



## CHAPTER clix.

An Act to confirm a Provisional Order for the Regulation of  
Therfield Heath and Greens, situated in the parish of A.D. 1888.  
Therfield, in the county of Hertford, in pursuance of a  
report from the Land Commissioners for England.

[7th August 1888.]

**W**HEREAS the Land Commissioners for England did, in pur-  
suance of the Inclosure Acts, 1845-1878, issue, in the year 8 & 9 Vict.  
one thousand eight hundred and eighty-eight, the Provisional c. 118. &c.  
Order of regulation set forth in the schedule hereto, and in a  
special report certified that it was expedient that the same should  
be confirmed by Parliament:

And whereas a Committee of the House of Commons, to which  
the same Provisional Order was referred, recommended that the  
same should be confirmed without modification:

And whereas the said regulation cannot be proceeded with without  
the previous authority of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty,  
by and with the advice and consent of the Lords Spiritual and  
Temporal, and Commons, in this present Parliament assembled, and  
by the authority of the same, as follows:

1. The Provisional Order of regulation set forth in the schedule Order in  
Schedule  
confirmed.  
to this Act is hereby confirmed.

2. The Land Commissioners are hereby empowered to sanction Provision for  
recreation  
ground for  
Therfield.  
the sale or exchange of portions of Therfield Heath, or of the  
whole or any part of the Greens, except such portion of the Heath  
as lies near to or adjoins the town of Royston, not exceeding in the  
whole twenty-five acres, for the purpose of obtaining a recreation  
ground adjacent to the village of Therfield. Such sale or exchange  
and the purchase of land with the proceeds of sale may be made  
either by the valuer or by the Conservators in the matter of the

A.D. 1888. regulation with such sanction as aforesaid. In the case of a sale the purchase money shall be paid to the Commissioners, whose receipt shall be a valid discharge for the same, and the common land sold shall be conveyed by the Commissioners. Any land purchased for a recreation ground shall be vested or conveyed in, to, or in trust for the Conservators, as the Commissioners may direct, and the conveyance shall be sealed by the Commissioners. In the case of an exchange prior to the award of regulation the exchange shall be made by the award. In the case of an exchange subsequent to the award the same shall be by deed to be executed by the Conservators and the persons having power to dispose of the land to be acquired for a recreation ground, and sealed by the Commissioners. The land acquired for a recreation ground shall be vested in the Conservators and be under their management and control and subject to their byelaws for the prevention of or protection from nuisances, and for keeping order. The award of regulation, or such deed of exchange or conveyance, when sealed by the Commissioners as aforesaid, shall be conclusive evidence that the provisions of this section have been duly complied with.

Short title. **3.** This Act may be cited as the Commons Regulation (Therfield) Provisional Order Confirmation Act, 1888.



**SCHEDULE.**

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A.D. 1888.

**PROVISIONAL ORDER for the Regulation of THERFIELD HEATH AND GREENS,  
HERTFORDSHIRE.**

WHEREAS persons interested in certain lands called or known as Therfield Heath and Greens, situate in the parish of Therfield, in the county of Hertford, such lands being a Common within the meaning of the Inclosure Acts, 1845 to 1878, have made application to the Land Commissioners for England to issue a Provisional Order for the regulation of such Common, and to certify that it is expedient that such Provisional Order should be confirmed by Parliament:

And whereas it has been made to appear to the said Commissioners that the persons making the said application represent at least one third in value of such interests in the said Common as are proposed to be affected by the Provisional Order:

And whereas the said Commissioners, having taken the said application into consideration, were satisfied that a primâ facie case had been made out, and that, regard being had to the benefit of the neighbourhood as well as to private interests, it was expedient to proceed further in the matter, and accordingly ordered a local inquiry to be held by an Assistant Land Commissioner:

And whereas the said Assistant Commissioner, having caused public notice to be given as required by the said Acts, held, pursuant to the said notice, public meetings at the Fox and Duck Inn, in the said parish of Therfield, on the 15th day of December 1887, at eleven o'clock in the morning, and at the Bull Hotel, in the town of Royston, on the 16th day of December 1887, at seven o'clock in the evening, to hear all persons desirous of being heard on the subject-matter of the said application, and any information or evidence which might be offered in relation thereto, and inquired into the correctness of the statements in the said application, and otherwise into the expediency of making the Provisional Order applied for, and into the nature of the provisions to be inserted in such Provisional Order:

And whereas the said Assistant Commissioner inspected the said Common as required by the said Acts:

And whereas the said Assistant Commissioner duly reported in writing to the said Commissioners the result of the local inquiry and of the public meetings held by him, together with the information obtained by him as to the several particulars in the said application, and all other information required by the said Acts, and annexed to his report a sketch map of the said Common, a copy of which map is deposited in the office of the said Commissioners:

And whereas the said Common, with the exception of the Greens known as Ducks Green and Therfield Green, is waste land of the Manor of Therfield, of which the Ecclesiastical Commissioners for England are the lords, and as such



[Ch. clix.] *Commons Regulation (Therfield)* [51 & 52 VICT.]  
*Provisional Order Confirmation Act, 1888.*

A.D. 1888. are entitled to the soil of the said Common except as aforesaid, and the said Greens known as Ducks Green and Therfield Green are waste land of the Manor of Therfield Rectory, of which the Rector of Therfield is the lord, and as such is entitled to the soil of such Greens :

Now, therefore, in pursuance of the powers given to us by the said Acts, We, the Land Commissioners for England, being satisfied that, having regard to the benefit of the neighbourhood as well as to private interests, the regulation of the said Common is desirable, have framed, for the consideration of the persons interested, this our Draft Provisional Order, specifying the provisions for "adjustment of rights" and for "improvement" which are to be put in force, and the terms and conditions on which, provided the necessary consents are given thereto, We are prepared to certify that it is expedient the Provisional Order should be confirmed by Parliament; that is to say:

That, for the "adjustment of rights," the following provisions be put in force, that is to say, provisions for—

The determination of the persons by whom, the stock by which, and the times at which the right of common of pasture is to be exercised :

The determination of any rights and settlement of any disputes relating to boundaries, rights in the soil or in the produce of the soil, or otherwise, should any such disputes be found to exist :

and such other of the provisions of the Commons Act, 1876, relating to adjustment of rights as may be found applicable.

That, for "improvement," the following provisions be put in force, that is to say, provisions for—

The draining, manuring, and levelling of the said Common, or of any part thereof, as may be found necessary or desirable :

The planting of trees on parts of the said Common, or in any other way improving or adding to the beauty of the same :

The making of byelaws and regulations for the prevention of, and protection from nuisances, and for keeping order on the said Common :

The general management of the said Common :

The appointment, from time to time, of Conservators of the said Common, for the purposes aforesaid, such Conservators to be one person nominated by the lords of the manor of Therfield, the rector for the time being of the parish of Therfield, three persons elected by the commoners entitled to rights of pasture upon the said Common, and three persons elected by the inhabitant ratepayers of the special drainage district for Royston.

That, with a view to the benefit of the neighbourhood, the following provisions be made part of the terms and conditions of this Order, that is to say:—

That there be reserved to the inhabitants of Therfield, Royston, and the neighbourhood, at all times, a right of free access to the said Common, and a privilege of playing cricket and other games, and of enjoying reasonable recreation thereon, subject to such byelaws as may be, from time to time, made by the Conservators, and confirmed by the Secretary of State :

That the rifle range on Therfield Heath be continued for the use of the local rifle volunteer corps, who have hitherto used the same, or of any other body or persons who may hereafter be permitted by the Conservators to use the same.



[51 & 52 VICT.] *Commons Regulation (Therfield)* [Ch. clix.]  
*Provisional Order Confirmation Act, 1888.*

That the Conservators shall have power to take such payments in respect of the exercising of racehorses upon the said Common as they may from time to time agree upon with the owners of the horses, and to regulate such exercising.

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That no turf be cut on the said Common, and that no booths or other erections of any kind be set up thereon, except with the permission and under the superintendence of the Conservators, who shall have power to take payments in consideration of their giving such permission as aforesaid: Provided that no turf shall be cut on the said Common for use elsewhere than in Therfield and Royston.

That the expenses incurred by the Conservators in the execution of their powers and duties shall be defrayed by means of any sums received in respect of the exercising of racehorses or in consideration of their giving permission to cut turf or set up booths or other erections on the said Common, and of voluntary contributions or any other moneys applicable to the purpose that may come into the hands of the Conservators.

That, subject to the provisions as to cutting turf herein contained, this Provisional Order be without prejudice to the rights of the lords of the respective manors of Therfield and Therfield Rectory in the turf and soil of the said Common, and in the mines, minerals, stone, and other substrata under the same.

That for the purpose of giving complete effect to this Provisional Order, and to enable the Conservators to carry out their duties in the most efficient manner, there shall be inserted in the award to be made in pursuance of the said Acts such provisions for the election of Conservators and for filling up vacancies, and such other provisions not inconsistent with such Acts, as the said Land Commissioners shall think desirable and proper.

In witness whereof we have hereunto affixed our official seal this  
twenty-fifth day of February one thousand eight hundred and  
eighty-eight.

L.S.

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