

## **BURNHAM BEECHES**

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**BYE-LAWS** made by the Mayor and Commonalty and Citizens of the City of London, in pursuance of the Corporation of London (Open Spaces) Act, 1878, for the regulation of the use of Burnham Beeches

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- I. In these Bye-laws " Burnham Beeches" means the open waste lands known as East Burnham Common and the Burnham Beeches, in the Manor of Allerds, in East Burnham. And "the Corporation" means the Mayor and Commonalty and Citizens of the City of London.
- II. The doing or attempting to do all or any of the following acts in Burnham Beeches is prohibited, and shall be deemed to be an offence against the Corporation of London (Open Spaces) Act, 1878 (Section 11 of 41 and 42 Vict., chap. 127).
  2. Without the licence of the Corporation making or forming any new roads or footpaths in Burnham Beeches, or digging, laying, or constructing any water-way, sewer, drain, or other work of the like nature in, under, or across the same or any part thereof.
  4. Cutting, lopping, digging up, felling, burning, breaking, climbing up or upon, or otherwise doing damage or injury to the timber or other trees, pollards, underwood, shrubs, brushwood, grass, gorse, fern, or other growing plants, except so far as any such cutting, lopping, or felling may be done by the licence, signified in writing, of the Corporation.
  5. Making bonfires or other fires, or burning or setting fire to any turf, underwood, brushwood, gorse, fern, or other substances, whether growing or not.
  7. Turning out to graze, or feed, or allowing or suffering to remain on Burnham Beeches any cattle, horse, sheep, ass, mule, pony, goose, duck, fowl, or other animal, except such beasts as may be so turned out, and may remain as of right, and except (as to all the said animals) subject to the Regulations of the Corporation contained in the second schedule hereto.
  8. Shooting, catching, hunting, chasing, trapping, or laying or placing nets, or traps for the taking of game, birds, or other kinds of animals, or throwing stones, sticks, or other missiles with intent to kill, injure, or catch the same. Taking or searching for birds' eggs or nests, fishing in the lakes, ponds, and other waters with rod, net, or otherwise, except so far as such fishing shall be carried on in accordance with the Regulations contained in the third schedule hereto.
  9. Injuring or removing any of the lodges or other buildings, fountains, statues, monuments, railings, banks, or marks or boundaries, earthworks, fences, seats, barriers, gates, lamp-posts, notice-boards, or other things on Burnham Beeches, or defacing or disfiguring the same by the posting of bills, placards, or notices thereon, or otherwise by writing upon or stamping, cutting, or marking the same, or interfering with any sluice gates regulating the height of or controlling the water in any ponds or watercourses.
  12. Using any portion of Burnham Beeches as a drying or bleaching ground, by placing clothes or other things on the trees, bushes, turf, grass, or ground, or on lines, ropes, or other supports, or shaking, beating, or brushing carpets or mats.
  14. Using as standing places for saddle horses, ponies, mules, asses, goats, or other animals, or for carriages standing for hire, any portions of Burnham Beeches, except those set apart for the purpose by the Corporation, or not fastening such animals to the railing inside such standing places, or plying for the hire of any animals or carriages outside such railing.

15. Riding on horses, asses, or other animals, on or over the footpaths of Burnham Beeches, or any portions of Burnham Beeches, in which riding is for the time being prohibited by the Corporation.
  16. Exercising or riding horses in any part of Burnham Beeches, to the danger of the public or the injury of the commoner's cattle.
  17. Exercising as volunteers on any portion of Burnham Beeches, except with the leave of the Corporation, and on such parts as they may set apart for the purpose.
  18. Interfering with, obstructing, or annoying any persons exercising as volunteers, or playing or preparing to play at cricket, football, or any other lawful game on any portion of Burnham Beeches set apart for such exercises or games, or any person lawfully and peaceably using Burnham Beeches.
  19. Placing or using any boats upon, or bathing in any lakes, ponds, or waters of Burnham Beeches.
  20. Walking, running, skating, sliding, or going upon any lake, pond, or water, or any part thereof, when frozen, after notice by the Officers of the Corporation, or by the Police, by means of a notice board, or by other means, that it is dangerous so to do.
  21. Delivering any public speech, lecture, sermon, or address of any kind, except with the written permission of the Corporation first obtained, and upon such portions of Burnham Beeches, and at such times and under such restrictions and regulations as may be specified in such written permission.
  22. Carrying or firing firearms, or air or other guns or pistols in Burnham Beeches, throwing stones, or sticks, or other missiles, or doing anything which may endanger any person or property, or be a nuisance, obstruction, or annoyance to the public, or hinder or annoy them in the exercise of their rights of recreation in Burnham Beeches.
  23. Gambling, betting, playing with cards or dice, fortune telling, begging, brawling, quarrelling, fighting, cursing, swearing, being drunk, using indecent, disgusting or improper language, selling indecent books or prints, or being otherwise disorderly, committing any nuisance or wilfully or designedly doing any act contrary to public decency, or which comes within the meaning of the 4th sec. of the Vagrant Act, 5 Geo. IV cap. 83, whether such act shall have been or shall be committed with intent to insult any female or not.
  24. Making any improper or offensive use of any part of Burnham Beeches, or doing anything tending to the injury or disfigurement thereof, or to the defeat of the general purpose of the Corporation of London (Open Spaces) Act, 1878, or of these Bye-laws.
  25. Rescuing or attempting to rescue any animal which is being led, driven, or taken to the Manor Pound by the Keeper or Assistant Keeper, or taking or attempting to take such animal out of such pound, or injuring any such pound or its lock.
  26. Interfering with or obstructing the Keeper or Assistant Keeper, or any other officer of the Corporation in the execution of his duty.
- III. The Keeper and Assistant Keeper of the Corporation are empowered and directed to remove from Burnham Beeches all brawlers, beggars, gamblers, fortune tellers, drunkards, tramps, rogues, vagabonds, and persons committing any nuisance therein.
- V. Any person seen or found committing, or reasonably suspected of being engaged in committing a breach of these Bye-laws, may be stopped and detained by any constable, without warrant, and if his name and address are not known to such constable, and he fails to satisfy the constable respecting them the constable may, without warrant, apprehend him. (Sec. 19 of 41 and 42 Vic., ch. 127).

- VI. Any person who assaults, resists, or aids or incites any person to assault or resist any Constable, Keeper, Assistant Keeper, or other Officer or person in the lawful exercise of authority under any of these Bye-laws, is for every such offence liable to a penalty not exceeding 5l., without prejudice to any other proceeding or remedy against him for the same act. (Sec. 17 of 41 and 42 Vic., ch. 127).
- VII. Nothing in these Bye-laws contained shall take away, abridge, or limit any remedy now existing by way of indictment or otherwise, or shall interfere with or prejudice the powers of the County Police, or of any authority legally existing for preventing or punishing any offences, whether specified in these Bye-laws or not, or the rights and powers of the Corporation as Lords of the Manor of Allerds in East Burnham.

**MONCKTON.**

**GUILDHALL.**

*December 16th. 1880.*

I hereby allow the foregoing Bye-laws.  
Dated this 31st day of October, 1881.

G. SHAW-LEFEVRE,  
*First Commissioner of Her Majesty's  
Works and Public Buildings.*

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### **Additional Bye-laws**

1. In these Bye-laws the Corporation " means the Mayor and Commonalty and Citizens of the City of London; " the principal Bye- laws" means the Bye-laws made by the Corporation on the 16th day of December, 1880, and allowed by the First Commissioner of Her then Majesty's Works and Public Buildings on the 31st day of October, 1881, for the regulation of Burnham Beeches; "Burnham Beeches" means the open waste lands known as East Burnham Common and the Burnham Beeches in the Manor of Allerds, in East Burnham and also all other lands acquired or dedicated by the Corporation under the powers and for the purposes of the Corporation of London (Open Spaces) Act, 1878, or appropriated by the Corporation to these purposes and held by the Corporation as part of Burnham Beeches; "the Superintendent" means the Superintendent for the time being of Burnham Beeches; and "vehicle" includes a wagon, cart, carriage, car, van, lorry, caravan, truck, motor-cycle, cycle or other vehicle whether mechanically propelled or not.
2. The principal Bye-laws as amended by these Bye-laws shall apply to Burnham Beeches to all intents and purposes as if the principal Bye-laws had been re-enacted herein.
3. The doing or attempting to do any of the following acts in Burnham Beeches is prohibited, and shall be deemed to be an offence against the Corporation of London (Open Spaces) Act, 1878.
  - (a) Taking, digging, cutting, damaging, or removing gravel, sand, clay, loam, turf, grass, or other substances, is or from Burnham Beeches, except so far as the digging of gravel may be done with the consent and subject to the Regulations of the Corporation contained in the First Schedule hereto
  - (b) Drawing or driving or allowing to be drawn or driven any vehicle on, through or across the turf, woods, copses, underwood, or footpaths of Burnham Beeches or allowing any vehicle to remain on such turf, woods, copses, underwood or

footpaths. Provided always that this Bye-law shall not apply to a person drawing or driving or allowing to be drawn or driven any vehicle on to Burnham Beeches, within 15 yards of a road on which a vehicle may lawfully be driven, for picnic or other pleasure purposes so that no injury is done to Burnham Beeches or any part thereof and provided that directions of the Superintendent, the Keepers or Assistant Keepers are obeyed.

- (c) Placing or leaving on any part of Burnham Beeches, or in any lake or pond therein, any road sand, refuse, broken glass, rubbish, filth, manure, dead animals, or other like things, or removing ice from any such lake or pond, or interfering with or injuring the fish or waterfowl or other birds or animals in and about the same, or allowing dogs to worry or chase the same, or washing dogs or other animals, or vehicles, in any lake or pond, or doing any act which shall in any way destroy the ornamental character of any lake or pond in Burnham Beeches, or pollute the water therein.
  - (e) Plying for the hire of, or letting out horses, ponies, mules, asses, goats, or other animals, with or without carts or carriages, without the licence of the Corporation, or in contravention of the Regulations set forth in the Third Schedule hereto, or not wearing the badge to be supplied by the Corporation on the granting of any such licence, so that the number thereon may be clearly seen, or otherwise contravening the terms of such licence,
5. From and after the coming into operation of these Bye-laws, sub-paragraphs 3, 6, 10, 11 and 13 of Bye-law No. 2 of the Bye-laws made by the Corporation on the 16th day of December, 1880, and allowed by the First Commissioner of Her then Majesty's Works and Public Buildings on the 31st day of October, 1881, and the First, Fourth and Fifth Schedules thereto, and the additional Bye-laws made by the Corporation on the 8th day of October, 1925, and allowed by the First Commissioner of His then Majesty's Office of Works and Public Buildings on the 14th day of December, 1925, shall he and the same are hereby revoked.

Examined,

**DESMOND HEAP,**  
*Comptroller and City Solicitor*

CITY  
SEAL

The Common Seal of the Mayor and Commonalty and Citizens of the City of London was affixed to these Bye-laws at a duly constituted Meeting of the Court of Common Council held on the sixteenth day of February, 1950, and in my presence.

**ANTHONY PICKFORD,**  
*Town Clerk.*

I hereby allow the foregoing Bye-laws.  
Dated the second day of May, 1950.

R. R. STOKES,  
*Minister of Works.*

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## **ADDITIONAL BYE-LAWS**

1. In these Bye-laws “the Corporation” means the Mayor and Commonalty and Citizens of the City of London; “the principal Bye-laws” means the Bye-laws made by the Corporation on the 16th day of December, 1880, and allowed by the First Commissioner of Her then Majesty's Works and Public Buildings on the 31st day of October, 1881, for the regulation of Burnham Beeches, as amended by the additional Bye-laws made by the Corporation on the 16th day of February, 1950, and allowed by the Minister of Works on the 2nd day of May, 1950; “ Burnham Beeches” means the open waste lands known as East Burnham Common and the Burnham Beeches in the Manor of Allerds, in East Burnham and also all other lands acquired or dedicated by the Corporation under the powers and for the purposes of the Corporation of London (Open Spaces) Act, 1878, or appropriated by the Corporation to these purposes and held by the Corporation as part of Burnham Beeches; “the Superintendent' means the Superintendent for the time being of Burnham Beeches; and vehicle " includes a wagon, cart, carriage, car, van, lorry, caravan, truck, motor-cycle, cycle or other vehicle whether mechanically propelled or not.
2. The principal Bye-laws as amended by these Bye-laws shall apply to Burnham Beeches as defined in Bye-law I of these Bye-laws to all intents and purposes as if the principal Bye-laws had been re-enacted herein.
3. The doing or attempting to do any of the following acts in Burnham Beeches is prohibited, and shall be deemed to be an offence against the Corporation of London (Open Spaces) Act, 1878.
  - (1) Bringing or allowing to be brought into or to go in or upon Burnham Beeches any dog not kept under effective control, or not wearing a collar bearing the name and address of the owner.
  - (2) Hawking or peddling any article or articles whether from a vehicle or otherwise without the licence in writing of the Corporation, or in contravention of the Regulations set forth in the First Schedule hereto.
  - (3) Erecting or placing upon any part of Burnham Beeches, without the licence of the Corporation, or in contravention of the Regulations set forth in the Second Schedule hereto, any post, rail, fence, clothes line, pole, stick, tent, booth, stand, shooting gallery, show, roundabout, swing, or any building or erection whatsoever either for permanent or temporary purposes.
  - (4) Enclosing or otherwise encroaching upon any part of Burnham Beeches.
4. Every person who shall offend against any of the Bye-laws for the time being in force for the regulation of Burnham Beeches shall be liable on summary conviction for every such offence to a penalty of ten pounds and in the case of a continuing offence to a further daily penalty of five pounds. Provided always that the Court before whom any proceedings may be taken in respect of any such offence, may, if the Court think fit, adjudge the payment as a penalty of any sum lest than the full amount of the penalty imposed by this Bye-law.
5. From and after the coming into operation of these Bye-laws. Bye-laws 11(1) and IV of the Bye-laws made by the Corporation on the 16th day of December, 1880, and allowed by the First Commissioner of Her then Majesty's Works and Public Buildings on the 31st day of October, 1881, and Bye-laws 3(d) and 4 and the Second Schedule to the Additional Bye-laws made by the Corporation on the 16th day of February, 1950, and allowed by the Minister of Works on the 2nd day of May, 1950, shall be and the same are hereby revoked.

## **THE FIRST SCHEDULE**

### **REGULATIONS AS TO HAWKING AND PEDDLING**

1. All persons desiring to hawk or peddle any article in Burnham Beeches shall apply to the Superintendent for a licence for the purpose who, if he is satisfied that the applicant is a suitable person, may grant the licence. Any licence to be granted shall not be transferable.
2. The licence will only be available for the year in which it is granted, and will expire on the 31st December in that year.
3. The licence will specify the place or places where the licensee may hawk or peddle and will be granted on a payment of a fee not exceeding £1 for the licence, and of a further fee not exceeding £1 for each week or part of a week in which the licence is used.
4. The licence will be granted only during the pleasure of the Corporation and the Superintendent may revoke it at any time if used at any other than the specified place or places, or for drunkenness, quarrelling, fighting, cheating, swearing, noisy or disorderly dancing, or breach of any of the Byelaws of Burnham Beeches on the part of the licensee.

## **THE SECOND SCHEDULE**

### **REGULATIONS AS TO THE ERECTION OF BOOTHS, STANDS, ETC.**

1. All persons desiring to erect any post, rail, fence, tent, booth, stand, shooting-gallery, show, roundabout or swing, or to affix any sticks or poles for playing any games for which money is taken, shall apply to the Superintendent for a licence for the purpose, who, if he is satisfied that the applicant is a suitable person, may grant the licence. Any licence so granted shall not be transferable.
2. The licence will only be available for the year in which it is granted, and will expire on the 31st December in that year.
3. The licence will specify the place where the booth, stand or other erection is to be put up, and will be granted on a payment of a fee not exceeding £1 for the licence, and of a further fee not exceeding £1 a week or part of a week during the time the erection remains.
4. The licence will be granted only during the pleasure of the Corporation and the Superintendent may revoke it at any time if used at any other than the specified place, or for drunkenness, quarrelling, fighting, cheating, swearing, noisy or disorderly dancing or breach of any of the Byelaws of Burnham Beeches on the part of the licensee.

Examined,

CITY  
SEAL

**DESMOND HEAP,**  
*Comptroller and City Solicitor.*

The Common Seal of the Mayor and Commonalty and Citizens of the City of London was affixed to these Bye-laws at a duly constituted meeting of the Court of Common Council held on the nineteenth day of October, 1961, and in my presence.

**E. H. NICHOLS,**  
*Town Clerk*

I hereby allow the foregoing Bye-laws.  
Dated the Twentieth day of December, 1961.

**JOHN HOPE,**  
*Minister of Works.*

I hereby certify that the foregoing is a correct copy of the Burnham Beeches Bye-laws as made by the Corporation on 16th December, 1880, and allowed by the First Commissioner of Her then Majesty's Works and Public Buildings on 31st October, 1811, and of the Additional Bye-laws as made by the Corporation on 16th February, 1950, and allowed by the Minister of Works on 2nd May, 1950, and of further Additional Bye-laws as made by the Corporation on 19th October, 1961, and allowed by the Minister of Works on 20th December, 1961.

**E. H. NICHOLS,**  
*Town Clerk.*

#### **ADDITIONAL BYE-LAWS**

1. In these Bye-laws "the Corporation" means the Mayor and Commonalty and Citizens of the City of London; "the principal bye-laws" means the Bye-laws made by the Corporation on the 16th day of December, 1880, and allowed by the First Commissioner of Her then Majesty's Works and Public Buildings on the 31st day of October, 1881, for the regulation of Burnham Beeches, as amended by the additional Bye-laws made by the Corporation on the 16th day of February, 1950, and allowed by the Minister of Works on the 2nd day of May, 1950, and as amended by the additional Bye-laws made by the Corporation on the 19th day of October, 1961 and allowed by the Minister of Works on the 20th day of December, 1961; "Burnham Beeches" means the open waste lands known as East Burnham Common and the Burnham Beeches in the Manor of Allerds, in East Burnham and also all other lands acquired or dedicated by the Corporation under the powers and for the purposes of the Corporation of London (Open Spaces) Act, 1878, or appropriated by the Corporation to these purposes and held by the Corporation as part of Burnham Beeches; "the Superintendent" means the Superintendent for the time being of Burnham Beeches; and "vehicle" includes a wagon, cart, carriage, car, van, lorry, caravan, truck, motor-cycle, cycle or other vehicle whether mechanically propelled or not.
2. The principal Bye-laws as amended by these Bye-laws shall apply to Burnham Beeches as defined in Bye-law 1 of these Bye-laws to all intents and purposes, as if the principal Bye-laws had been re-enacted herein.
3. An Act necessary to the proper execution of his duty in Burnham Beeches,
  - (a) by an Officer of the Corporation; or
  - (b) by any person or the servant of any person employed, engaged or appointed by the Corporationshall not be deemed an offence against these Bye-laws.

4. The doing or attempting to do any of the following acts in Burnham Beeches is prohibited and shall be deemed to be an offence against the Corporation of London (Open Spaces) Act, 1878.

- (i) Drawing or driving or allowing to be drawn or driven any vehicle on, through or across the turf, woods, copses, underwood or footpaths of Burnham Beeches or allowing any vehicle to remain on such turf, woods, copses, underwood or footpaths, or on any road other than a highway, in Burnham Beeches.

Provided that this bye-law shall not apply to a person drawing or driving or allowing any vehicle to be drawn or driven on to or to remain in Burnham Beeches within 50 yards of a road on which a vehicle may lawfully be driven, between one hour before sunrise and one hour after sunset, for picnic or other pleasure purposes on Burnham Beeches so that no injury is done to Burnham Beeches or any part thereof, provided always that any directions of an Officer of the Corporation are obeyed, and that no vehicle shall be drawn or driven or allowed to be drawn or driven on to or to remain in any part of Burnham Beeches where such act is prohibited by the Corporation by an exhibited notice to that effect. Provided further that this bye-law shall not prohibit the parking of vehicles, between one hour before sunrise and one hour after sunset in places set apart by the Corporation for the use of vehicles; or prohibit a person from driving or drawing any vehicle across Burnham Beeches pursuant to a wayleave granted by the Corporation or a temporary wayleave granted by the Superintendent.

- (ii) Driving a vehicle in a place set apart by the Corporation for the use of vehicles in such a manner as to cause damage or injury to the surface of the same.

5. From and after the coming into operation of these Bye-laws, Bye-law 3(b) of the additional Bye-laws made by the Corporation on the 16th day of February, 1950 and allowed by the Minister of Works on the 2nd day of May, 1950 shall be and the same is hereby revoked.

Examined.

CITY  
SEAL

(Signed) **DESMOND HEAP,**  
*Comptroller and City Solicitor.*

The Common Seal of the Mayor and Commonalty and Citizens of The City of London was affixed to these Byelaws at a duly constituted meeting of the Court of Common Council held on the 11th day of May, 1967 and in my presence.

(Signed) **E. H. NICHOLS,**  
*Town Clerk.*

I hereby allow the foregoing Bye-laws.  
Dated the 19th day of July, 1967.

(Signed) **R. E. PRENTICE,**  
*Minister of Public Building and Works.*

Copies of the Bye-laws and schedules may be obtained for the Head Keeper at the Burnham Beeches office, Hawthorn Lane, Farnham Common, South Bucks, SL2 3TE. Tel: 01753 647358