

1952 No. 2071

MILITARY LANDS

BYELAWS (MINISTER OF SUPPLY)

Nancekuke Establishment (Cliff Footpath) Byelaws, 1952

Made - - - - - 28th November, 1952
 Coming into Operation - - - - - 1st December, 1952

The Minister of Supply in exercise of the powers conferred upon him by Part II of the Military Lands Act, 1892(a), as applied in relation to him by the Ministry of Supply (Transfer of Powers) (No. 1) Order, 1939(b) and of all other powers enabling him in that behalf, hereby with the consent of Camborne-Redruth U.D.C. makes the following Byelaws for regulating the use of the Portreath-Porthtowan cliff footpath at Nancekuke in the County of Cornwall:—

Application of Byelaws

1. These Byelaws apply:—

- (1) to the strip of land which lies to the seaward of the north-western boundary fence of the Ministry of Supply Establishment at Nancekuke in the County of Cornwall being all the land which lies between the said boundary fence and the cliff edge, and
- (2) to that section of the Portreath-Porthtowan cliff footpath which runs through the said strip of land, that is to say that section of the said footpath which lies between the gate approximately 400 yards east of Gooden Heane Point on the west and the gate situated approximately 700 yards north-west of Factory Farm on the east, the said strip of land and the said section of footpath being hereinafter collectively referred to as "the Cliff Footpath".

General Restriction of use of Cliff Footpath

2.—(1) No person shall enter or be upon the Cliff Footpath otherwise than on foot and in the course of and for the purpose of making his passage thereover in accordance with these Byelaws.

(2) No person shall cause or permit any animal (other than a dog upon a lead) or vehicle (other than a bicycle not equipped with mechanical propulsion) to be upon the Cliff Footpath.

(3) No person shall deposit or leave upon the Cliff Footpath any article, thing or matter of any kind whatsoever.

Prohibition of Passage

3. During such times as the gate at each end of the Cliff Footpath is shut and a red flag is flown alongside

Dated this 28th day of November, 1952.

The Camborne-Redruth Urban District Council hereby signify their consent to the foregoing Byelaws

J. Mitchell, Chairman.
 S. C. Wilson, Clerk.

A. K. Davis,
 Assistant Secretary, Ministry of Supply.
 Authorised by the Minister.

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 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 His Majesty.

Where copies of Byelaws can be obtained and inspected

2. Copies of these Byelaws can be obtained at the price of one shilling for each copy from:—

The Secretary, Ministry of Supply, The Adelphi, London, W.C.2. (Reference 4/Land/2246)
 and can be inspected at the following places:—

The Office of the Chief Superintendent, Ministry of Supply Establishment, NANCEKUKÉ.
 The Police Station at REDRUTH.

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

(b) S.R. & O. 1939/877: 1939 II, p. 3103.

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.