



THE MOODY'S DOWN RANGE

BYELAWS

*Made by Her Majesty's Principal Secretary of State
for the War Department under the provisions of Part II
of the Military Lands Act, 1892 for regulating the use
of the above-mentioned range.*

STATUTORY INSTRUMENTS

1960 No. 1747

MILITARY LANDS*The Moody's Down Range Byelaws, 1960*

Made - - - - 16th September, 1960

Coming into operation - 21st November, 1960

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, with the consent of the Hampshire County Council so far as regards the interference with the highways hereinafter mentioned, makes the following Byelaws:—

AREA OF LAND AFFECTED

1. The area to which these Byelaws apply (hereinafter referred to as "the Danger Area") consists of the Moody's Down Range (together with all highways thereon, but excluding the public right of way between Moody's Down Farm and Cocum Farm) in the Parish of Barton Stacey in the County of Hampshire the limits of which are set out in the Schedule hereto.

USE OF DANGER AREA

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

PROHIBITION OF ACCESS

3.—(1) The Danger Area shall be entirely closed to the public during such times as notice of firing is given by the display, on the day or night of firing, of the following signals, that is to say by the display of a red flag by day and a red light by night hoisted at the following places:—

- (a) at a place near the entrance gate to the range on the Salisbury-Basingstoke road;
- (b) at a place on the footpath near Moody's Down Farm;
- (c) at a place approximately equidistant between Moody's Down Farm and Folly Farm;
- (d) at a place on the eastern side of the Roman Road at its junction with the Barton Stacey-Newton Stacey road;
- (e) at a place on the south side of the Barton Stacey-Newton Stacey road due north of Folly Farm;
- (f) at a place on the south side of the Barton Stacey-Newton Stacey road at a point 100 yards from All Saints Church;
- (g) at a place on the footpath from Moody's Down Farm to Cocum Farm 330 yards west-south-west of the roadway leading from the Salisbury-Basingstoke road northwards to Barton Stacey.

(2) When the Danger Area is closed to the public as aforesaid, no person shall—

- (a) enter into or upon or pass over or through the Danger Area, or
- (b) be or remain in or upon the Danger Area, or

- (c) cause or permit or suffer any vehicle, animal, vessel, aircraft or other thing whatsoever to enter into or upon or to pass over or through or to be or remain in or upon or over the Danger Area.

PROJECTILES

4. No person shall dig or search for any projectile or any lead or other metal in or on the Danger Area, or interfere with or take or retain or be in possession of any projectile or any lead or other metal found within the Danger Area, or remove any projectile from the Danger Area.

GOVERNMENT STORES

5. No person shall interfere with or remove from the Danger Area any stores or articles belonging to the War Department or otherwise the property of the Crown.

OFFENCES

6. Any person doing anything prohibited by or otherwise contravening any provision of any of the preceding Byelaws Nos. 3, 4 and 5 thereby commits an offence against the Byelaw so contravened.

ENFORCEMENT

7. The following persons are hereby authorized to remove from the Danger Area and to take into custody without warrant any person found therein when it is closed to the public or committing any other offence against any of the said Byelaws, and to remove from the Danger Area any vehicle, animal, vessel, aircraft or thing whatsoever found in the Danger Area in contravention of any of the said Byelaws—

- (a) the General Officer Commanding-in-Chief, Southern Command;
- (b) the Officer in charge of the Moody's Down Range;
- (c) any officer, warrant officer, non-commissioned officer, or any military policeman or War Department constable, in uniform and being for the time being under the Command of the said General Officer Commanding-in-Chief, Southern Command or the Officer in charge of the Moody's Down Range;
- (d) any person authorized in writing by or on behalf of the said General Officer Commanding-in-Chief or the Officer in charge of the Moody's Down Range; and
- (e) any police constable.

EXEMPTIONS

8.—(1) Nothing done by a person using the Danger Area in pursuance of Byelaw No. 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 or the General Officer Commanding-in-Chief, Southern Command or the Officer in charge of the Moody's Down Range shall be deemed to constitute an offence against any of the Byelaws.

(2) If for any reason any aircraft is compelled to alight on or is unable to quit the Danger Area, the presence of that aircraft in the Danger Area shall not constitute an offence against these Byelaws, provided that the owner of, and the person or persons in charge of, that aircraft shall, unless the Officer in charge of the Moody's Down Range directs to the contrary, forthwith use and continue to use his or their utmost endeavours to bring that aircraft out of the Danger Area as speedily as possible.

(3) These Byelaws shall not apply to:—

Livestock belonging to persons having the right to graze livestock in the Danger Area except so far as they relate to the area between the firing point and the butts.

INTERPRETATION

9.—(1) The Interpretation Act, 1889^(b) shall apply to the interpretation of these Byelaws as it applies to the interpretation of an Act of Parliament, and as if these Byelaws, and any Byelaw revoked thereby, were Acts of Parliament.

(2) In these Byelaws the expression:—

“projectile” includes any shot or shell or other missile and any portion thereof;

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

DATE OF OPERATION OF BYELAWS

10. These Byelaws shall come into operation on the twenty-first day of November 1960, and may be cited as the Moody's Down Range Byelaws, 1960.

THE SCHEDULE

The limits of the Danger Area are as follows:—

ON THE SOUTH

Commencing at a point on the north side of the Salisbury-Basingstoke road (A.30) at its junction with the roadway leading northwards to Barton Stacey and on the western side of the latter, thence for a distance of 760 yards in a direction WEST-SOUTH-WEST along the northern side of the Salisbury-Basingstoke road to a point 80 yards east-north-east of the Winchester-Andover cross-roads. Thence by a line for a distance of 100 yards in a direction almost due WEST, to the eastern side of the Winchester-Andover road, 50 yards north-north-west of the Salisbury-Basingstoke cross-roads; thence

ON THE WEST

From the last mentioned point and running in a direction north-north-west along the eastern side of the Winchester-Andover road and its continuation, the Old Roman road to Cirencester for a distance of 1680 yards to a point on the hedge between Folly Farm and Moody's Down Farm, 620 yards north-east of the northernmost corner of Newton Dunn Farm Buildings. Thence in a direction EAST-NORTH-EAST for a distance of 210 yards along the hedge between Folly Farm and Moody's Down Farm. Thence by a line for a distance of 1300 yards in a direction NORTH-NORTH-WEST to a point on the south side of the Barton-Stacey-Newton Stacey road 495 yards north-east of its junction with the Old Roman road; thence

ON THE NORTH

From the last mentioned point and running along the south-eastern side of the Barton Stacey-Newton Stacey road for a distance of 380 yards in a NORTH-EASTERLY direction, thence EAST-NORTH-EAST for a distance of 660 yards to a point 560 yards due west of All Saints Church, Barton Stacey and 120 yards due south of the Barton Stacey-Newton Stacey road; thence

ON THE EAST

From the last mentioned point and running in a direction SOUTH-SOUTH-EAST for a distance of 1325 yards to a point on the hedge between Folly Farm and Moody's Down Farm, 200 yards west-south-west of the roadway running southwards from Barton Stacey to the Salisbury-Basingstoke road, thence along the said hedge in a direction EAST-NORTH-EAST for a distance of 200 yards to the western side of the roadway running south from Barton Stacey at a point 1140 yards south of All Saints Church, Barton Stacey. Thence in a direction SOUTH by EAST along the western side of the said roadway running south from Barton Stacey for a distance of 1780 yards to the point of commencement.

But excluding nevertheless the footpath between Moody's Down Farm and Cocum Farm which is situated within the boundaries described above.

(b) 52 and 53 Vict. c.63.

The boundaries of the area described above are marked by boundary posts.

Dated this sixteenth day of September 1960.

(signed) C. M. FIFE,
Assistant Under-Secretary of State.
By Order of Her Majesty's Principal Secretary
of State for the War Department.

The consent of the Hampshire County Council to the making of these Byelaws, so far as regards the restriction of the use of the highways mentioned therein (but excepting the public right of way between Moody's Down Farm and Cocum Farm), was given by a resolution dated the eighteenth day of July, 1960

(signed) G. A. WHEATLEY,
Clerk.

NOTICES

PENALTY FOR OFFENCES

1. By Section 17(2) of the Military Lands Act, 1892, 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 FIVE POUNDS, and may be removed by any Constable or Officer authorized 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 Offices of the Garrison Adjutant, Barton Stacey, the Moody's Down Range Warden and the War Department Land Agent, Blandford House, Farnborough Road, Aldershot, Hants., where copies of the Byelaws may also be obtained at the price of one shilling 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 Moody's Down Range or the Moody's Down Range Warden or to the Police at the first opportunity.

PUBLIC NOTIFICATION OF FIRING

4. Public Notification that firing will take place will be given by sending notices, not less than seven clear days before the day or night of firing, giving particulars of the intended time and duration of the firing and of the signals mentioned in the Byelaws to the Occupant of Wades Farm and to the local police.

ADDITIONAL PRECAUTIONS

5. In addition to the signals referred to in Byelaw No. 3, a sentry will be posted at each end of the footpath from Cocum Farm to Moody's Down Farm whenever firing is taking place and will signal for firing to cease should any person wish to cross the Danger Area by way of this footpath.

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.