



SURREY
COUNTY COUNCIL

BYELAWS

BYELAWS MADE BY SURREY COUNTY COUNCIL UNDER SECTIONS 12 AND 15 OF THE OPEN SPACES ACT 1906 WITH RESPECT TO OPEN SPACES

INTERPRETATION

1. Throughout these byelaws the expression 'the Council' means the County Council of Surrey and the expression 'Open Space' means any of the Open Spaces described in the First Schedule hereto.

ENFORCEMENT

2. An act necessary for the proper execution of his duty in an Open Space 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.

PROTECTION OF EQUIPMENT

3. A person shall not in any Open Space:—
- wilfully, carelessly or negligently soil or deface any wall or fence in the Open Space or any building, barrier, railing, post, or seat, or any erection or ornament;
 - wilfully, carelessly or negligently remove or displace any barrier, railing, post or seat, or any part of any erection or ornament, or any implement provided for use in the laying out or maintenance of the Open Space;
 - climb any wall or fence in or enclosing the Open Space, or any tree or any barrier, railing or other erection.

GRAZING

4. A person shall not, except in pursuance of a lawful agreement with the Council, or otherwise in the exercise of any lawful right or privilege, turn out or permit any animal to graze on an Open Space.

VEHICLES

5. (i) No unauthorised person shall, except in the exercise of any lawful right or privilege, bring or cause to be brought on to any Open Space any machine, vehicle, caravan, trailer or other attachment, other than:—
- a wheeled bicycle or other similar machine;
 - a wheel-chair or perambulator used solely for the conveyance of a child or an invalid; provided that where the Council set aside part of an Open Space for the use of any class of vehicle, this byelaw shall not be deemed to prohibit the driving to or from that space by a direct route from the entrance to the Open Space 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 or other similar machine in any part of an Open Space.
- (iii) No person shall carry out or cause or permit to be carried out any work of construction, repair, cleaning or maintenance to any vehicle or work constituting dismantling or breaking up of any vehicle except such work as may be necessary to enable a vehicle which has broken down to be removed from the Open Space.

NOTICES

6. A person shall not affix or cause to be affixed any bill, advertisement, placard or notice upon any building, wall, fence, gate, pillar, post, tree, rock or stone on or enclosing an Open Space.

BATHING

7. No person shall bathe in any lake, pond or waterway on an Open Space except when a notice of the Council permits bathing, nor shall any person wilfully, carelessly or negligently, foul or pollute any such water.

DOGS

8. A person shall not cause any dog belonging to him or in his charge to enter or remain in any Open Space 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.

FIRES

9. (a) No person shall light a fire on any Open Space, or place or throw or let fall a lighted match or any other thing so as to be likely to cause a fire.
- (b) This byelaw shall not prevent the lighting or use of a properly constructed camping stove or cooker in any area set aside for the purpose, in such a manner as not to cause danger of or damage by fire.

CAMPING

10. A person shall not in any Open Space without the consent of the Council erect a tent or use any vehicle, including a caravan, or any other structure for the purpose of camping on the Open Space except on any area which may be set apart and indicated by notice of the Council as a place where camping is permitted.

TRADING

11. No person shall on an Open Space sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire any commodity or article, except in pursuance of an agreement with the Council.

FIREARMS

12. No person shall discharge any firearm or air weapon on an Open Space.

HORSERIDING

13. (a) No person shall, except in the exercise of any lawful right or privilege, ride any horse or other animal on any part of an Open Space where riding is prohibited by notice, barrier or other means including colour coding.
- (b) A person shall not in an Open Space ride any horse or other animal in such a manner as to cause danger to other persons on the Open Space or without reasonable consideration for them.
- (c) No person may erect any jumps or make intensive use of an Open Space for the purpose of training any horse or rider except in an area set aside by the Council for that purpose.

BOATING

14. No person shall launch any craft, boat or other apparatus of any description (including model boats) where this is prohibited by notice of the Council on any part of an Open Space covered by water.

PROTECTION OF WILDLIFE

15. (a) No person shall in an Open Space kill, take, molest or wilfully disturb any animal, bird or fish or take or injure any egg or nest or engage in hunting, shooting or fishing or the setting of traps or nets or the laying of snares or poison.
- (b) This byelaw shall not prohibit any fishing or hunting which may be authorised by the Council.

WATERCOURSES

16. No person shall obstruct the flow of any drain or watercourse, or open, shut or otherwise interfere with any sluiceway or similar apparatus on an Open Space.

BAND SHOWS

17. A person shall not take part in any musical concert, public show or other entertainment in an Open Space without the consent of the Council.

HAND-GLIDING

18. A person shall not in an Open Space take off, fly or land any glider, manned or unmanned, weighing in total more than 4 kilograms.

NOISE

19. No person shall, by operating or causing or suffering to be operated any wireless set, gramophone, amplifier, tape recorder or similar instrument, make, cause or suffer to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons on the land.

NUISANCES

20. A person shall not in an Open Space wilfully obstruct, disturb, interrupt, or annoy any other person in the proper use of an Open Space or wilfully obstruct, disturb or interrupt a warden or any other officer of the Council in the proper execution of his duty, or any person or servant of any person employed by the Council in the proper execution of any work in connection with the laying out or maintenance of an Open Space.

PENALTY

21. Every person who offends against any of these byelaws shall be liable on summary conviction to a fine not exceeding twenty pounds.

REMOVAL

22. Every person who infringes any byelaws for the regulation of an Open Space may be removed by any officer of the Council, or by any constable, in any one of the following cases, that is to say:—

- 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 be readily ascertained by such officer or constable;
- 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 in the Open Space of the person infringing the byelaw may result in another infraction of a byelaw, or that the removal of such person from the Open Space is otherwise necessary as a security for the proper use and regulation thereof.

REPEALS

23. The byelaws specified in the Second Schedule are hereby repealed.

TITLE

24. These byelaws may be cited as 'The County Council of Surrey (Open Spaces) Byelaws 1978.'

FIRST SCHEDULE

Open Spaces to which the Byelaws apply

Backside Common, Worpleston.
Beech Avenue, Effingham.
Betchworth Clump.
Bisley Common.
Bisley Common (Reid Hill area).
Bisley Green (excluding car park).
Broadstreet Common, Worpleston.
Burners Heath, Pirbright.
Castle Green, Chobham.
Chapel Hill Wood, Mickleham.
Chapel Wood, Mickleham.
Chatley Heath, Cobham.
Chertsey Meadows meadow lands, Dockett Eddy and Dumsey Point river frontages, Chertsey.
Chinthurst Hill and car park area, Womersley.
Chittys Common, Worpleston.
Chobham Common (including Burrow Hill, Dunstall Green and Stanners Hill Common).
Clasford Common, Worpleston.
Cox Hill Green, Chobham.
Creekside, Egham.
Deepdene, Dorking.
Duke's Plantation, Brockham Hills.
Fellow Green, West End.
Frog Grove Lane, Manorial Waste, Worpleston.
Hill Park Estate, Tatsfield.
Hogs Back at Seale and Puttenham —
 (a) Picnic site.
 (b) Site of Pitfield House.
 (c) Seale Chalk Pit.
 (d) Land between reservoir and Squire's Holt Restaurant.
Hookstone Green, West End.
Little Heath, Chobham.
Littlefield Common, Worpleston.
Manorial wasteland at Chobham —
 Beldham Bridge.
 Brentmoor Road.
 Lovlands Lane.
 Pennypot Lane.
 Scott's Grove Road.
Lucas Green and Westend Common.
Markedge Shaw, Chipstead.
Miles Green, Bisley.
Milford Green, Chobham.
Mousehill Down and Rodborough Common, Milford.
Norbury Park Estate (woodlands and meadow lands), Mickleham.
Ockham Common.
Old Brockham Lime Works (and land adjoining).
Park Ham, Chaldon.
Perry Hill Green, Worpleston.
Pitch Place Green, Worpleston.
Point Meadow, Shepperton.
Porters Wood, Poorfield Wood, Tickners Wood and Long Plantation, all at Shabden Park Estate, Chipstead.
Rickford Common, Worpleston.
Ripley Green.
River Park Estate, Spelthorne.
Rydes Hill Common, Worpleston.
Sandpits Send Hill (Manorial Waste).
Send Marsh Green.
Streets Heath, West End.
Stringers Common, Worpleston.
The Glade, Holmbury St. Mary.
The Sheepheas, East and West Horsley (including Greendene and Rogers Brook).
Tilburstow Hill, Godstone.
Wisley Common.
Whitmoor Common, Worpleston.
Wood Street Green, Worpleston.

SECOND SCHEDULE

Byelaws Repealed

- Byelaws made by Surrey County Council with respect to Norbury Park Estate, Mickleham, on 31 October 1933.
- Byelaws made by Surrey County Council with respect to Ockham Common and Wisley Common on 27 April 1962 and confirmed by the Secretary of State on 20 September 1962.
- Byelaws made by the Rural District Council of Guildford with respect to Ripley Green, Ripley, on 3 January 1935, and confirmed by the Minister of Health on 8 March 1935.

THE COMMON SEAL OF THE COUNTY COUNCIL OF SURREY
was hereunto affixed on 23 March 1978 in the presence of:—

A. N. MUNDY

Deputy County Clerk

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the 17th of June 1978.

Signed by authority of the Secretary of State

Home Office
LONDON SW1

6 June 1978



R. F. D. SHUFFREY
An Assistant Under Secretary of State

GENERAL ACT PROVISIONS

Penalty	S. 31 of the Criminal Law Act 1977 increases the maximum penalty for Byelaw offences to £50.
Disorderly Behaviour	The County Council's Good Rule and Government Byelaws create a variety of offences for the use of obscene language, indecency and threatening behaviour.
Litter	Section 1 of the Litter Act 1959 makes it an offence to leave litter about and Section 19(1) of the Civic Amenities Act, 1967 also makes it an offence to abandon larger items of waste such as motor vehicles.
Conservation of Wild Life	The Protection of Birds Act 1954-1967 makes it an offence to interfere with wild birds, their nests and eggs, and the Conservation of Wild Creatures and Wild Plants Act 1975 makes it an offence to uproot any wild plant and further protects specified plants and creatures. Suspected offenders may be required to leave the land and may be searched and required to give their name and address.
Model Aircraft Glider & Kites	Article 45 of the Air Navigation Order 1976 prohibits allowing a model aircraft, glider or kite to endanger any person or property.
Criminal Damage	The Criminal Damage Act 1971 Ss 1-3 creates offences for destroying or damaging another's property or threatening to do so or having anything to use for that purpose.
Metal Detectors	A Post Office licence is required.
Offence Weapons	[Their use is PROHIBITED unless the Council's written consent is obtained.] The Firearms Act 1968 S.19 makes it an offence to carry firearms in a public place. The Prevention of Crime Act 1953, S.1 makes it an offence to carry an offensive weapon in a public place. The Public Health Act Amendment Act 1907 S.81 makes it an offence to discharge a missile in a public place.