List all supporting consents, documents and maps accompanying the application, including evidence of the mistake in the register. There is no need to submit copies of documents issued by the registration authority or to which it was a party but they should still be listed. Use a separate sheet if necessary. | 6. Supporting documentation ① Scheme of management ② Copy of the plan of the Scheme of management ③ Correspondence ④ 1899 Act for Privy wood Common, Clifford Herefordshire |
| Note 7 List any other matters which should be brought to the attention of the registration authority (in particular if a person interested in the land is expected to challenge the application for registration). Full details should be given here or on a separate sheet if necessary. | 7. Any other information relating to the application There are 4 parcels of land that are registered to owners, please see attached sheet for details. |
| Note 8 The application must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or unincorporate. | 8. Signature Date: 14/02/2011 Signatures: <i>[Signature]</i> on behalf of Herefordshire Council |

REMINDER TO APPLICANT

You are responsible for telling the truth in presenting the application and accompanying evidence.

You may commit a criminal offence if you deliberately provide misleading or untrue evidence and if you do so you may be prosecuted.

You are advised to keep a copy of the application and all associated documentation.

Data Protection Act 1998

The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the commons registration authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.

A copy of this form and any accompanying documents may be disclosed upon receipt of a request for information under the Environmental Information Regulations 2004 and the Freedom of Information Act 2000.

COMMONS ACT 1899.

Scheme for Regulation of
PRIORY WOOD COMMON,
CLIFFORD.

HEREFORDSHIRE.

*Rye-laws are a
product of Sale
of Ryegrass*

1. The piece of land with the ponds, streams, paths, and roads thereon, commonly known as Priory Wood Common, situate in the parish of Clifford, in the County of Herefordshire, and hereinafter referred to as "the Common," as the same is delineated in a plan sealed by, and deposited at, the Office of the Rural District Council of Bredwardine, 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.
2. The powers of the Council generally as to the 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 judgement 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.
3. The Council may execute any necessary 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

... place of erect seats, shelters, pavilions and drinking fountains and conveniences upon, and light the Common and shrubs for shelter or ornament, 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.

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.
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.
6. The Council shall have power to repair and maintain the existing paths and roads on the Common and to set out, construct, and maintain or authorize the construction and maintenance of 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.
7. The Council may, for the prevention of accidents, fence any quarry, pit, pond, stream, or other like place on the Common.
8. 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, 1889, make, revoke, and alter bye-laws for any of the following purposes, viz.:-
 - (a) For prohibiting the deposit on the Common, or in any pond or stream thereon, of road-sand, materials for repair of roads, dung, rubbish, litter, 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, shelters, pavilions, 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, erections 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, driving or placing upon the Common without lawful authority of any carriage, cart, caravan, truck, motor vehicle, motor cycle, aeroplane, flying machine or other vehicle, and the erecting or permitting to remain on the Common, without the consent of the Council or other lawful

- authority, of any building, shed, tent, fence, post, railing, or other structure, whether used in connection with the playing of games or not.
- B. 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.
- i. For prohibiting or regulating the lighting of any fire on the Common.
- j. For prohibiting or regulating the firing or discharge of firearms or the throwing or discharge of missiles on the Common.
- k. For regulating games to be played and other means of recreation to be exercised on the Common, and assemblages of persons thereon.
- l. For regulating the use of any portion of the Common temporarily enclosed or set apart under this Scheme for any purpose.
- m. For prohibiting or regulating horses being exercised or broken in without lawful authority by grooms or others on the Common.
- n. For prohibiting or regulating the landing or departure of any aeroplanes and flying machines on or from 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.
- p. For prohibiting any person from bathing in any pond or stream on the Common, save in accordance with regulations made by the Council.
- q. 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.

r. For authorising any officer of the Council, after due warning, to remove from the Common any vehicle or animal drawn, driven, or placed or any structure erected or placed thereon in contravention of any byelaw made under this Scheme, or to exclude from the Common any person who within his view commits, or whom he reasonably suspects of committing an offence against any such byelaw or against the Vagrancy Act 1824 (a).

s. 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.

9. All byelaws made under this Scheme shall be published on notice-boards placed on such parts of the common (not less than two.) as to the Council may appear desirable.

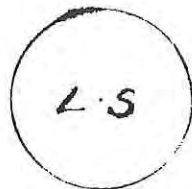
10. Nothing in this Scheme or any byelaw made thereunder shall prejudice or affect any right of the person entitled as Lord of the Manor or otherwise to the soil of the Common, or of any person claiming under him which is lawfully exercisable in, over, under, or on the soil or surface of the Common in connection with game, or with mines, minerals, or other substrata or otherwise, or prejudice or affect any right of the commoners in or over the Common or the lawful use of any highway or thoroughfare on the Common, or affect any power or obligation to repair any such highway or thoroughfare.

11. Printed copies of this Scheme and of any byelaws made thereunder 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.

The Common Seal of the Rural District
Council of Bredwardine was hereunto
affixed this 24th day of January 1929
in the presence of

(Signed) E. F. Cockcroft, Chairman.

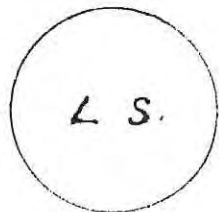
(Signed) R. Trevor Griffiths, Clerk.



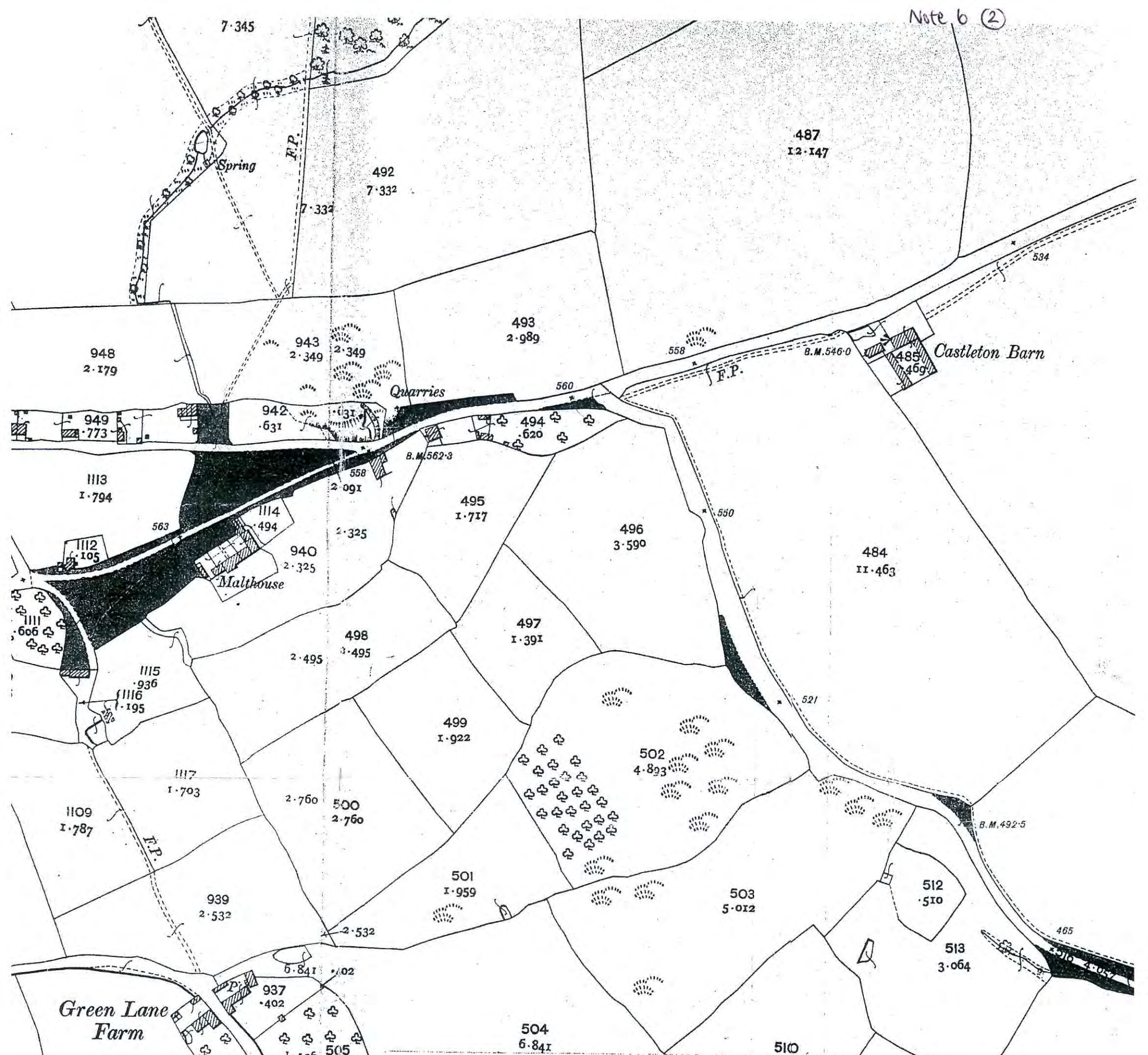
Approved by order of the Minister of)
Agriculture and Fisheries this 31st)
day of January 1929.

(Signed) H. L. French.

Assistant Secretary.



Note 6 (2)



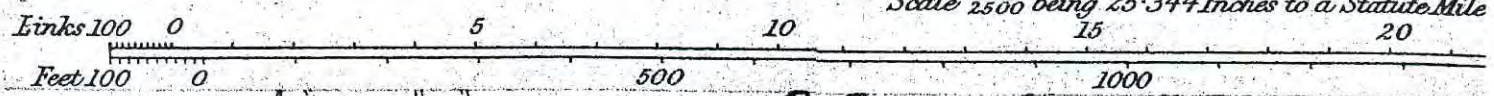
Copy of the Plan referred to in a scheme for the Regulation of PRIORY WOOD COMMON under the Commons Act, 1899, approved by the Minister of Agriculture and Fisheries dated the 31st day of January, 1929.

The Commoners Deal of the Priory Wood Council of the Priory Wood was hereunto this 24th day of January in the presence of

N. L. French

Assistant Secretary

E. A. Cockcroft: Chairman



Re John G. Mills Clerk

COUNTY OF HEREFORD.

NOTE:-

The green colour includes the whole of the lands, ponds, paths and streams forming parts of the common, but is not intended to include any boundary ditches forming parts of adjoining properties.

87
147

B.M. 546.0
485
46g
Castleton Barn

483
22.729

484
11.463

Old Quarry

522
14.817

B.M. 492.5

518
11.700

512
510

517
11.500

513
3.064

519
694

for the
ON under the
ister of
31st

*Annual
Commons Deal of the Urban District
Council of Hereford was resumed as usual
on the day of January 1929
in the presence of*

520
21.416

515
16.479

Deputy: Chairman

593
0.045

Scale 2500 being 25.344 Inches to a Statute Mile or 208.33 Feet to One Inch.

John G. G. Clerk

40 Chains
or 1/2 Mile
2500 2600 Feet

582
Pit
417

581
634

B.M. 543.8

H.S.A.J.

Priory Wood Cottage
Clifford
Hereford HR3 5HE

r.mighall@which.net Tel: 01497 831462

11th November 2008

G Thompson Esq
County Land Agent
Herefordshire Council
Franklin House
4 Commercial Road
Hereford HR1 2BB

Dear Mr Thompson,

CLIFFORD PARISH – REGISTRATION OF PRIORY WOOD COMMON

1. You will recall that earlier this year we obtained from the National Archives a statement of the byelaws and an associated map, both dated 1929, relating to the various plots of land comprising Priory Wood Common. Both your office and Clifford Parish Council have copies. As the two documents had Ministerial approval, it was considered that they could be accepted as being the authority for the regulation the Common and for the definition of its boundaries.
2. Our subsequent discussions and correspondence on the subject revealed that most of the plots shown on the map were unregistered and were not included in the current Commons Register.
3. Part 1 of the Commons Act 2006 authorises the implementation of a pilot scheme for selected registration authorities, including Herefordshire, to update Commons registers. The Act allows, inter alia, for the registration of unregistered plots of common land. Accordingly, and in my capacity as Open Spaces Representative for Clifford Parish Council, please find enclosed a completed Form CA13 requesting that the unregistered plots of land within Priory Wood Common, as shown on the above-mentioned map, now be registered.
4. The following points are pertinent to the application:

a. The plot on the far side of the road from the Chapel (and outlined in red on the enclosed map) was registered at Herefordshire Council by Captain LN Hope of Whitney Court Estate in the mid 1960s; I understand that he also claimed ownership. Whatever, in 1968, the plot was sold by Mrs CE Hope of Whitney Court Estate to the present owners, Clifford Parish Council.

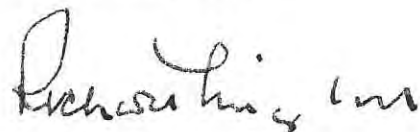
b. An adjacent plot comprising the verge strip abutting the Chapel (and outlined in blue on the enclosed map) was also registered by Captain Hope with Herefordshire Council. Again, I understand that he claimed ownership. However, there are apparently no documents held by the Council to support this claim, and the agent for Whitney Court Estate, Mr Paul Segrott of Balfours LLP, contends in the enclosed letter that both the Estate and Mrs Hope at the time of the above 1968 sale sold what they believed to be the extent of the Estate's ownership of the Common – that is the area outlined in red on the map. The sale did not include this verge strip. It would thus seem that Captain Hope's claim of ownership of the strip was invalid.

c. The public road separating the above two plots, although part of Priory Wood Common, has not been registered.

5. There are no known owners of the various plots with the exception of the one owned by Clifford Parish Council and referred to in para 4a. The Parish Council has asked me to request that consideration be given for title of these non-owned plots to be granted to the Council by prescription.

6. Please let me know if you require any further information.

Yours sincerely,



RTW Mighall

Encls:

1. Completed Form CA13
2. Map.
3. Letter.

Form CA13

Commons Act 2006: Schedule 2

Application to correct non-registration or mistaken registration

This section is for office use only

Official stamp

Application number

Register unit number
allocated at registration (for
missed commons only)

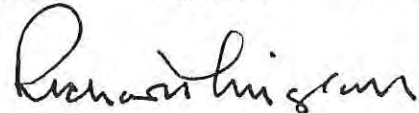
Applicants are advised to read the 'Part 1 of the Commons Act 2006 (changes to the commons registers): Guidance to applicants in the pilot implementation areas' and to note the following:

- All applicants should complete parts 1-10.
- Any person can apply under Schedule 2.
- Applications must be submitted on or before 31 December 2020. From that date onwards no further applications can be submitted.
- The application must be accompanied by a fee except for applications under Schedule 2, paragraphs 2, 3, 4 or 5. Ask the registration authority for details of the fee.

| Note | Part |
|--|--|
| <p>Note 1</p> <p>Insert name of commons registration authority.</p> | <p>1. Commons Registration Authority</p> <p>To the: HEREFORDSHIRE COUNCIL</p> <p>Tick the box to confirm that you have:</p> <p>enclosed the appropriate fee for this application: <input type="checkbox"/></p> <p>or</p> |

| | |
|---|--|
| <p>Note 2</p> <p>If there is more than one applicant, list all names. Use a separate sheet if necessary. State the full title of the organisation if the applicant is a body corporate or unincorporated. If you supply an email address in the box provided, you may receive communications from the registration authority or other persons (e.g. objectors) via email. If part 3 is not completed all correspondence and notices will be sent to the first named applicant.</p> | <p>2. Name and address of the applicant</p> <p>Name: RICHARD MIGHALL</p> <p>Full postal address: PRIORY WOODCOTTAGE, CLIFFORD, WRS SHE</p> <p>Telephone number (incl. national dialling code): 01497 831462</p> <p>Fax number (incl. national dialling code):</p> <p>E-mail address: r.mighall@which.net</p> |
| <p>Note 3</p> <p>This part should be completed if a representative, e.g. a solicitor, is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here. If you supply an email address in the box provided, you may receive communications from the registration authority or other persons (e.g. objectors) via email.</p> | <p>3. Name and address of representative, if any</p> <p>Name:</p> <p>Firm:</p> <p>Full postal address:</p> <p>Telephone number (incl. national dialling code):</p> <p>Fax number (incl. national dialling code):</p> <p>E-mail address:</p> |
| <p>Note 4</p> <p>For further details of the requirements of an application refer to Schedule 4, paragraph 14 to the Commons Registration (England) Regulations 2008.</p> | <p>4. Basis of application for correction and qualifying criteria</p> <p>Tick one of the following boxes to indicate the purpose for which you are applying under Schedule 2.</p> <p>To register land not registered as common land (paragraph 2): <input checked="" type="checkbox"/></p> <p>To register land not registered as town or village green (paragraph 3): <input type="checkbox"/></p> <p>To register waste land of the manor not registered as common land (paragraph 4): <input type="checkbox"/></p> <p>To register a town or village green wrongly registered as a common (paragraph 5): <input type="checkbox"/></p> <p>To deregister a building wrongly registered as common land (paragraph 6): <input type="checkbox"/></p> <p>To deregister any other land wrongly registered as common land (paragraph 7): <input type="checkbox"/></p> <p>To deregister a building wrongly registered as town or village green (paragraph 8): <input type="checkbox"/></p> <p>To deregister any other land wrongly registered as town or village green (paragraph 9): <input type="checkbox"/></p> |

| | |
|---|--|
| <p>Note 5</p> <p>Explain why the register must be amended to take account of either land and buildings that were wrongly registered or land that was not registered.</p> | <p>5. Description of the reason for applying to correct the register:</p> <p>RECENT EVIDENCE FROM NATIONAL ARCHIVES THAT PRIORY WOOD COMMON, CLIFFORD COMPRISES A GREATER AREA OF LAND THAN PREVIOUSLY RECORDED IN COMMONS REGISTERS</p> |
| <p>Note 6</p> <p>The accompanying map must be at a scale of at least 1:2,500, or 1:10,560 if the land is wholly or predominantly moorland, and shows the land by distinctive colouring to enable it to be clearly identified. Give a grid reference or other identifying detail.</p> | <p>6. Description of land</p> <p>Name by which the land is usually known: PRIORY WOOD COMMON</p> <p>Location: CLIFFORD HEREFORDSHIRE</p> <p>Tick the box to confirm that you have attached a map of the land: <input checked="" type="checkbox"/></p> |
| <p>Note 7</p> <p>The only applications which require consent under Schedule 2 to the Commons Act 2006 are those submitted under paragraphs 2 or 3 to register land as common land or town or village green which includes land covered by a building or which is within the curtilage of a building; such applications must have the consent of the owner of that land. This can include any written declarations sent to the applicant (i.e. a letter), and any such declaration made on the form itself.</p> | <p>7. Declarations of consent</p> |

| | |
|--|---|
| <p>Note 8</p> <p>List all supporting consents, documents and maps accompanying the application. This will include a copy of any relevant enactment referred to in paragraphs 2(2)(b) or 3(2)(a) of Schedule 2 to the Commons Act 2006. There is no need to submit copies of documents issued by the registration authority or to which it was a party but they should still be listed. Use a separate sheet if necessary.</p> | <p>8. Supporting documentation</p> <p>1 STATEMENT OF THE BYELAWS AND ASSOCIATED MAP, BOTH DATED 1929, RELATING TO VARIOUS PLOTS OF LAND COMPRISING PRIORY WOOD COMMON (DOCUMENTS HAVE MINISTERIAL APPROVAL AND COPIES ARE HELD BY HEREFORDS HIRE COUNCIL)</p> <p>2 MAP OF CHAPEL ASPECT OF COMMON</p> <p>3 LETTER FROM BALFOUR LLP RE OWNERSHIP.</p> |
| <p>Note 9</p> <p>List any other matters which should be brought to the attention of the registration authority (in particular if a person interested in the land is expected to challenge the application for registration). Full details should be given here or on a separate sheet if necessary.</p> | <p>9. Any other information relating to the application</p> <p>SOME OF THE LAND MAY HAVE BEEN ENCRONCHED UPON - WITH AND WITHOUT HC AND CPC KNOWLEDGE/ PERMISSION. WILL REQUIRE ON-SITE REVIEW.</p> |
| <p>Note 10</p> <p>The application must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or unincorporate.</p> | <p>10. Signature</p> <p>Date: 22 OCTOBER 2008</p> <p>Signatures: </p> |

REMINDER TO APPLICANT

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You are advised to keep a copy of the application and all associated documentation.

Data Protection Act 1998

The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the commons registration authority to disclose information received from you to others, which may include

LR

TITLE NUMBER

HE30535



HEREFORDSHIRE

ORDNANCE SURVEY MAP REFERENCE:

SO2545SE

SCALE 1:2500

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This title plan shows the general position of the boundaries: it does not show the exact line of the boundaries. Measurements scaled from this plan may not match measurements between the same points on the ground. For more information see Land Registry Public Guide 7 - Title Plans.
This official copy shows the state of the title plan on 4 July 2006 at 11:46:07. It may be subject to distortions in scale. Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
Issued on 4 July 2006.
This title is dealt with by the Telford District Land Registry.



Balfours

property professionals

Market House, Craven Arms
Shropshire SY7 9NN
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f: 01588 673359
www.balfours.co.uk
enquiries@balfours.co.uk

4 July 2007

Ref: PBS/LS/Whitney/Gen

Mr R Mighall
Priory Wood Cottage
Clifford
Herefordshire
HR3 5HE

Dear Mr Mighall

**Whitney Court Estate – Priory Wood Common
Sale by Whitney Court Estate to the Parish Council**

I refer to our telephone conversation on the 2nd July and would ask that you convey the information contained in this letter to Mrs C Bates, the Parish Clerk, covering much of the discussion between us about the title to the common.

As I have put in previous correspondence, Whitney Court Estate and Mrs Hope sold at the time of the sale, what they believed to be the extent of their ownership of the common and land retained out of the sale by the estate in 1923 when the then Clifford Estate was sold off by the Hope family.

There is clearly a possibility that in your discussion with me, there is an area of verge on the other side of the public road from the central triangular bit of common, that should be treated as part of the common. The cost of sorting out this title could be disproportionate to its value to the council ie Ann Davies' fees and my own fees in doing research could outweigh any value to the Parish Council of the land you are effectively trying to stop people driving onto.

As part of a suggestion made, I would suggest you register an interest with the Land Registry of this parcel of land and that through the efflux of time, more particularly 20 years uninterrupted exclusive use, the Parish Council could make a claim to it by prescription.

Alternatively, it may be possible that a number of parties could do a signed declaration to this effect then pass this document to land registry to support your register of an interest.

I wish you all the best in your endeavours to regularise the ownership of a very small parcel of land and wish you all the best in your efforts.

Yours sincerely


Paul B Segrott FRICS
For and on behalf of Balfours LLP
Direct Dial: 01588 674039
Email: paulsegrott@balfours.co.uk

Balfours is an independent firm of Chartered Surveyors with offices at Craven Arms, Much Wenlock, Oswestry and Shrewsbury

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Rural District Council of Bredwardine.

BYELAWS

made by the RURAL DISTRICT COUNCIL OF BREDWARDINE in
the County of Hereford.

In pursuance of a Scheme made by them and approved by the Minister
of Agriculture and Fisheries, under the provisions of the

COMMONS ACT 1899,

WITH RESPECT TO

PRIORY WOOD COMMON

in the Parish of Clifford in the County of Hereford.

1. In these byelaws the expression "the Council" means the Rural District Council of Bredwardine, the expression "the Common" means the piece of land, with the ponds, streams, paths, and roads thereon commonly known as Priory Wood Common, situate in the Parish of Clifford in the County of Hereford, and referred to as "the Common" in the Scheme for the regulation and management of such Common, approved under the Commons Act 1899, on the 31st day of January 1929, by the Minister of Agriculture and Fisheries, and the expression "the Scheme" means the Scheme for the regulation and management of the Common hereinbefore referred to.

2. A person shall not on any part of the Common deposit any road-sand, dung, rubbish, wood, or any other matter whatsoever, except materials for the repair of the roads.

3. A person shall not without lawful authority, dig, cut, or take any turf, sods, gravel, sand, clay, or other substance on or from the Common, or cut, fell, or carelessly or negligently injure any gorse, heather, timber, or other tree, shrub, brushwood, or other plant growing thereon.

4. A person shall not deface or remove, or carelessly or negligently injure any seat, fence, or notice-board, or any other thing put up or maintained by the Council on the Common.

Hugh Craddock DEIRA 0207/2386951

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application forms

5. A person shall not, without lawful authority, post or paint any bill, placard, advertisement, or notice, upon any fence, tree, or notice-board on the Common.

6. A person shall not, without lawful authority, set any trap or net, or lay any snare of any description whatsoever, for birds or animals, take any bird's egg or nest, or shoot or chase game or other animals on the Common.

7. A person shall not, without lawful authority, draw upon the Common any carriage, cart, caravan, truck, motor vehicle, motor cycle, or other vehicle, or erect or permit 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 an officer of the Council may, after due warning, remove from the Common, any vehicle drawn upon the Common, and any structure erected thereon in contravention of this byelaw.

Provided that this byelaw shall not be deemed to apply to any offence which is punishable under Section 193 of the Law of Property Act, 1925.

8. A person shall not, without lawful authority, light any fire on the Common.

Provided that this byelaw shall not be deemed to apply to any offence which is punishable under Section 193 of the Law of Property Act, 1925.

9. A person shall not, without lawful authority on the Common, fire or discharge any firearm, or wilfully, carelessly, or negligently throw or discharge any missile to the damage of any person.

10. A person shall not, without lawful authority, turn out or permit to remain on the Common, any cattle, sheep, or other animals, and an officer of the Council may, after due warning, remove from the Common, any cattle, sheep, or other animals being thereon in contravention of this byelaw.

11. A person shall not wilfully obstruct, disturb, interrupt, or annoy any other person in the proper use of the Common.

12. An officer of the Council may, after due warning, remove or exclude from the Common, any person who, within his view, commits, or whom he reasonably suspects of committing an offence against any of the foregoing byelaws, or against the Vagrancy Act 1824.

13. A person shall not hinder or obstruct an officer of the Council in the exercise of his powers or duties under the Scheme, or under these byelaws.

PENALTIES.

14. Every person who shall offend against any of the foregoing byelaws shall be liable for every offence to a penalty of FORTY SHILLINGS.

Provided nevertheless, that the Court of Summary Jurisdiction before whom any proceedings may be taken in respect of any such offence, may, if the Court think fit, adjudge the payment of any sum less than the full amount of the penalty imposed by this byelaw.

The Common Seal of the Council for the Rural District of Bredwardine was hereto affixed at a meeting of the said Council held on the 14th day of March, 1929, in the presence of

E. F. COCKCROFT, *Chairman.*
R. TREVOR GRIFFITHS, *Clerk.*



Allowed by the Minister of Health this Eighth day of May, 1929.

E. H. RHODES,
Assistant Secretary
Ministry of Health.

