



April 1979

If our Association is to sustain any claim to represent the views of Berkhamsted citizens, its membership should cover as wide a spectrum as possible of local people and opinion. We need more members - members representative of all sections of the community. Thinking that some non-members might be more likely to join us if they knew more about what we do, the Committee has decided this year to distribute copies of each Newsletter to some non-members selected at random. To those who receive a copy of this issue we say, "We invite you to join us and share in our work; the more active and vocal you are prepared to be in Berkhamsted's interest, the more welcome. If you are doubtful about joining, why not get in touch with an officer or committee-member and find out more? Once a member of the Association, you will be able to have a voice in its affairs, and be eligible for election to the Committee which does its day-to-day work."

### Annual General Meeting

The AGM on 15th February was different from most of those of recent years in two respects: first, the foul weather, with icy pavements and drifting snow, resulted in the smallest attendance for some time - 25 members at the start and the evening's speaker absent, snowed up at Potten End. Second, there were more candidates than vacancies on the Committee, so that a vote was taken. Norman Williams continues for a second year as Chairman; Hilary Talbot-Ponsonby, after serving a year as Vice-Chairman, then two years as Chairman and another as Vice-Chairman, relinquished the latter post and was succeeded by Max Struthers; Roy Doe and Sheila Walton remain Hon. Treasurer and Hon. Secretary respectively. A past Chairman, Evelyn Talbot-Ponsonby, was elected a life member. At the end of this letter you will find a complete list of the office's and committee-members with their addresses and telephone numbers.

### Activities - for your diary

Easter Monday - 16<sup>th</sup> April - Ramble to Great Gaddesden where drinks and sandwiches will be available at the Cock and Bottle. Meet at 10.30 a.m. At Berkhamsted Station. Distance 4 miles out, 4 miles home.

Wednesday 18<sup>th</sup> April - Mr J.D. MacEwan, Chief Engineer, BBC Radio (who lives in Berkhamsted was in charge of the recent wavelength changes) will give a talk on "The Long, Medium and Short' of it". Civic Centre High Street, Berkhamsted. 8 p.m. (Open to all) Mr MacEwan was originally engaged to speak on this subject after the AGM but was prevented by a sudden call to visit China with other BBC officials. He has agreed to include in his talk some impressions of this visit. Questions will be invited.

### Berkhamsted Castle

The Castle is still without a resident custodian and consequently the grounds continue to be closed to the public in the evenings and at weekends.

Enquiries at the Department of the Environment disclose that although the policy that led to the departure of the custodian has been modified, it has not yet been decided whether it will be possible to provide a replacement at Berkhamsted. The Dacorum District Council has been asked to take the matter up with the Department.

### Town Hall

After all the talking the new Trust Scheme is about to become fact. It will be a two-stage operation with the interim trustees holding the fort - and the building - while the way is prepared for the full scheme. In addition to the legal negotiations there has been activity on three other fronts: practical remedial work on the building; new designs drawn up; preliminary discussions to get injections of community and commercial money.

It must be emphasised at this stage that nothing is guaranteed. What can be said is that a restoration scheme is worth going for and not just to save a traditional building. Professional advice is that restoring the present building is the cheapest way to provide such facilities. Another point to stress is that to succeed the Town Hall scheme must be a town effort. It is intended that the Trust body will be as broadly-based as possible to represent the whole range of Berkhamsted interests. All ideas at present being worked upon are for discussion and to help stimulate this the Citizens' Association will be joining with the Berkhamsted Community Council in holding a public meeting to get a measure of what the town wants and to see how best to meet those needs.

Our Chairman has written to the Charity Commissioners to convey our approval and support for the scheme.

### Safety Week

From 2nd to 8th April the local Safety Committee is holding a Safety Week. Not only will it cover road safety but also emphasis will be placed on the neglected area of safety in the home. A 'Horror Kitchen' will be set up in Gable Hall and will feature some of the more common kitchen hazards. Berkhamsted shops will take part, featuring safety warning relating to the type of goods they sell. It is hoped to set up a collecting point for pills and medicines which we so easily accumulate in bathroom cabinets, more dangerously, elsewhere and in easy reach of children. The Safety Week will include a drive to prevent accidents with electric blankets which on average cause 1,500 accidents and twenty deaths each year. Almost all are through misuse and through not having the blankets properly serviced. On the road safety side there will be a safe driving competition on Sunday 8th April at Lower Kings Road car park. You can take part by presenting yourself with car, between 10 a.m. and 4 p.m. (there will be a lunch break from 1-2). There will be five classes ranging from novices to the most experienced drivers and there will be attractive prizes. Entry forms can be obtained from the Berkhamsted Civic Centre.

### Caravan Dwellers at Brickhill Green, Sandpit Green and Long Green, Berkhamsted

The orders made in August 1976 by the Dacorum Council under section 23 of the Caravan Sites and Control of Development Act 1960 in respect of Brickhill Green and Sandpit Green have recently been confirmed by the Secretary of State. This means that in future it will be an offence involving liability to a fine of £10 for a caravan to be placed on either of these greens. The Council will be displaying appropriate warning notices on the sites.

In July 1976 enforcement notices were served in respect of Long Green and copies were handed to caravan dwellers on the site at that time for information only. The caravan dwellers, although in the opinion of the Council they possessed no legal interest in the land which entitled them to appeal, did appeal to the Secretary State and he has now granted planning permission for the use of land by gypsies as defined in the Acts for a period of three years. The Council is at present considering whether to appeal on a point of law to the High Courts against the Secretary of State's decision.

Meanwhile, the Council has taken leases of the three greens. This action has been taken so as to enable the Council to preserve the commons, and, in particular, to enable them to protect them more effectively because as lessees they will be able to bring proceedings in the County Court to evict caravan dwellers.

A fresh circular has recently been issued by the Department of the Environment which describes grants available to local authorities for the provision of gypsy caravan sites and the Council has asked its Director of Technical Services to consider the availability of suitable sites in the district which might be developed for the use of gypsies.

### Berkhamsted Common

During the controversy a year ago over the Golf Club's application for planning consent to a second course on the Common, it became apparent that a good many people were confused as to the nature of the rights of the public over it. In our March 1978 Newsletter we described the historical back-ground to this question: the gradual transformation of Britain from a feudal agricultural society to an industrial one, the consequent increase in the public's interest in the shrinking area of common land, and the more notable Acts by which Parliament had (often belatedly) recognised that interest. Now we try to answer the question in more detail, with reference to the part of the Common acquired in 1923 by the Golf Club Trustees; that is, everything south-east of a line drawn roughly south-west from Berkhamsted Lodge to the far side of the Common (excluding Frithsden Beeches, which were never common land and are owned by the National Trust). We hope in a later Newsletter to deal with the common and other land owned by the National Trust, in which the public's rights are governed by the National Trust Acts, 1907-71.

In going into the historical background we saw that from mediaeval times the unwritten law of England did not allow the owner of the soil of a common to build upon it, to enclose it, or by any other means to diminish the rights of the commoners or to hinder their exercising them; and that in the famous case brought in the last century by a commoner, Augustus Smith, to prevent Lord Brownlow's trustees from enclosing a part of the Common, members of the public who were not commoners were not regarded as having any rights over it. The idea that the general public might have any rights had hardly yet been born, though in practice they were generally free to wander over common land because it was not enclosed.

In general this remained the law till 1925, when the Law of Property Act of that year gave members of the public rights of access for air and exercise to common land. This applied to commons in all Boroughs and Urban Districts, but to those in Rural Districts only if the owner executed a deed (which might be revocable or irrevocable) declaring that this provision of the Act should apply to his land; and the appropriate Minister was empowered to impose limitations or conditions on the public's rights in order to protect those of the owner and the commoners, or to protect any object of historical interest. About 1934 the Golf Club Trustees did execute such a deed and the Minister imposed conditions prohibiting various kinds of inconsiderate or dangerous conduct on the part of the public; thus, for example, riding horses on the golf course is prohibited (except on specified bridleways) as is also loitering or playing games upon it (though not walking over it). Full details can be obtained from the Golf Club or from the District Council.

What, you may ask, if the Golf Club Trustees were to revoke the deed of 1934 (assuming that they have power to do so)? The answer is that another provision in the Act prevents them from building on or enclosing their part of the Common without the consent of the responsible Minister (now the Secretary of State for the Environment). In practice his consent is rarely,

if ever, given except for the benefit of the commoners or the public; so we can rest assured that unless and until the law is altered, access to the Common will continue to be as free as it is at present.

The footpaths and bridleways which cross the Common are another matter. In legal terms they are highways quite as much as the roads across the Common - but highways limited to passage on foot or, in the case of bridleways, to passage on foot or on horseback; the Highways Authority is responsible for maintaining them. It is unlawful for anyone to obstruct them, and they may be stopped up or diverted only by a lengthy procedure involving the Highways Authority and, ultimately, the appropriate Minister.

#### How Your Newsletter Reaches You

"Somebody puts it through the letter box" could, be the answer given by the majority of the three hundred-odd members of the Association who receive it. But there is rather more to it than that.

Leaving aside the gathering and editing of the 'copy', itself no small task (suggestions from members would, incidentally, be greatly welcomed) and the typing, stencilling and rolling off of the pages, the mechanics of delivery are not inconsiderable. They start with the arrival at the Membership Secretary's home of some 350, 700 or 1,050 sheets of the duplicated material varying according to the length of the particular issue. These sheets have to be stapled together into the required 350 copies. But each individual page needs to be scanned to try to ensure (not infallibly, alas) that no blank pages appear among the copies delivered to members.

Who it is who puts the Newsletter through the letter box will be known to most members. They cannot know, however, that there are thirty-two people who do this, covering the whole town - from Frithsden Copse and Potten End to Shootersway, and from Northchurch to Hall Park - and all stations between. Some of these people have only four or five copies to deliver while others have fifteen to twenty. How indebted the Association is to these deliverers may be plainly seen if you reckon what the cost would be, at 7p a times to send these letters by post.

After the sheets of paper have been stapled together, each member's name and address is written on a copy and these copies are put together in separate bundles for each of the thirty-two deliverers. The bundles are then taken to the various deliverers and with that, apart from what follows in the next paragraph, the Membership Secretary's part in the exercise is all but done. Until the next time; 'all but' because some members live outside the town, and to them the Newsletter goes by post. Some twenty envelopes to be addressed, sealed and stamped.

The exception referred to occurs only once or twice a year when the business of putting crosses in boxes arises, indicating the non-receipt of a subscription for the year in question. The routine procedure for dealing with subscriptions is straight-forward enough and, not forgetting the possibility of human error, should be foolproof. The receipt of subscriptions as they come in is notified by the Honorary Treasurer to the Membership Secretary, who records them in the membership card index. Crosses for boxes are found from the gaps in the card index. But what we have no means of knowing is whether the non-receipt of a subscription is an oversight or indicates a desire on the part of the member to terminate membership. There are so many examples over the years of people who have missed the odd year here and there and we do not want to deprive them of the Newsletter if it is just an oversight. But for how long should we give them the benefit of the doubt? - for one year or two? At present the practice is to allow one year.

Understandably we do not wish to assume that members wish their membership to lapse, but where that is definitely the case it would help us to know. Turning up membership cards and putting crosses in boxes is a time-consuming task which could be eliminated if members would pay their subscriptions early in the year. To make this easy for you a remittance slip is provided below or, alternatively, you can hand your subscription to the deliverer. (Send what you will - recommended minimum subscription is 50p per person)

List of Committee Members 1979

Chairman:	Mr. R. N. Williams - Brecon, Castle Hill Ave	5291
Vice-Chairman:	Mr Max Struthers, 51 Cedar Road	4345
Hon. Treasurer:	Roy Doe - c/o Lloyds Bank Ltd. High Street	71271
Hon. Secretary:	Mrs Sheila Walton - 11 Murray Road	5988
Hon. Membership Secretary:	Mrs H. Talbot-Ponsonby - 38 Kitsbury Road	5882
Mr Robert Allen,	The Grey House, Kitsbury Road	5212
Mr N. Binks,	123 High Street, Northchurch	6300
Mr G. Clark,	The Bothy, Berkhamsted Place	2981
Miss V. Clark,	329 Bridgewater Road, Northchurch	01 836 2741
Dr M. Crawford,	14 Gilpins Ride	6209
Mrs M. Cummins,	27 North Road	6075
Mr H. Fisher,	Fairlight, Meadway	4527
Mr D. Hart,	15 Whitewood Road	2110
Mr A. Havelock,	7 Barncroft Road,	2140
Mr A. Hutchinson,	5 Trevelyan Way	4440
Dr R. C. Parker,	Pear Tree Cottage, Berkhamsted Place	5933
Mr H.S.E. Snelson	49 Cedar Road	3857

Sub-Committee Chairmen

Activities - Mr A Hutchinson	Publicity - Mr Alan Havelock
Amenities - Mr Dennis Hart	Planning - (Mr H. Fisher, Mrs H. Talbot-Ponsonby)
Environment - Mr Robert Allen	

Representatives

Citizens' Advice Bureau - Mr H.S.E. Snelson  
 Road Safety - Mr D. Hart, Library - Mrs H. Talbot-Ponsonby  
 National Trust - Mr R. Allen, Ladaccan - Mr P. Taylor, Miss V. Clark  
 Chiltern Society - Mr M. Day, Beaune Society - Dr. M. Crawford  
 Berkhamsted and Northchurch Community Council - Mrs H. Talbot-Ponsonby  
 Crime Prevention Panel - Mr R.N. Williams

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Use this slip for sending in your subscription.

Name(s).....Mr. Mrs, Miss etc.  
 (delete as appropriate)  
 Address.....  
 ..... Amount enclosed.....  
 .....

To: The Hon. Treasurer, Berkhamsted Citizens' Association  
 Lloyds Bank Ltd., High Streets, Berkhamsted.