



BROWNDOWN & ROWNER

MILITARY LANDS

BYE - LAWS

Made by Her Majesty's Principal Secretary of State for the War Department, under the provisions of the Military Lands Acts, 1892 to 1903, for regulating the use of certain War Department lands at Browdown and Rowner as set out in the Schedule hereta, for the purpose to which they are appropriated and for prohibiting all intrusion on such lands and all obstruction of the use thereof.

STATUTORY INSTRUMENTS

1954 NO. 1764
MILITARY LANDS

The Browdown and Rowner Military Lands Bye-Laws 1954
Made 14th December 1954
Coming into operation 1st March 1955

Her Majesty's Principal Secretary of State for the War Department in exercise of the powers conferred upon him by Part II of the Military Lands Act, 1892^(a), and of all other powers enabling him in that behalf, hereby makes the following Bye-Laws:-

LANDS AFFECTED

1. (1) The lands to which these Bye-laws apply are the lands more particularly described in the Schedule to these Bye-laws and shown on the plan annexed, being lands situated at Browdown and Rowner near Gosport in the County of Southampton and belonging to Her Majesty's Principal Secretary of State for the War Department and appropriated by him for the stationing and training of troops and for other military purposes, and the said lands are in these Bye-laws referred to as "the Military Lands", which phrase shall, unless the context otherwise requires, include any part or parts as well as the whole of the said lands.

(2) These Bye-laws shall apply to all highways, road and footpaths (whether public or private) upon the Military Lands and the phrase "the Military Lands" shall be construed accordingly, but nothing in these Bye-laws shall interfere with the lawful exercise by any person of any public right of way.

USE OF LANDS BY PUBLIC:

2. Any use of or entry upon the Military Lands by the public shall be subject always to the restrictions, prohibitions and other provisions of these Bye-laws.

(a) 55 & 56 Vict. C.43.

CONTROL OF ROAD TRAFFIC

3. The public may ride any horse or cycle or drive any horse-drawn or mechanically propelled vehicle on any road maintained by the War Department and situated upon the Military Lands, when such road is not closed to the public or is not being used for any military purpose, but in such case:-

(1) No person shall ride a horse or cycle or drive a vehicle elsewhere than upon the carriageway of such road;

(2) no person shall cause a vehicle to ply for hire on any such road as a hackney carriage, taxicab or otherwise howsoever;

(3) every person who rides a horse or cycle or drives a horse-drawn or mechanically propelled vehicle on any such road shall forthwith stop if a military policeman in uniform or a War Department constable in uniform requests or (by the holding up of the hand) signals him to do so, and shall not proceed further until such policeman or constable gives him the signal to proceed; and

(4) no person shall ride a cycle or drive a horse-drawn or mechanically propelled vehicle upon any such road during the hours of darkness (as prescribed by the enactments relating to the lighting of road transport - that is to say, as respects the period of summer time, the time between one hour after sunset and one hour before sunrise, and as respects the remainder of the year, the time between half an hour after sunset and half an hour before sunrise) unless such cycle or vehicle carries the appropriate lights which are required to be carried by such cycle or vehicle when on any public highway during the hours of darkness.

PROHIBITED ACTIVITIES

4. No person when on the Military Lands shall:-

- (a) Engage in or carry on any trade or business of any nature or kind whatsoever, or
- (b) seek or perform any casual employment (whether by way of carrying soldiers' kits or otherwise howsoever), or
- (c) engage in prostitution, or
- (d) loiter, or commit any nuisance, or behave in any indecent or unseemly manner, or
- (e) engage in gaming, betting or wagering.

5. No person shall:-

- (a) Deposit or distribute or cause to be deposited or distributed on the Military Lands any handbills, leaflets or other literature or printed matter of any description, or
- (b) affix any posters, bills or notices of any description in or on the boundaries, walls or fences of the Military Lands, or in or on any buildings or other structures on the Military Lands, or
- (c) assemble or attempt to assemble or cause to assemble upon the Military Lands any number of persons for the purpose of a public or private meeting of any kind, or address any such persons when assembled.

6. No person shall:-

- (a) Camp (whether in tents, caravans or otherwise), or bivouac, or sleep out upon the Military Lands, or
- (b) deposit or leave any broken glass or other rubbish upon the Military Lands, or

- (c) light any fire upon the Military Lands, or
- (d) drop or leave upon the Military Lands any lighted or live matches or burning cigarette ends, or do any other act or thing likely to cause an outbreak of fire upon the Military Lands.
7. No person shall:-
- (a) Graze any animal upon the Military Lands, or
- (b) cut any grass, turf or growing crops upon the Military Lands or remove the same from the Military Lands, or
- (c) damage, cut or deface any growing trees or shrubs on the Military Lands, or remove any timber, trees, shrubs or wild flower roots from the Military Lands, or
- (d) pursue or kill game or other birds or animals upon the Military Lands, or
- (e) fish in any waters upon the Military Lands.

8. No person shall interfere with or remove from the Military Lands any stores or articles belonging to the War Department or otherwise the property of the Crown.

9. No person shall enter upon the Military Lands for the purpose of doing any act or thing prohibited by any of the foregoing Bye-laws Nos. 4, 5, 6, 7 or 8, and no person shall bring or cause to be brought on to the Military Lands any animal, vehicle or thing for the purpose of doing or facilitating the doing of any act or thing so prohibited.

WARNING OFF

10. (1) No person shall remain on the Military Lands after having been warned off by the Officer in charge of the Military Lands or by a person acting under the authority and on behalf of the said Officer.

(2) No person, being the owner or person for the time being in charge of any animal, vehicle or thing upon the Military Lands, shall permit the same to remain upon the Military Lands after having been warned to remove the same by the Officer in charge of the Military Lands or by a person acting under the authority and on behalf of the said Officer.

OFFENCES

11. (1) Any person contravening any of the preceding Bye-laws Nos. 3 to 10 (inclusive) shall be deemed to commit an offence against the Bye-law so contravened.

(2) The persons hereby authorised to remove from the Military Lands and to take into custody without warrant any person committing an offence against any of the said Bye-laws, and to remove from the Military Lands any vehicle, animal or thing found on the Military Lands in contravention of any of the said Bye-laws are:-

- (1) The General Officer Commanding-in-Chief, Southern Command;
- (2) the Officer in charge of the Military Lands;
- (3) any officer, warrant officer or non-commissioned officer of any of the Armed Forces, or any military policeman or War Department constable in uniform, being for the time being under the command of the said General Officer Commanding-in-Chief or of the said Officer in charge;
- (4) any person authorised in writing by or on behalf of the said General Officer Commanding-in-Chief or of the said Officer in charge; and
- (5) any police constable.

EXEMPTIONS

2. (1) Nothing done by a person using the Military Lands for any of the military purposes for which they are for the time being appropriated if done in pursuance of such military purpose, shall be deemed to constitute an offence against any of these Bye-laws.

(2) Nothing done by a person

(a) acting under and in accordance with any authority or permission given by or on behalf of the General Officer Commanding-in-Chief, Southern Command, or the Officer in charge of the Military Lands, or

(b) being a member of the civil police force or of the fire or ambulance services and acting in the course of his duty in any emergency

shall be deemed to constitute an offence against any of these Bye-laws.

INTERPRETATION

13. The Interpretation Act, 1889^(b), shall apply to the interpretation of these Bye-laws as it applies to the interpretation of an Act of Parliament.

DATE OF OPERATION OF BYE-LAWS

14. (1) These Bye-laws shall come into operation on the 1st day of March 1955 on and after which date the Bye-laws in respect of the Browndown and Rowner Military Lands dated the 26th day of August, 1936^(c), shall be revoked.

(2) These Bye-laws may be cited as the Browndown and Rowner Military Lands Bye-laws 1954.

(b) 52 & 53 Vict. C.63 (c) S.R. & O. 1936 1008.

S C H E D U L E

DESCRIPTION OF LANDS AFFECTED

The Military Lands situated at Browdown and Rowner near Gosport in the County of Southampton are as follows:-

- (1) All that area, including Browdown Rifle Range and Fort Gomer, bounded:

On the South

By H.W.M.O.T. for a length of approximately 2,350 yards from the original outlet of the River Alver in a westerly direction to a point about 70 yards south of the former Lee-on-Solent Railway.

On the North

From the above-mentioned point to the H.W.M.O.T. to the former Lee-on-Solent Railway and thence by the southern side of the former Lee-on-Solent Railway to Gomer Lane at Fort Gomer Halt.

On the East

By Gomer Lane southwards (excluding the private residence and grounds) as far as the commencement of the military road, continuing on the southern side of this road and along the western boundary of the enclosure known as Battery No. 2 to H.W.M.O.T. at the original outlet of the River Alver. Including all that area known as "Half-Moon" field north-east of Fort Gomer Halt bounded on the West by the old military road and on the East by the eastern boundary of the former Lee-on-Solent Railway.

- (2) All that area including Browdown Warren, Wild Grounds and Grange Farm, bounded:

On the South

From the road crossing of the former Lee-on-Solent Railway, along the northern side of the former Lee-on-Solent Railway to Grange Lane.

On the East

By Grange Lane to Grange Farm, and thence along the perimeter of the Aerodrome to Rowner Lane and the rear of Rowner Cottages to Shoot Lane.

On the North

By Shoot Lane westwards to the River Alver at Small Bridge.

On the West

By the River Alver to a point opposite Grange Farm and thence in a westerly direction to the north-west corner of Warren Field and thence continuing along the west boundary in a southerly direction to the former Lee-on-Solent Railway.

(3) All that triangular area including Rowner Field, bounded:

On the East

By the Gosport Railway Line from Bridgemary Arch to Rowner Lane.

On the South

By Rowner Lane to St. Mary's Church.

On the West

By the east side of Rowner Copse and Rectory Copse and thence by a line of fence to the Gosport Railway Line at Bridgemary Arch.

(4) All that area of land surrounding Fort Brockhurst and bounded:

On the North

By land in the occupation of the Admiralty and known as the Bedenham Naval Depot.

On the West

By the Gosport Railway Line from its junction with the Admiralty siding south of Bridgemary Arch to Brockhurst Station.

On the East

By the road (part military and part public) running from Brockhurst Station to Fort Elson, but including the Fort Brockhurst Married Quarters and the Fort Brockhurst Menage, lying to the east of the said road.

DATED this 14th day of December One thousand nine hundred and fiftyfour.

W. H. CURTIS

Assistant Under Secretary of State
By Order of Her Majesty's Principal
Secretary of State for the War
Department.

BROWNDOWN & ROWNER

O.S. Hampshire LXXXIII. SW & NW. (Prov. Ed.)



Scale 6 inches to mile

STOKES BAY

NOTICES

PENALTY FOR OFFENCES

1. By Section 17(2) of the Military Lands Act, 1892, it is provided that:-

If any person commits an offence against any Bye-law under this Act, he shall be liable, on conviction before a Court of Summary Jurisdiction, to a fine not exceeding FIVE POUNDS, and may be removed by any constable or officer authorised in manner provided by the Bye-law from the area, whether land or water, to which the Bye-law 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 Bye-law, 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.

WHERE BYE-LAWS CAN BE OBTAINED

2. Copies of these Bye-laws can be obtained at the office of the War Department Land Agent (Portsmouth), Fareham House, East Street, Fareham, Hants, by any person who desires to obtain the same.

Notwithstanding any fine limit mentioned in the above byelaws the current maximum fine as at 01/09/2008 is the sum of £500 being the maximum on level 2 of the standard scale.