

THE URBAN DISTRICT OF  
HAVANT AND WATERLOO

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## BYELAWS

made by

THE URBAN DISTRICT COUNCIL  
OF HAVANT AND WATERLOO

in pursuance of a Scheme made by the Council and approved by the Minister of Agriculture and Fisheries under Section 1 (1) of The Commons Act, 1899 with respect to Stockheath Common in the Parish of Havant in the Urban District of Havant and Waterloo in the County of Southampton.

B. R. W. GOFTON  
*Clerk of the Council*

TOWN HALL,  
HAVANT

1. Throughout these Byelaws the expression "the Council" means the Urban District Council of Havant and Waterloo and the expression "the Common" means the piece of land with the ponds, streams, paths and roads thereon, commonly known as "Stockheath Common," situate in the Urban District of Havant and Waterloo in the County of Southampton and referred to as "the Common" in the Scheme under The Commons Act, 1899, made by the Urban District Council of Havant and Waterloo on the thirty-first day of October, 1950, and approved by order of the Minister of Agriculture and Fisheries on the Tenth day of November, 1950, and the expression "the Scheme" means the aforesaid Scheme.

2. An act necessary to the proper execution of his duty on the Common by an Officer of the Council, or by any person or servant of any person employed by the Council shall not be deemed an offence against these Byelaws.

3. A person shall not, without lawful authority, place or deposit and leave on the Common, any road sand, materials for repair of roads or any wood so as to create or tend to create a litter.

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

5. A person, who, in the exercise of any right of common or other right over the Common shall dig or take turf, sods, gravel, sand, clay, or other substance or shall cut, fell or take trees or underwood shall not

(i). Commit any unnecessary damage to the Common or the turf, trees, shrubs, brushwood, gorse, heather, ferns, or other natural products thereon;

(ii). do so on any part of the Common which is enclosed temporarily for the revival of turf, trees, shrubs, or plants or set apart for games or the parking of motor or other vehicles if similar substances as aforesaid can conveniently be dug or taken, or cut, felled, or taken from some other part of the Common.

6. A person shall not carelessly or negligently injure, deface or remove any seat, shelter, pavilion, drinking fountain, fence, rubbish receptacle or any works erected or maintained by the Council on the Common.

7. A person shall not without lawful authority catch birds, set traps or nets, or lay snares for birds or other animals, or take birds' eggs or nests, or shoot or chase game or other animals on the Common.

8. A person shall not without lawful authority draw upon the Common any carriage, truck, cart, caravan, or other vehicle.

Provided that the foregoing Byelaw shall not be deemed to prohibit the drawing on the Common of a wheeled chair drawn or propelled by hand, or a perambulator or a chaise drawn or propelled by hand, and used solely for the conveyance of a child or children, or an invalid.

9. A person shall not without the consent of the Council or other lawful authority erect, or permit to remain on the Common, any building, shed, tent, fence, post, railing or other structure.

10. 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.

11. A person shall not without lawful authority, fire or discharge firearms on the Common.

12. 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 a manner as to exclude persons not playing or taking part in the game from the use of such space.

13. A person shall not
- (i) without lawful authority break in any horse on the Common;
  - (ii) to the danger of any other person drive or exercise any horse on the Common.
14. A person shall not without lawful authority turn out to graze or permit to graze on the Common any cattle, sheep or other animals.
15. A person shall not wilfully, carelessly or negligently soil or defile any part of any wall or fence or any part of any building, barrier or railing, or of any seat or of any monument, work of art, ornament or decoration or of any other structure or erection on the Common.
16. A person shall not on any part of the Common wilfully obstruct, disturb, interrupt or annoy any person in the proper use of the Common.
17. 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.
18. Every person who shall offend against any of the foregoing Byelaws shall be liable on summary conviction to a fine not exceeding Two Pounds.
19. It shall be lawful for any Officer of the Council after due warning has been given, to remove from the Common any vehicle or animal drawn, driven or placed, or any structure erected or placed thereon, in contravention of any of the foregoing Byelaws, 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 Byelaws or against the Vagrancy Acts.
20. Provided that the foregoing Byelaws shall not be deemed to apply in any case where an offence is committed against the provisions of the Malicious Damage Act, 1861, section 14 of the Criminal Justice Administration Act, 1914, section 193 of the Law of Property Act, 1925, or against any limitation or condition imposed by the Minister of Agriculture and Fisheries under that Section, or the Wild Birds Protection Acts, 1880 – 1939 or any Order made thereunder.

Adopted under the Seal and at a Meeting of the Urban District Council of Havant and Waterloo held on the Twenty-Seventh day of February, 1951.

THE COMMON SEAL OF THE  
URBAN DISTRICT COUNCIL  
OF HAVANT AND WATERLOO  
was hereunto affixed this  
Twenty-Seventh day of  
February, 1951 in the presence  
of

G. V. A. PHELIPS, *Chairman of the Council.*  
B. R. W. GOFTON, *Clerk of the Council.*

Seal of Secretary of State Home Department

I hereby confirm the foregoing  
byelaws and fix the date on which  
they are to come into operation as  
the 1<sup>st</sup> June, 1951

J. CHUTER EDE

WHITEHALL, 9<sup>th</sup> April, 1951

One of His Majesty's Principal  
Secretaries of State

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B. R. W. GOFTON  
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made by The Urban District Council of Havant and Waterloo in pursuance of a Scheme made by the Council and approved by the Minister of Agriculture and Fisheries under Section 1 (1) of The Commons Act, 1899, with respect to

### STOCKHEATH COMMON

In the Parish of Havant in the Urban District of Havant and Waterloo in the County of Southampton.

1. The following Byelaws shall be read and construed as Byelaws of the series of Byelaws for the regulation of Stockheath Common made by the Council on the 27<sup>th</sup> day of February, 1951.
2. A person shall not fly any power-driven aircraft on the Common.
3. In these Byelaws the expression "power-driven model aircraft" means any model aircraft driven by the combustion of petrol-vapour or other combustible substances.

Adopted under the Seal and at a Meeting of the Urban district Council of Havant and Waterloo held on the Twenty-fourth day of June, 1952.

THE COMMON SEAL OF THE URBAN  
DISTRICT COUNCIL OF HAVANT  
AND WATERLOO was hereunto  
affixed this Twenty-fourth day of  
June, 1952 in the presence of

J.R. CUNDALL

Chairman

B.R.W. GOFTON

Clerk of the Council