

# The Bye Laws of the Commons Conservators of Great Torrington in the County of Devon

Bye Laws made under section 32 of the Great Torrington Commons act 1889 by the Great Torrington Commons Conservators with respect of the Great Torrington Commons

The aims and objectives of the Great Torrington Commons Conservators are to conserve, maintain and improve the natural environment of Great Torrington Commons for the enjoyment of present and future generations.

1. In these bye laws "the Act" means the Great Torrington Commons Act 1889 and the expression "The Commons" and "The Conservators" have the same meanings as in the act.
2. No person shall on the Commons intentionally obstruct or hinder any officer of the Conservators in the proper execution of their duty.
3. No unauthorised person shall sell or offer for sale or hire on the Commons any article, commodity, pamphlet, programme or thing.

## 4. ACCESS

### CAMPING

- a. No persons shall erect a tent or use any vehicle, including a caravan or any other structure for the purpose of camping on the commons
- b. This Bye Law shall not prevent camping in any area which, by a notice affixed in a conspicuous place on the commons, the conservators have set apart as an area where camping is permitted.

### FIRES

- a. No unauthorised person shall light a fire on the commons, or place or throw or let fall a lighted match or any other thing so as to be likely to cause fire
- b. This Bye Law shall not prevent the lighting or use of a properly constructed camping stove, cooker or barbeque in any area which by a notice affixed in a conspicuous place on the Commons the Conservators have set apart for that purpose.

## 5. VEHICLES

- a. No person shall without lawful authority, or except in the case of an accident or other emergency, drive, draw or place upon the Commons or any part thereof any motor vehicle, motor cycle, carriage, cart, caravan, truck, trial bike, ATV (all terrain vehicle), motorised skateboard, go-kart or other vehicle (including any aircraft) other than: A wheel chair, motorised wheelchair, pram buggy or pushchair drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid.
- b. No person shall without lawful authority or except in the case of an accident or other emergency ride any bicycle, tricycle, scooter or other similar machine on any part of the Commons, other than those clearly designated as a cycle path.
- c. No unauthorised person shall allow to remain stationary on the Commons any carriage, motorcar, or other vehicle other than in a designated car park.
- d. No person shall use the designated car parks or other similar areas in such a way as to cause damage to the surfaces or to endanger other users.

## HORSES

- a. No unauthorised person shall except in the exercise of any lawful right or privilege ride or lead any horse, pony or donkey on any footpath on the Commons other than designated horse rides.
- b. No person shall ride any horse, pony or donkey on any other part of the Commons to the danger of any persons using the Commons or property thereof.
- c. No person shall ride any horse, pony or donkey on any part of the Commons in such a way that it will damage the Commons.
- d. No person shall ride or lead a horse, pony or donkey on any area of the commons set aside by the Conservators for sporting activities, car parks or picnic areas.

## 6. WILDLIFE MANAGEMENT

No person shall without lawful excuse or authority on the Commons kill, molest or intentionally disturb any animal or engage in hunting or the setting of traps or nets, the laying of snares, or the removal of any bird's nests or eggs.

## 7. STOCK MANAGEMENT

1. No person shall without lawful authority or except in pursuance of a lawful agreement with the Conservators turn out on the Commons or knowingly permit to graze or feed or remain thereto any cattle, sheep, goats, poultry, pigs or any beast of draught or burden.
2. A person to whom any cattle, sheep or other animal on the Commons may belong shall forthwith on being informed or becoming aware that any such cattle, sheep or other animal is suffering from any infectious disease remove such cattle, sheep or other animal from the Commons.

## 8. LAND MANAGEMENT

- a. No person shall without lawful authority dig or take turf, sods, gravel, sand, clay, stone, soil or water or other substances on or from the commons or cut, fell or injure any gorse, heather, timber or tree, shrub, brushwood or other plant or fungi growing on the Commons.
- b. No unauthorised person shall dig in or upon the Commons or use or operate a metal or mineral detector or any device for locating objects below ground level.
- c. Temporary restrictions on rights of common etc.  
No unauthorised person who in the exercise of any right of common or other right over the Commons may dig or displace turf, sods, gravel, sand, clay, water or other substances or may displace trees or brushwood shall do so on or from any part of the Commons which is enclosed temporarily for the revival of turf, trees, shrubs or plants or set aside for games or the parking of motor vehicles if similar substances aforesaid can conveniently be dug or displaced from some other part of the Commons.

## 9. DOGS

- a. Dogs shall be kept under control at all times.
- b. Every person (other than a registered blind person) who is in charge of a dog within the bounds of the commons and who without reasonable excuse fails to remove from that area any faeces deposited by that dog shall be guilty of an offence.

For the purpose of compliance with the paragraph above the following provisions shall apply:

- i. It shall be a sufficient removal from the area if the faeces are deposited in a receptacle within the area, which has been provided for that purpose.

- ii. Without prejudice to the generality of the foregoing it shall not be a reasonable excuse that a person in charge of a dog did not have any means of removal of the faeces.
- c. No unauthorised persons shall cause to be brought upon the Commons more than four dogs at any one time. A person may be authorised by the Conservators in writing free of charge on application for such number of dogs and period as may be specified in the authorisation.

#### 10. STRUCTURES

- a. No person shall on the commons erect any post, rail, fence, pole, tent, booth, stand or building, or other structure
- b. This Bye Law shall not apply where upon an application to the Conservators they grant permission to erect any post, rail, fence, pole, tent, booth, stand or building, or other structure, upon such occasion and for such purposes as are specified in the application,
- c. No person shall without excuse remove, damage or displace any seats, shelters, fences, notice boards, children's play equipment or any works erected or maintained by the Conservators on the Commons.
- d. No unauthorised person shall affix any bill, placard, notice or any form of advertising on any tree, fence, erection or notice on the Common.

#### 11. GAMES

- e. No person shall play games on any part of the common designated for that purpose, when the state of the ground makes it unfit for use. A notice will be set up in a conspicuous place if this is the case..
- f. Every person playing golf shall be a member, whether for the day or a longer period, of Great Torrington Golf Club and shall comply with the recognised etiquette and rules of the game and with any special rules laid down by the club.

12. No person shall discharge any firearm or air weapon on the Commons.

13. No person shall throw or discharge any missile to the danger of any person on the Commons.

#### 14. DUMPING

No unauthorised person shall deposit or permit to be deposited or permit to remain on any part of the Commons any materials for the making or mending of roads, manure, dead animals, farm produce, building materials, rubbish, scrap, garden refuse, or other matter.

#### 15. POLLUTION OF WATER

Any individual, group or corporate body who causes pollution to the water courses on the Commons, or who discharge toxic waste, effluent or sewage on the Commons shall be prosecuted by the conservators. The Conservators will monitor the quality of the water in the water courses on the Commons to ensure there is no such discharge.

16. Any person contravening any part of these Bye Laws shall be liable on summary conviction to a fine not exceeding level 2 of the standard scale and in the case of a continuing offence to a further fine not exceeding 1/10th of the amount equivalent to that level for each day during which such offence shall continue after conviction.

17. Any act necessary to the proper execution of his duty on the Commons by an officer of the Conservators or which is necessary to the proper execution of any contract with the Conservators, shall not be deemed an offence against these Bye Laws.

18. All persons using the Commons should do so in a manner, which will not interfere with or hinder any other persons exercising their right to enjoy the Commons

19. These Bye Laws were approved by Defra on 13th August 2010. They replace the series of Bye Laws made by the Commons Conservators and confirmed on the 22nd January 1987 by the Secretary of State, which are hereby repealed.