



CHAPTER lxxxii.

An Act to confirm the Provisional Order for the Regulation of certain Lands known as Clent Hill Common, situate in the parish of Clent, in the county of Worcester, in pursuance of a report of the Inclosure Commissioners for England and Wales. [2nd August 1880.] A.D. 1880.

WHEREAS the Inclosure Commissioners for England and Wales did, in pursuance of the Inclosure Acts, 1845 to 1878, issue, in the year one thousand eight hundred and eighty, the Provisional 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: 8 & 9 Vict. c. 118., &c.

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 to this Act is hereby confirmed. Confirmation of Provisional Order.

2. This Act may be cited as the Regulation (Clent) Provisional Order Confirmation Act, 1880. Short title.

A.D. 1880.

SCHEDULE.

Provisional Order for the Regulation of a Common.

WHEREAS persons interested in certain lands called or known as Clent Hill Common, situate in the parish of Clent, in the county of Worcester, such lands being a common within the meaning of the Inclosure Acts, 1845 to 1878, have made application to the Inclosure Commissioners for England and Wales 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 Inclosure 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 Lyttelton Arms, Hagley, in the said county, on the nineteenth and twentieth days of January one thousand eight hundred and eighty, at the respective hours of half-past ten in the morning and seven 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 map of the said common, a copy of which map is hereto annexed :

Now, therefore, in pursuance of the powers given to us by the said Acts, we, the Inclosure Commissioners for England and Wales, being satisfied that,

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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 the improvement of the common 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, A.D. 1880.

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

1. The draining and levelling of the said common as may be found necessary:
2. The planting of trees for ornament on parts of the said common, or in any other way improving or adding to the beauty of the same:
3. The making of byelaws and regulations for the prevention of and protection from nuisances, and for keeping order, on the said common:
4. The general management of the said common:
5. The appointment from time to time of conservators of the said common for the purposes aforesaid, one of such conservators to be the lord or lady of the manor for the time being, or his or her nominee, and others to be nominated in manner following; that is to say, two by the persons interested in the said common out of their own number, three by the inhabitants of the parishes of Clent, Hagley, and Halesowen, respectively, in vestry assembled, one to be chosen by each parish, and the remaining six by the urban sanitary authorities of the following towns, one to be nominated by each; that is to say, Stourbridge, Dudley, Rowley-Regis, Brierley Hill, Quarry Bank, and Kidderminster.

That the foregoing provisions shall apply to the whole of the said common.

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

That there be reserved to the inhabitants of Clent, and of the several parishes and towns aforesaid, and to the public generally, at all times, a privilege of walking, and playing games, and enjoying other species of recreation over the whole of the said common, subject to such byelaws for the reasonable regulation thereof as the said conservators may from time to time make, and that the said conservators have power to make such byelaws.

That, for the purpose of giving complete effect to this 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, not inconsistent with such Acts, as the said Inclosure Commissioners shall think desirable and proper.

In witness whereof we have hereunto set our official seal this thirteenth day of February one thousand eight hundred and eighty.

L.S.