

2011 No. 1142

DEFENCE

The Thetford Range Byelaws 2011

Made - - - - *5th April 2011*

Coming into force - - *5th August 2011*

The Secretary of State for Defence makes the following byelaws in exercise of the powers conferred by sections 14(1) and 15 of the Military Lands Act 1892(a).

In accordance with section 17(1) of that Act, the Secretary of State consulted on the proposed byelaws by causing them to be made known in the locality and considering every objection received.

Citation and commencement

1. These byelaws may be cited as the Thetford Range Byelaws 2011 and shall come into force on 5th August 2011.

Revocation

2. The Thetford Rifle Range in the County of Norfolk Byelaws 1916(b) are revoked.

Interpretation

3. In these byelaws—

“Appointed Person” means the Crown servant who has been appointed by the Secretary of State for Defence to be responsible for the Range Area; and

“Range Area” means the area of land shown coloured blue on the byelaws map set out in Schedule 1 and known as the Thetford Range, and shown for illustrative purposes only on the byelaws location map set out in that Schedule.

Application of byelaws

4. These byelaws apply to the Range Area.

Range Area closed to the public

5. Members of the public shall not—

(a) enter or remain within the Range Area;

(a) 1892 c. 43.

(b) S.R.& O. No. 15 of 1916.

- (b) allow any animal under their control to enter or remain within the Range Area.

Requirement to use flags or lights when Range Area in use

6. When the Range Area is being used for a military purpose, notice of the fact shall be given by the raising of a red flag during daylight hours and the illumination of a light at all other times at the locations set out in the table in Schedule 2.

Contravention of byelaws

7. Any person who contravenes or attempts to contravene byelaw 5 commits an offence.

Enforcement

8. The following persons are authorised to remove from the Range Area and to take into custody without warrant any person committing an offence against these byelaws and to remove from that area any animal found there in contravention of these byelaws—

- (a) the Appointed Person;
- (b) any officer, warrant officer, or non-commissioned officer in uniform and acting under the instructions of the Appointed Person; and
- (c) any other Crown servant authorised in writing by the Appointed Person.

Signed on behalf of the Secretary of State

5th April 2011

Andrew Robathan
Parliamentary Under Secretary of State
Ministry of Defence

SCHEDULE 2

Byelaw 6

Range Area – Locations of warning flags and night lights

<i>Byelaws reference number</i>	<i>Map</i>	<i>Degrees Latitude</i>			<i>Degrees Longitude</i>		
		<i>(European System 89)</i>	<i>Terrestrial</i>	<i>Reference</i>	<i>(European System 89)</i>	<i>Terrestrial</i>	<i>Reference</i>
1		52.42048			0.67757		
2		52.41959			0.68040		
3		52.41863			0.68384		
4		52.41775			0.68658		
5		52.41691			0.68951		
6		52.41575			0.69324		
7		52.41488			0.69586		
8		52.41380			0.69910		
9		52.41340			0.70165		
10		52.41245			0.70490		
11		52.41049			0.70542		
12		52.40910			0.70548		
13		52.40831			0.70781		
14		52.40772			0.70982		
15		52.40579			0.71192		
16		52.40540			0.71322		
17		52.40502			0.71408		
18		52.40336			0.71604		
19		52.40169			0.71502		
20		52.40022			0.71187		
21		52.39850			0.70724		
22		52.40011			0.70474		
23		52.40015			0.70290		
24		52.40075			0.70119		
25		52.40057			0.69646		
26		52.40270			0.69299		
27		52.40256			0.69187		
28		52.40272			0.68908		
29		52.40377			0.68270		
30		52.40560			0.67709		
31		52.40740			0.67673		
32		52.40875			0.67667		
33		52.40922			0.68787		
34		52.40492			0.75348		
35		52.40902			0.66859		
36		52.41048			0.66977		
37		52.41157			0.67139		
38		52.41285			0.67221		
39		52.41295			0.67004		
40		52.41456			0.67055		
41		52.41569			0.67208		
42		52.41709			0.67364		
43		52.41815			0.67473		

EXPLANATORY NOTE

(This note is not part of the Byelaws)

Part II of the Military Lands Act 1892 (c.43) (“the 1892 Act”) provides for the making of byelaws for regulating the use of land held for military purposes and for securing the safety of the public against danger arising from that use.

These byelaws regulate the area of land known as the Thetford Range in Norfolk, East Anglia (referred to as the Range Area in these byelaws).

Byelaw 5 provides that there is no public access to the Range Area at any time. The Range Area is leased and it is a condition of that lease that no rights of access are granted to the public. This byelaw does not affect any rights of access reserved to the owner of the Range Area.

Byelaw 7 provides that it is an offence to contravene byelaw 5.

The enforcement powers of constables and authorised officers are set out in section 17(2) of the 1892 Act. Constables are no longer able to exercise the power of arrest set out in that section but are able instead to use the powers of arrest set out in the Police and Criminal Evidence Act 1984 (c.60).

By virtue of section 17(2) of the 1892 Act, any person who commits an offence against any byelaw made under the Act is liable on conviction before a court of summary jurisdiction to a fine not exceeding level 2 on the standard scale. At the time of printing the maximum fine payable is five hundred pounds (£500).

A copy of these byelaws may be inspected on the Ministry of Defence website—

<http://www.mod.uk/DefenceInternet/MicroSite/DE/OurPublications/Byelaws/EastAnglia/>

Copies may be inspected on signboards erected locally. Copies may also be obtained from the Librarian, Defence Estates, Kingston Road, Sutton Coldfield B75 7RL.

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STATUTORY INSTRUMENTS

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£5.75