

LB(G)

Statutory Rules and Orders
No. 1191 of 1935.

revoked



SURREY COMMONS AREA

MILITARY LANDS.

BYE-LAWS.

Made by His Majesty's Principal Secretary of State for the War Department under the provisions of the Military Lands Acts, 1892 to 1903, for regulating the use of certain War Department lands in the County of Surrey for the purposes to which they are appropriated, and for prohibiting intrusion on the land and all obstruction of the use thereof.

REVOKED by B/L 1978

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1. The lands to which these Bye-laws apply are situated in the Parishes of Frensham, Elstead, Thursley and Peper Harow in the County of Surrey. The lands are hereinafter referred to as the "Enclosed Freehold Land," the "Unenclosed Freehold Land" and the "Leasehold Land" and are more particularly described in the Schedule hereto.

OFFENCES.

2. No person without the authority of the Major-General in charge of Administration, Aldershot Command, shall at any time for any purpose whatever intrude or enter or be upon the enclosed Freehold land, or bring, take or suffer to remain thereon any vehicle, animal or thing.

3. During such time as notice is given by the hoisting of signals as hereinafter provided in Bye-law No. 4 that the Unenclosed Freehold land or the leasehold land is being used for any military purpose, no person shall for any purpose whatever intrude or enter or be upon the unenclosed freehold land or the leasehold land, or bring, take or suffer to remain thereon any vehicle, animal or thing.

SIGNALS.

4. Notice that the unenclosed freehold land or the leasehold land is being used for military purposes will be given by hoisting red flags (i) in respect of the areas (F), (G), (H) and (I) referred to in the Schedule hereto, on Kettlebury Hill, on Houndown, and at the western end of the access way described in Part 4 (i) of the Schedule hereto, and (ii) in respect of the area (E) referred to in the Schedule hereto, on Elstead Common, near the Moat.

PUBLIC ACCESS TO UNENCLOSED FREEHOLD LAND.

5. During such time or times as the unenclosed freehold land (hereafter in this Bye-law referred to as "the land") is not being used for any military purpose, the public shall be permitted for the purpose of air and exercise to use the land, provided that:—

- (i) No person shall enter or be upon the land for the purpose of depositing or distributing or causing to be

- deposited or distributed any handbills or literature or other printed matter of any description.
- (ii) No person shall, without the authority of the Major-General in Charge of Administration, Aldershot Command, cause to assemble or attempt to cause to assemble any number of persons or address any such persons when assembled.
 - (iii) No person shall enter or be upon the land for the purpose of behaving in an indecent or disorderly manner, or for the purpose of gaming, betting or wagering.
 - (iv) No person shall enter or be upon the land for the purpose of carrying, or of applying for permission to carry, the kits of soldiers or other persons or of obtaining any other kind of casual employment.
 - (v) No person whatever shall continue on the land after being warned off by an Officer or by any person acting under the authority of an Officer. Nor shall any vehicle, animal or thing be allowed to remain on the land after the owner, or the person for the time being in charge thereof, shall have been warned to remove the same by an Officer or any person acting under the authority of an Officer.
 - (vi) No person, unless in possession of a Pass, issued under the authority of the Major-General in Charge of Administration, Aldershot Command, shall camp, whether in tents or caravans or otherwise, or bivouac, or sleep out upon the land.
 - (vii) No person, without the authority of an Officer, shall deposit broken glass or other rubbish or litter of any description upon the land.
 - (viii) No night walker or common prostitute shall locate herself in, or trespass on, or resort to the land for the purpose of prostitution.
 - (ix) No person, without the authority of the Major-General in Charge of Administration, Aldershot Command, shall cut grass or growing crops or cut and remove turf, or use the land for the purpose of grazing any horse, cow, sheep or other animal.
 - (x) No person, without the authority of the Major-General in Charge of Administration, Aldershot Command, shall cut or deface any growing trees or shrubs or remove any timber, trees, shrubs or wild-flower roots from the land, nor shall any person enter or be upon the land for the purpose of damaging trees or other property situated on the said land.

- (xi) No person shall enter or be upon the land for the purpose of pursuing or killing game or other birds or animals, or of fishing in any water within the land without the authority of the Major-General in Charge of Administration, Aldershot Command.
- (xii) No person, without the authority of an Officer, shall light a fire on the land for any purpose whatever; nor shall any person, by throwing down lighted or live matches, or in any other way do anything causing or tending to cause a fire to break out on the land.
- (xiii) No person, without the authority of the Major-General in Charge of Administration, Aldershot Command, shall affix any posters, bills, or notices of any description, in or on the boundaries or walls of the land.
- (xiv) No person shall enter or be upon the land for the purpose of removing cartridge cases or any kind of metal or other material, unless duly authorised and in possession of a Pass issued under the authority of the Major-General in Charge of Administration, Aldershot Command.

PUBLIC ACCESS TO LEASEHOLD LAND.

6. During such time or times as the leasehold land (which includes the access ways thereto, hereinafter referred to and described in (4) of the Schedule hereto) is not being used for any military purpose, the public shall be permitted, for the purpose of air and exercise, to use the leasehold and (hereinafter in this Bye-law referred to as "the land") provided that:—

- (i) No person shall be permitted to enter the land otherwise than by means of the two access ways referred to above.
- (ii) No person shall deposit or distribute or cause to be deposited or distributed upon the land any handbills, literature or other printed matter of any description.
- (iii) No person shall, without the authority of the Major-General in Charge of Administration, Aldershot Command, cause to assemble or attempt to cause to assemble, upon the land any number of persons or address any such persons when assembled.
- (iv) No person, without the authority of the Major-General in Charge of Administration, Aldershot Command, shall affix any posters, bills or notices of any description, in or on the boundaries or walls of the land.
- (v) No person shall enter or be upon the land for the purpose of behaving in an indecent or disorderly

manner or for the purpose of gaming, betting or wagering.

(vi) No person shall enter or be upon the land for the purpose of carrying, or of applying for permission to carry, the kits of soldiers or other persons, or of obtaining any other kind of casual employment.

(vii) No person whatever shall continue on the land after being warned off by an Officer or by any person acting under the authority of an Officer. Nor shall any vehicle, animal or thing be allowed to remain on the land after the owner, or the person for the time being in charge thereof, shall have been warned to remove the same by an Officer or any person acting under the authority of an Officer.

(viii) No person, unless in possession of a Pass, issued under the authority of the Major-General in Charge of Administration, Aldershot Command, shall camp, whether in tents or caravans or otherwise, or bivouac, or sleep out upon the land.

(ix) No person, without the authority of an Officer, shall deposit broken glass or other rubbish or litter of any description upon the land.

(x) No night walker or common prostitute shall locate herself in, or trespass on, or resort to the land for the purpose of prostitution.

(xi) No person, without the authority of the Major-General in Charge of Administration, Aldershot Command, shall cut grass or growing crops or cut and remove turf, or use the land for the purpose of grazing any horse, cow, sheep or other animal.

(xii) No person without the authority of the Major-General in Charge of Administration, Aldershot Command, shall cut or deface any growing trees or shrubs or remove any timber, trees, shrubs, or wild-flower roots from the land, nor shall any person enter or be upon the land for the purpose of damaging trees or other property situated on the land.

(xiii) No person shall enter or be upon the land for the purpose of pursuing or killing game or other birds or animals or of fishing in any water within the land, nor shall any person interfere with or tamper with any nest found upon the land, or disturb, or allow to be disturbed by dogs, any birds or game or other animals within the land.

(xiv) No person, without the authority of an Officer, shall light a fire on the land for any purpose whatever; nor

shall any person, by throwing down lighted or live matches, or in any other way do anything causing or tending to cause a fire to break out on the said lands.

- (xv) No person shall enter or be upon the land for the purpose of removing cartridge cases or any kind of metal or other material, unless duly authorised and in possession of a Pass issued under the authority of the Major-General in Charge of Administration, Aldershot Command.

RIGHTS OF WAY.

7. Nothing in these Bye-laws shall interfere with any public right of way, but subject as aforesaid the expression "Enclosed Freehold Land," "Unenclosed Freehold Land," and "Leasehold Land" shall include all roads and footpaths on such lands.

OFFICERS AUTHORISED.

8. Any person doing anything prohibited by or otherwise contravening any of the preceding Bye-laws numbered 2, 3, 5 (i) to (xiv) and 6 (i) to (xv) shall be deemed to commit an offence against the Bye-law so contravened.

The persons hereby authorised to remove or take into custody without warrant any person committing an offence against any of the preceding Bye-laws numbered 2, 3, 5 (i) to (xiv) and 6 (i) to (xv), or to remove any vehicle, animal or thing found on the enclosed freehold land, the unenclosed freehold land or the leasehold land in contravention of any of these Bye-laws are:—

- (1) The Major-General in Charge of Administration, Aldershot Command;
- (2) The Officer in Charge of the lands to which these Bye-laws apply;
- (3) Any Officer, Warrant Officer, Non-commissioned Officer or any Military Policeman or War Department Constable in uniform for the time being under the Command of the said Major-General in Charge of Administration, or the said Officer in Charge.
- (4) Any person authorised in writing under the hand of the said Major-General in Charge of Administration, or the said Officer in Charge.
- (5) Any Constable.

DATE OF OPERATION OF BYE-LAWS.

9. These Bye-laws shall come into force at the date hereof.

SCHEDULE.

LANDS AFFECTED.

The lands to which the foregoing Bye-laws apply are shown on the map attached hereto, and on the plan referred to in Notice 2 hereof. The lands in question are situate in the Parishes of Frensham, Elstead, Thursley and Peper Harow, in the County of Surrey and are more particularly described below:—

(1) ENCLOSED FREEHOLD LAND.

The enclosed freehold land comprises four areas of land situate in the Parishes of Elstead, Thursley and Peper Harow, shown hatched on the plan attached to these Bye-laws, and more particularly described as follows:—

- (a) An area situate in the Parish of Elstead marked (A) on the said plan attached hereto, and lying between Hankley Common on the west and the Elstead-Thursley Road on the east, and comprising Woolford's Copse, Batts Moor and adjoining lands.
- (b) A small area situate in the Parish of Elstead marked (B) on the said plan attached hereto, and lying between the north-west extremity of Elstead Common on the east and the Elstead-Thursley Road on the west, including two cottages and gardens situate thereon.
- (c) An area situate part in the Parish of Elstead and part in the Parish of Thursley marked (C) on the said plan attached hereto and bounded on the north, west and south by the Elstead-Thursley Road, and on the east by Thursley Common.
- (d) An area situate in the Parish of Peper Harow marked (D) on the said plan attached hereto, and bounded on the north by part of Royal Farm, on the west and south by Ockley Common, and on the east by Royal Common, and including Guinea Common, Guinea Copse, and the southern portion of Royal Farm.

(2) UNENCLOSED FREEHOLD LAND.

The unenclosed freehold land comprises four areas of land situate in the Parishes of Elstead and Frensham, shown cross-

hatched on the plan attached to these Bye-laws and more particularly described as follows:—

- (e) Elstead Common, marked (E) on the said plan attached hereto.
- (f) An area situate in the Parish of Elstead marked (F) on the said plan attached hereto, to the south of area (A) above described and bounded on the west by Hankley Common, on the east by the lane through Houndown Bottom, and on the south by the leasehold land described in Part 3 below.
- (g) An area situate in the Parish of Elstead and marked (G) on the said plan attached hereto, known as Houndown.
- (h) An area situate part in the Parish of Elstead and part in the Parish of Frensham, marked (H) on the said plan attached hereto, bounded on the north and west by the leasehold land described in Part 3 below, on the south by the Churt-Thursley Road, and including the south end of Kettlebury Hill.

(3) LEASEHOLD LAND.

The leasehold land is situate in the Parishes of Elstead and Frensham, shown stippled and marked (I) on the plan attached to these Bye-laws, lying between the Tilford-Hindhead Road on the west, the Churt-Thursley Road on the south, and Houndown on the east, and including Gold Hill and part of Kettlebury Hill and the enclosed heath land lying on the east and west thereof.

(4) ACCESS WAYS TO LEASEHOLD LAND.

The access ways to the leasehold land (described in Part 3 above) are shown by thick black lines on the plan attached to these Bye-laws and are situated as follows:—

- (i) Leading from the Tilford-Hindhead Road at a point about 200 yards south of the house known as "Pinehurst."
- (ii) Leading from the Churt-Thursley Road at a point immediately west of Kettlebury Cottage.

Dated this twenty-first day of October, One thousand nine hundred and thirty-five.

(Signed) HALIFAX.

His Majesty's Principal Secretary of State for the War Department.

NOTICES.

PENALTY FOR OFFENCES.

1. By Section 17 (2) of the Military Lands Act, 1892, it is provided that:—

If any person commits an offence against any Bye-law under this Act, he shall be liable, on conviction before a Court of Summary Jurisdiction, to a fine not exceeding FIVE POUNDS, and may be removed by any Constable or Officer authorised in manner provided by the Bye-law from the area to which the Bye-law applies, and taken into custody without warrant, and brought before a Court of Summary Jurisdiction, to be dealt with according to law, and any vehicle, animal or thing found in the area in contravention of any Bye-law may be removed by any Constable or such Officer as aforesaid, and on due proof of such contravention be declared by a Court of Summary Jurisdiction to be forfeited to His Majesty.

INSPECTION OF PLAN SHOWING LANDS AFFECTED.

2. The lands described in the Schedule to which these Bye-laws apply are shown on the plan attached hereto, and on a large-scale plan which can be inspected at the residence of the War Department Estate Warder at Truxford, Thursley.

WHERE BYE-LAWS CAN BE OBTAINED.

3. Copies of these Bye-laws can be obtained at the Office of the War Department Lands Branch at Command Headquarters, Aldershot, by any person who desires to obtain the same.



Scale 2 inches to 1 mile

Note:-

- W. D Freehold enclosed lands shewn thus
- W.D Freehold unenclosed lands " "
- Leasehold lands " "
- Access ways to Leasehold lands " "