



**THE ROYAL ORDNANCE
FACTORY BURGHFIELD
BYELAWS 1986**

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 lands.

STATUTORY INSTRUMENTS

1986 No 1276

DEFENCE

THE ROYAL ORDNANCE FACTORY BURGHFIELD BYELAWS	1986
Made 14th July	1986
Coming into Operation 1st August	1986

The Secretary of State for Defence, in exercise of his powers under Part II of the Military Lands Act 1892(a) hereby makes the following byelaws:

APPLICATION OF BYELAWS

1. These byelaws apply to the following areas of land in the parishes of Burghfield and Sulhamstead Bannister and Grazeley in the County of Berkshire.

- (a) the area (hereafter referred to as "the Protected Area"), including the outer perimeter fence of the Royal Ordnance Factory Burghfield, the boundary of which is for convenience of identification, shown by a thick black line on the plan annexed to these byelaws and identified as "Plan of the Royal Ordnance Factory Burghfield."
- (b) the area (hereafter referred to as "the Sports Ground"), excluding all parts of the said perimeter fence, which the Secretary of State has the right to use for certain military purposes and the boundary of which is for convenience of identification shown by a pecked line on the said plan.

PROHIBITED ACTIVITIES

2.(1) No person shall:

- (a) enter, pass through or over or remain in or over the Protected Area;
- (b) cause or permit any vehicle, animal, aircraft or thing to enter into or upon or to pass through or over the Protected Area;
- (c) remain in the Protected Area after having been directed to leave by any of the persons mentioned in byelaw 5;

- (d) 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 Area;
 - (e) obstruct any constable or any other person acting in the proper exercise or execution of his duty within the Protected Area;
 - (f) board, attempt to board, or interfere with, or interfere with the movement or passage of any vehicle, or other installation in the Protected Area;
 - (g) distribute or display any handbill, leaflet, sign, advertisement, circular, poster, bill, notice or object within the Protected Area or affix the same to either side of the perimeter fences;
 - (h) interfere with any property in the Protected Area under the control of the Crown or its agents or contractors;
 - (i) remove from the Protected Area, any property under the control of the Crown or its agents or contractors;
 - (j) deface any sign, wall, fence, structure, floor, pavement or other surface within the Protected Area;
2. (2) No person shall:
- (a) enter, pass through or over or remain in or over the Sports Ground;
 - (b) cause or permit any vehicle, animal, aircraft or thing to enter into or upon or to pass through or over the Sports Ground;
 - (c) remain in the Sports Ground after having been directed to leave by any of the persons mentioned in byelaw 5 who have reasonable grounds for suspecting that he:
 - (i) is not the lessee, and
 - (ii) is there without the authority or permission of the lessee or of anyone acting on the lessee's behalf;
 - (d) obstruct any constable or any other person acting in a proper exercise of his duty within the Sports Ground in so far as that duty relates to the enforcement of these byelaws or otherwise relates to the Protected Area.

RIGHTS OF WAY

3. Nothing in these byelaws shall affect the lawful exercise by any person of a public or private right of way.

CONTRAVENTION OF BYELAWS

4. Any person contravening or attempting to contravene byelaw 2 shall be guilty of an offence.

ENFORCEMENT

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

- (a) the Controller of Establishments, Research and Nuclear;
- (b) the Director Atomic Weapons Factory, Royal Ordnance Factory Burghfield;
- (c) any officer, any warrant officer, or non-commissioned officer in uniform and acting under the instructions of the officers mentioned at byelaw 5(a) and (b);
- (d) any public officer being a Crown servant authorised in writing by or on behalf of any of the officers mentioned at byelaw 5(a) and (b);
- (e) any constable including any constable under the control of the Defence Council.

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 Controller of Establishments, Research and Nuclear, the Director Atomic Weapons Factory, Royal Ordnance Factory Burghfield, shall be a contravention of any of the provisions of byelaw 2.

(2) Subject to paragraph (1) of byelaw 2, nothing done on or over the Sports Ground by:

- (a) the lessee, or
- (b) any person acting under and in accordance with any authority or permission given by or on behalf of the lessee, shall be a contravention of paragraph 2 (a) or (b) of byelaw 2(2).

(3) These byelaws shall not apply to any aircraft passing in the ordinary course of air navigation over the Protected Area or the Sports Ground.

INTERPRETATION

7. In these byelaws:

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

“lessee” means any person for the time being holding a lease of the Sports Ground granted by the Secretary of State.

DATE OF OPERATION OF BYELAWS

8. (1) These byelaws shall come into operation on the 1st day of August 1986, and may be cited as the Royal Ordnance Factory Burghfield Byelaws 1986.

(2) The Royal Ordnance Factory Burghfield Byelaws 1986(a) are hereby revoked.

Dated 14th July 1986

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 AND PLAN

2. A copy of these byelaws and a plan showing the Protected Area and the Sports Ground to which these byelaws apply may be inspected at The Post Office, 1, Recreation Road, Burghfield Common, Reading and at the Police Station, Castle Street, Reading Berkshire. They may also be inspected and copies obtained on request at the office of the Senior Estate Surveyor, Property Services Agency, Department of the Environment, Building B, Government Offices, Coley Park, Reading, RG1 6DZ

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.