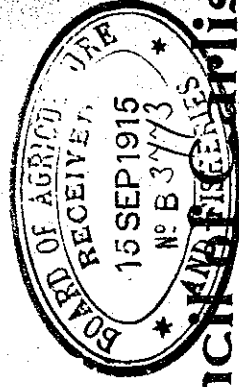


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LO/N 1101

Map 47/1



The Rural District Council of Carlisle

COMMONS ACT, 1899.

Scheme for the Regulation of Commons in the PARISH OF WETHERAL.

Description of commons and management by District Council.

1. The Pieces of Land, with the Ponds, Paths, and Roads thereon, commonly known as TURNMIRE COMMON on WETHERAL PLAIN, WETHERAL SANDPIT, WETHERAL SHIELD, BRACKENBANK DISUSED QUARRY, and WOOD, adjoining the River Eden, LAND near Cumwhinton Reading Room, SCOTBY GREENS (3), Two VILLAGE GREENS at GREAT CORBY, COCKLEY BANK COMMON, GREAT CORBY VILLAGE QUARRY (Disused), the COMMON known as the CLINTS at GREAT CORBY, PINFOLD at GREAT CORBY, and WATERING PLACE at COLLINGFORD, respectively, situate in the Parish of Wetheral, in the County of Cumberland, and hereinafter referred to as the "Commons," as the same are delineated in Plans deposited at the Office of the Rural District Council of Carlisle, hereinafter called "the Council," and thereon coloured Green, being Commons 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.

Appointment of officers.

2. The powers of the Council generally as to 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 judgment of the Council may be necessary and proper for the preservation of order on, and the enforcement of bye-laws 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.

Protection and improvement of commons.

3. The Council may execute any works of drainage, raising, levelling, or fencing, or other works, for the protection and improvement of the commons, 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 and shrubs for shelter or ornament, and may place seats upon and light the commons, and otherwise improve the commons, as places for exercise or recreation, but the Council shall do nothing that may otherwise vary or alter the natural features or aspect of the commons, or interfere with free access to every part thereof, and shall not erect upon the commons any shelter, pavilion, or other building without the previous consent of the persons entitled to the soil of the commons.

Against encroachments.

4. The Council shall maintain the commons free from all encroachments, and shall not permit any trespass on or partial or other enclosure of any part thereof.

Public right of access and recreation.

5. The inhabitants of the district and neighbourhood shall have a right of free access to every part of the commons, and a privilege of playing games and of enjoying other species of recreation thereon, subject to any bye-laws made by the Council under this scheme.

Maintenance and construction of paths and roads.

6. The Council shall have power to repair and maintain the existing paths and roads on the commons, and to set out, make, and maintain such new paths and roads on the commons 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 commons.

Fencing of quarries, etc.

7. The Council may for the prevention of accidents fence any quarry, pit, pond, or other like place on the commons.

Games, etc.

8. The Council may set apart for games any portion or portions of the commons as they may consider expedient, and may form cricket grounds, and may allow the same to be temporarily enclosed with an open fence so as to prevent cattle and horses straying thereon, but such grounds shall not be laid out so near to any dwelling-house as to create a nuisance or be an annoyance to the inhabitants thereof.

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Bye-laws.

9. The Council may, for the prevention of nuisances and the preservation of order on the commons, and subject to the provisions of Section 10 of the Commons Act, 1899, make, revoke, and alter bye-laws for any of the following purposes, viz.:-

a. For prohibiting the deposit on the commons, or in any pond thereon, of road-sand, materials for repair of roads, dung, rubbish, 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 commons, and from cutting, felling, or injuring any gorse, heather, timber, or other tree, shrub, brushwood, or other plant growing on the commons.

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 commons in exercise of any right of common or other right over the commons.

d. For prohibiting the injury, defacement, or removal of seats, fences, notice boards, or other things put up or maintained by the Council on the commons.

e. For prohibiting or regulating the posting or painting of bills, placards, advertisements, or notices on trees or fences or notice boards on the commons.

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 commons.

g. For prohibiting or regulating the drawing without lawful authority upon the commons of any carriage, cart, caravan, truck, or other vehicle, and the erecting or permitting to remain on the commons 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 for authorising an officer of the Council to remove from the commons any vehicle drawn upon the commons, and any structure erected thereon in contravention of any such bye-law.

h. For prohibiting (except in the case of a fair lawfully held) or regulating the placing on the commons of any photographic cart, or of any show, exhibition, swing, roundabout, or other like thing, and for authorising an officer of the Council to remove from the commons anything placed upon the commons in contravention of any such bye-law.

i. For prohibiting or regulating the lighting of any fire on the commons.

k. For prohibiting or regulating the firing or discharge of firearms or throwing or discharge of missiles on the commons.

l. For regulating games to be played and other means of recreation to be exercised on the commons, and assemblages of persons thereon.

m. For regulating the use of any portion of the commons temporarily enclosed or set apart under this scheme for any purpose.

n. For prohibiting or regulating horses being exercised or broken in without lawful authority by grooms or others on the commons.

o. For prohibiting any person without lawful authority from turning out or permitting to remain on the commons any cattle, sheep, or other animals, and for authorising an officer of the Council to remove from the commons any cattle, sheep, or other animal being upon the commons in contravention of any such bye-law.

p. Generally for prohibiting or regulating any act or thing tending to injury or disfigurement of the commons, or to interference with the use thereof, by the public for the purposes of exercise and recreation.

q. For authorising an officer of the Council, after due warning, to remove or exclude from the commons, any person who within his view commits, or whom he reasonably suspects of committing, an offence against any bye-law made under this scheme, or against the Vagrancy Act, 1824.

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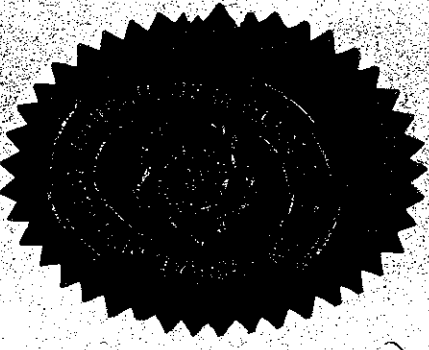
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For prohibiting the hindrance or obstruction of an officer of the Council in the exercise of his powers or duties under this scheme or under any bye-laws made thereunder.

10. All bye-laws made under this scheme shall be published on notice boards placed on such parts of the commons (not less than fifteen), as to the Council may appear desirable.

11. Nothing in this scheme or any bye-law made thereunder shall prejudice or affect any right of the person entitled as lord of the manor or otherwise to the soil of the commons, or of any person claiming under him, which is lawfully exercisable in, over, under, or on the soil or surface of the commons, in connection with game, or with mines, minerals, or other substrata, or otherwise; or prejudice or affect any rights of the commoners in or over the commons, or the lawful use of any highway or thoroughfare on the commons, or affect any power or obligation to repair any such highway or thoroughfare.

12. Printed copies of this scheme 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 Carlisle, in the County of Cumberland, was hereunto affixed at a Meeting of the said Council, held on the *fourteenth* day of *September* 1915, in the presence of

John Rawlinson Chairman.

S. L. Harrison Clerk.

Approved by Order of the Board of Agriculture and Fisheries the 29th day of October, 1915.

L.S.

(Signed) SYDNEY OLIVIER, Secretary.