



ROYAL AIR FORCE WELFORD

Byelaws 1988

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 site.

STATUTORY INSTRUMENTS

1988

No 2143

DEFENCE

THE ROYAL AIR FORCE WELFORD BYELAWS

1988

Made

15th November 1988

Coming into force

31st December 1988

The Secretary of State for Defence, to whom belongs part of the land described below and who has the right to use the remainder of the land so described for military purposes, hereby, in exercise of his powers under Part II of the Military Lands Act 1892(a) makes the following byelaws:

APPLICATION OF BYELAWS

1. These byelaws apply to the following areas of land in the County of Berkshire:

- (a) The areas of land (hereinafter referred to as the "Protected Areas") shown on the plan annexed to these byelaws as Protected Areas, which areas comprise the air force establishment known as "RAF Welford" and include all perimeter fences.
- (b) The road (hereinafter referred to as the "Protected Road") shown on the said plan as the Protected Road.

PROHIBITED ACTIVITIES – PROTECTED AREAS

2. No person shall:

- (a) enter, pass through or over or remain in or over the Protected Areas;
- (b) enter or leave the Protected Areas except by way of an authorised entrance or exit;
- (c) cause or permit any vehicle, animal, aircraft or thing to enter into or upon or to pass through or over the Protected Areas;

- (d) remain in the Protected Areas after having been directed to leave by any of the persons mentioned in byelaw 5;
- (e) make any false statement, either orally or in writing, or employ any other form of misrepresentation in order to obtain entry to any part of the Protected Areas;
- (f) obstruct any constable or any other person acting in the proper exercise or execution of his duty within the Protected Areas;
- (g) board or interfere with any vehicle, aircraft or other installation within the Protected Areas;
- (h) obstruct the movement of any vehicle or aircraft within the Protected Areas;
- (i) distribute or display within the Protected Areas any handbill, leaflet, sign, advertisement, circular, poster, bill, notice or object, or affix the same to any fence, wall or other surface;
- (j) interfere with any property within the Protected Areas, which is under the control of the Crown or of the service authorities of a visiting force, or in either case its agents or contractors;
- (k) deface any sign, wall, fence, structure, floor, pavement or other surface within the Protected Areas.

OBSTRUCTION OF ROAD TRAFFIC

3. No person shall board, interfere with or obstruct the movement of any vehicle on the Protected Road.

CONTRAVENTION OF BYELAWS

4. Any person who contravenes or attempts to contravene byelaws 2 or 3 shall be guilty of an offence.

ENFORCEMENT

5. The following persons are hereby authorised to remove from the Protected Areas and Protected Road and to take into custody without warrant any person committing an offence against byelaw 2 and 3, and to remove from the Protected Areas and Protected Road any vehicle, animal, aircraft, or thing whatsoever found therein in contravention of any of these byelaws:

- (a) the Air Officer Commanding-in-Chief RAF Support Command;
- (b) the RAF Commander RAF Welford;

- (c) any officer, any warrant officer, or non-commissioned officer in uniform and being for the time being under the command of any of the officers mentioned in sub-paragraph (a) and (b) of this byelaw;
- (d) any public officer being a Crown servant authorised in writing by or on behalf of any of the officers mentioned in sub-paragraph (a) and (b) of this byelaw;
- (e) any constable.

EXEMPTIONS

6. (1) Nothing done by a person acting under and in accordance with any authority or permission given by or on behalf of the Secretary of State, the Air Officer Commanding-in-Chief RAF Support Command, or the RAF Commander RAF Welford shall be a contravention of these byelaws.

(2) These byelaws shall not apply to any aircraft passing over the Protected Areas in the ordinary course of air navigation.

(3) It shall not be an offence against any of these byelaws if it is proved that an act or omission was unavoidable by the exercise of reasonable care.

(4) The boarding of or interference with any property by the owner or with his consent shall not, in relation to that property, be a contravention of these byelaws.

(5) Nothing in these byelaws shall affect the lawful exercise by any person of a public right of way.

INTERPRETATION

7. In these byelaws:

“aircraft” includes any craft or contrivance which though not an aircraft is for the time being airborne;

“service authorities” means naval, military or airforce authorities;

“visiting force” means such body, contingent or detachment of the force of any country as is a visiting force for the purposes of any of the provisions of the Visiting Forces Act 1952.(a)

COMMENCEMENT AND CITATION

8. These byelaws shall come into force on the 31st day of December 1988, and may be cited as the Royal Air Force Welford Byelaws 1988.

Dated 15th November 1988

(Signed) ROGER FREEMAN

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 (c.48), 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 level 2 on the standard scale, 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.”

At the time of printing the maximum fine on scale 2 is ONE HUNDRED POUNDS (£100).

INSPECTION OF BYELAWS

2. A copy of these byelaws may be obtained on postal application to the office of the Defence Land Agent, Ministry of Defence, Block D, Brooklands Avenue, Cambridge CB2 2DZ; or from Defence Lands Safeguarding & Byelaws, Room B4/3, Block B, Government Buildings, Leatherhead Road, Chessington, Surrey KT9 2LU.



LONG 1 25 W

41

24'

42

23'

43

LONG 1 22' W 44

78

Head's Farm

Chaddleworth House

Chaddleworth

Norris's Farm

Yew Tree Farm

Brightwalton Holt

Cotswold Farm

Bot. p.p.r. Way

Nodmore

Purley Farm

Oak Ash Farm

Tyneys Green

Co Conr Bay

Grovepit Green

Sheephouse Way

Wick Lane (Track)

Leckhampstead Thicket

Wicklanc Cope

Mount Field Cope

LECKHAMPSTEAD CP

Leckhampstead

Highfield House

Highfield Farm

Nuttingtons

Hill Farm

Manor Farm

Manor Lane

Golf Course

Nodmoor Corner

New Barn

Fayrecross

Little Cope

LAT 51° 29'

76

77


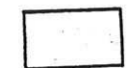




PLAN OF RAF WELFORD

BERKSHIRE

SCALE 1:10,000

- Protected Areas
- Protected Road

