



How Come We Have Commons

Quite understandably, there is a misconception that common land must surely be owned by the people – a national asset entrusted to the care of the State.

As it happens, common land is always owned by someone or something. In 1905 Robert Fleming, the owner of Nettlebed Estate, set about creating Rights of

Common over 560 acres of his land. This was enacted by the Nettlebed and District Commons (Preservation) Act 1906, which to this day uniquely governs the use of an almost unbroken patchwork of common land extending from the Peppard and Kingwood Commons through to Nettlebed. The land remains, however, in private ownership with seven of the eight areas of common still being owned by Nettlebed Estate and the eighth, Witheridge Hill, also being privately owned in two separate parcels. In effect, the owners have made the land freely available for public leisure and recreation.

A key provision of the Act sets out how the commons will be looked after. Accordingly, a board named Nettlebed and District Commons Conservators was vested with statutory duty to operate the Act with respect to the management, maintenance, preservation and regulation of the Commons. The following extract from the Act neatly captures the Conservators' mandate: 'They shall at all times preserve the natural aspect and state of the Commons'

In all, nine Conservators were stipulated, with two of these positions being permanently filled by Councillors from SODC (Henley Rural District Council back in 1906). The Conservators have been operating on a voluntary basis continuously since 1906.

Anywhere on the Commons, you may walk, cycle and ride horses, but these freedoms are nonetheless regulated by Byelaws that ensue from the 1906 Act. The current Byelaws were authorised by the Home Office and basically control what you can and cannot do, and what you need permission to do – a summary of key points from the Byelaws can be found on our website <https://www.nettlebed-commons.org/>