



Purfleet Range Byelaws 1983

Made by the Secretary of State for Defence, under the provisions of the Military Lands Act 1892, for regulating the use of the above-mentioned range.

DEFENCE

The Purfleet Range Byelaws 1983

Made 14th April 1983

Coming into operation 18th July 1983

The Secretary of State for Defence in exercise of his powers under Part II of the Military Lands Act 1892 (a) and of all other powers enabling him in that behalf, hereby makes the following byelaws:

AREA OF LAND AFFECTED

1. The area to which these byelaws apply (in these byelaws referred to as "the Danger Area") shall be the lands belonging to the Secretary of State in the parish of Purfleet in the County of Essex known as the Purfleet Range the boundaries of which are for convenience of identification shown by a thick black line on the plan annexed to these byelaws and identified as "Plan of the Purfleet Range".

USE OF DANGER AREA

2. The Danger Area may be used for the military firing of machine guns, rifles and revolvers and for all activities ancillary to such firing.

PROHIBITION OF ACCESS

3.—(1) When the Danger Area is being used for any of the military purposes specified in byelaw 2, no person shall:

- (a) enter or be in the Danger Area;
- (b) cause or permit any vehicle, animal or thing to enter, pass over or remain in the Danger Area;
- (c) cause or permit any aircraft to fly over the Danger Area at a height less than 500 feet (152 metres) above mean sea level.

(2) Whilst the Danger Area is being used for any of the said military purposes, notice thereof shall be given by the display of a red flag by day and a red light by night hoisted:

(a) 1892 c.43.

- (a) at a place near the river wall approximately 75 metres west-south-west of the southern extremity of the stop butt at range No 1;
- (b) at a place approximately 20 metres east of the point at which an overhead pipe crosses the southern boundary of the Danger Area;
- (c) at a place near the western corner of the Danger Area approximately 1565 metres south of Rainham railway station;
- (d) at a place on the north-west boundary of the Danger Area approximately 1110 metres south of Rainham railway station;
- (e) at the northern corner of the Danger Area approximately 665 metres south-east of Rainham railway station;
- (f) at a place approximately 90 metres north by west of the northern extremity of the stop butt at range No 5 approximately 135 metres south-west of the railway line;
- (g) at a place adjacent to the range workshops.

(3) Where a person is charged with contravening paragraph (1) of this byelaw any failure to comply with paragraph (2) of this byelaw shall not be a defence to that charge.

PROJECTILES

4. No person shall search for, interfere with, take or be in possession of any projectile or other thing used for military purposes.

GOVERNMENT STORES

5. No person shall interfere with or remove from the Danger Area any stores or articles belonging to or under the care or control of the Secretary of State for Defence or otherwise the property of the Crown.

ENFORCEMENT

6. The following persons are authorised to remove from the Danger Area and to take into custody without warrant any person committing any offence against byelaws 3, 4 or 5 and to remove from the Danger Area any vehicle, animal or thing found in the Danger Area in contravention of any of the said byelaws:

- (a) the Commander of the Army District;
- (b) the Officer in Charge of the Purfleet Range;

- (c) any—
- (i) officer, warrant officer, non-commissioned officer or rating of corresponding rank;
 - (ii) Service policeman;
in uniform and being for the time being under the Command of the said Commander or the Officer in Charge of the Purfleet Range;
 - (d) any public officer, being a Crown servant, authorised in writing by or on behalf of the said Commander or the Officer in Charge of the Purfleet Range;
 - (e) any member of a police force;
 - (f) any special constable under the control of the Secretary of State for Defence.

EXEMPTIONS

7.—(1) Nothing done by a person using the Danger Area in pursuance of byelaw 2 or by a person acting under and in accordance with any authority or permission given by or on behalf of the Secretary of State for Defence or the Commander of the Army District or the Officer in Charge of the Purfleet Range shall constitute an offence against any of these byelaws.

(2) It shall be a defence for any person charged with a contravention of byelaw 3(1) to prove that his failure to comply was due to a cause not avoidable by the exercise of reasonable care.

OFFENCES

8. Subject to byelaw 7, any person who contravenes or fails to comply with the provisions of byelaws 3, 4 or 5 shall be guilty of an offence and liable, on conviction, to the penalties specified in section 17 of the Military Lands Act 1892.

INTERPRETATION

9. In these byelaws the expression:
 “projectile” means any shot or shell or other missile and any portion thereof;
 “aircraft” means any craft or contrivance which is for the time being airborne.

COMMENCEMENT, CITATION AND REVOCATION

10.—(1) These byelaws shall come into operation on 18th July 1983 and may be cited as the Purfleet Range Byelaws 1983.

(2) The byelaws in respect of Purfleet and Rainham Ranges dated 5th November 1964 (b) are hereby revoked.

Dated 14th April 1983

(SIGNED) JERRY WIGGIN
Parliamentary Under Secretary of State for the Armed Forces

EXPLANATORY NOTES

(These notes are for information only and are not part of the byelaws)

PENALTY FOR OFFENCES

1. By section 17(2) of the Military Lands Act 1892, as amended by section 39 of and Schedule 3 to the Criminal Justice Act 1982, it is provided:

If any person commits an offence against any byelaw under this Act, he shall be liable, on conviction before a Court of Summary Jurisdiction, to a fine not exceeding FIFTY POUNDS, and may be removed by any Constable or officer authorised in manner provided by the byelaw from the area, whether land or water, to which the byelaw applies, and taken into custody without Warrant, and brought before a Court of Summary Jurisdiction to be dealt with according to law, and any vehicle, animal, vessel or thing found in the area in contravention of any byelaw, may be removed by any Constable or such Officer as aforesaid, and on due proof of such contravention, be declared by a Court of Summary Jurisdiction to be forfeited to Her Majesty.

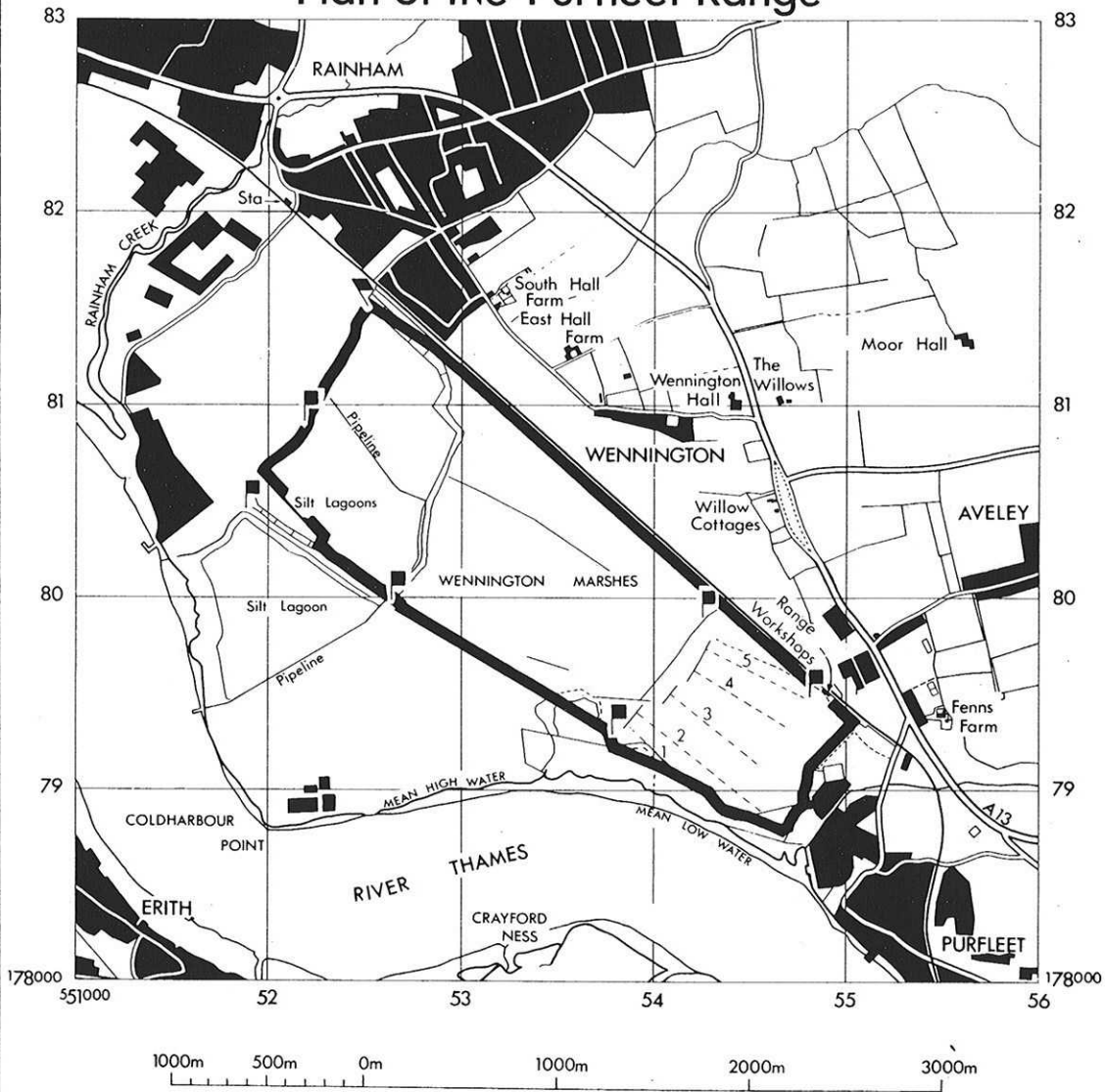
INSPECTION OF BYELAWS AND PLAN

2. A copy of these byelaws and a plan showing the Danger Area may be inspected at the office of the Officer in Charge of the Purfleet Range and the Police Stations at Rainham and Grays. They may also be inspected at the office of the Senior Estate Surveyor (South), Property Services Agency, Department of the Environment, Block D, Brooklands Avenue, Cambridge CB2 2DZ, where copies may be obtained at the price of five pence (5p) for each copy.

RECOVERY OF PROJECTILES

3. Any person who finds a projectile within the Danger Area, must not disturb it but should report the finding of it to the Officer in Charge of the Purfleet Range, or to the police, at the first opportunity.

Plan of the Purfleet Range



- Danger Area
- Warning Flag