



Bellerby Moor and Wathgill Ranges

BYELAWS 1972

Made by the Secretary of State for Defence, under the provisions of Part II of the Military Lands Act 1892, for regulating the use of the above mentioned ranges.

*Revoked by
SI:1770/1984.*

DEFENCE

THE BELLERBY MOOR AND WATHGILL RANGES BYELAWS 1972

Made 24th February 1972
Coming into operation 7th June 1972

The Secretary of State for Defence in exercise of his powers under Part II of the Military Lands Act 1892 (a), Section 2 of the Defence (Transfer of Functions) Act 1964 (b) and of all other powers enabling him in that behalf, hereby with the consent of the North Riding of Yorkshire 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 lands belonging to the Secretary of State in the Parishes of Leyburn, Bellerby, Walburn, Stainton and Ellerton Abbey in the County of the North Riding of Yorkshire known as the Bellerby Moor and Wathgill Ranges (together with all the highways thereon) 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 Bellerby Moor and Wathgill Ranges".

USE OF DANGER AREA

2. The Danger Area may be used for the firing of pistols, rifles, machine guns, mortars, light anti-tank guns, anti-tank guided weapons and for the firing or throwing of grenades and for all activities ancillary to such firing and throwing.

PROHIBITION OF ACCESS

3. (1) When the Danger Area is being used for any of the purposes specified in Byelaw No. 2, no person, except as provided in Byelaw No. 3(3) and 3(4) shall:—

(a) 55 & 56 Vict. c.43. (b) 1964 c.15

- (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, aircraft or thing to enter into or upon or to pass through or to be or remain in or upon the Danger Area, or
- (d) cause or permit any aircraft to fly over the Danger Area at a height less than 2,000 feet above mean sea level.

(2) Whilst the Danger Area is being used for any of the said purposes notice of the fact shall be given by the display of the following signals, that is to say:—

(a) by day a red flag hoisted at the following places:—

(i) at a place 25 yards in a north-easterly direction from the cross roads Leyburn-Grinton/Redmire-Richmond roads;

(ii) at a place 140 yards in a west-north-westerly direction from the said cross roads;

(iii) at a place 1,100 yards in a westerly direction from the said cross roads;

(iv) on the east side of the Whipperdale Road 1,620 yards in a north-north-westerly direction from the said cross roads;

(v) on the west side of the Whipperdale Road 1,660 yards in a north-north-westerly direction from the said cross roads;

(vi) at a place 100 yards in a north-easterly direction from a point on the Leyburn-Grinton road 500 yards in a north-westerly direction from Black Beck Bridge;

h (vii) at a place on the east side of the Leyburn-Grinton road 1,240 yards in a north-westerly direction from Black Beck Bridge;

(viii) at a place 250 yards in a north-north-westerly direction from the Trigonometrical Station on Whit Fell;

h (ix) on the east side of the Leyburn-Grinton road 670 yards in a south-easterly direction from Hags Gill Bridge;

(x) on the north side of a track 610 yards in a south-westerly direction from the gate dividing the road through Stainton Village from the track leading to Stainton Moor;

should be (xi) on How Hill 280 yards in a westerly direction from the said gate in Stainton Village;

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- (xii) at a place 710 yards in a south-westerly direction from Walburn Hall Farm;
 - (xiii) alongside a wall 60 yards in a south-easterly direction from Boston Farm;
 - (xiv) at a place 310 yards in a south-westerly direction from the junction of the Redmire-Richmond and the Walburn/Stainton-Halfpenny House roads 100 yards in a south-west by westerly direction from Halfpenny House Farm;
 - (xv) at a place north of the Redmire-Richmond road 2,950 yards in a north-east by easterly direction from the said cross roads;
 - (xvi) at a place north of the Redmire-Richmond road 1,590 yards in a north-east by easterly direction from the said cross roads;
- (b) by night a red lamp hoisted at the places referred to in sub-paragraph (a) hereof except places (viii) and (x), when Ranges J and G are used for night firing and, except places (ii), (iii), (iv) and (v), when Ranges A, B and C are used for night firing.
- (3) Any person may pass or cause or permit or suffer any vehicle or animal to pass along that portion of the public highway known as the Leyburn-Grinton Road if (i) permission to do so is given by one of the sentries at the sentry posts situated at the entrance to Whipperdale Range and at Wimp Hill (marked A and B respectively on the plan), or (ii) the said sentry posts are un-manned and the barriers are in a raised position. Sentry A is posted at a place approximately 330 yards west-north-west of the Leyburn-Grinton/Richmond-Redmire cross roads. Sentry B is posted at a place approximately 130 yards south-east of Black Beck Bridge.
- (4) Any person may at all times pass along the public footpath leading from the Redmire Road at the south-west corner of the Danger Area in a north-north-east direction to join the Leyburn to Grinton Road immediately to the north of Wimp Hill over the defined route, care being taken not to deviate from the said route on to the adjoining Danger Area to the east.

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 or under the care or control of the Ministry of Defence or otherwise the property of the Crown.

OFFENCES

6. Subject to the provisions of Byelaw No. 8 any person doing anything prohibited by or otherwise contravening any provision of any of the preceding Byelaws Nos. 3, 4 and 5 thereby commit an offence against the Byelaw so contravened.

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ENFORCEMENT

7. The following persons are hereby authorised to remove from the Danger Area and to take into custody without warrant any person found therein when it is being used for any of the purposes specified in Byelaw No. 2 or found committing any other offence against any of the said Byelaws, and to remove from the Danger Area any vehicle, animal, aircraft or thing whatsoever found in the Danger Area in contravention of any of the said Byelaws:—

- (a) the General Officer Commanding the Army District;
- (b) the Commandant, Catterick Training Centre, Bellerby Camp, Leyburn, Yorkshire, being the Officer in Charge of the Bellerby Moor and Wathgill Ranges;
- (c) any officer, any warrant officer, non-commissioned officer or rating of corresponding rank, or any service policeman, in uniform and being for the time being under the Command of the said General Officer Commanding or the Commandant, Catterick Training Centre, Bellerby Camp, Leyburn, Yorkshire, being the Officer in Charge of the Bellerby Moor and Wathgill Ranges;
- (d) any person authorised in writing by or on behalf of the said General Officer Commanding or the Commandant, Catterick Training Centre, Bellerby Camp, Leyburn, Yorkshire, being the Officer in charge of the Bellerby Moor and Wathgill Ranges; and
- (e) any member of a police force or any special constable under the control of the Defence Council.

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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 the Army District,

or the Commandant, Catterick Training Centre, Bellerby Camp, Leyburn, Yorkshire, being the Officer in charge of the Bellerby Moor and Wathgill Ranges shall constitute an offence against any of these Byelaws.

- (2) If it is proved that an act or omission of any person which would otherwise have been an offence against any of the provisions of paragraph (1) of Byelaw No. 3 was due to any cause not avoidable by the exercise of reasonable care by that person the act or omission shall be deemed not to be an offence against that Byelaw.

INTERPRETATION

9. (1) The Interpretation Act 1889 (c) shall apply to the interpretation of these Byelaws as it applies to the interpretation of an Act 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.

COMMENCEMENT, CITATION AND REVOCATION

10. (1) These Byelaws shall come into operation on the 7th day of June 1972, and may be cited as the Bellerby Moor and Wathgill Ranges Byelaws 1972.
- (2) The Bellerby Moor Rifle Ranges Byelaws 1932 (d) are hereby revoked.

Dated this 24th day of February 1972.

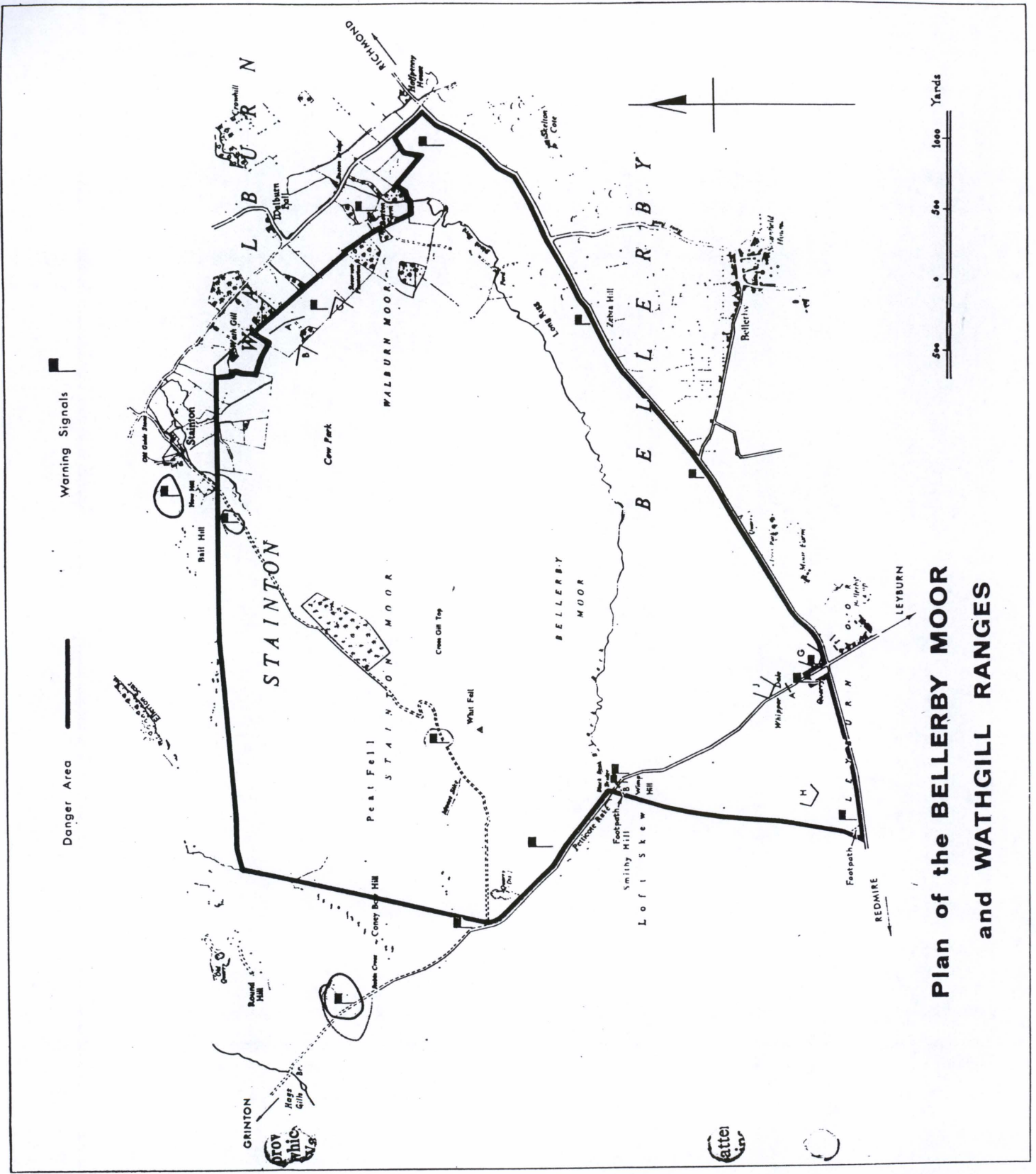
D. J. CHAPMAN
 By Order of the Secretary of State
 for Defence.

The consent of the North Riding of Yorkshire County Council to the making of these Byelaws, so far as regards the restriction of the use of the highways within the Danger Area mentioned therein, was given by a resolution dated the Fourteenth day of January, 1972.

R. A. WOTHERSPOON
 Clerk of the North Riding of
 Yorkshire County Council.

(c) 52 & 53 Vict. c.63.

(d) SR & O 1932/755



**Plan of the BELLERBY MOOR
and WATHGILL RANGES**

NOTICES

PENALTY FOR OFFENCES

1. By Section 17(2) of the Military Lands Act 1892, as amended by Section 92 of and Schedule 3 to the Criminal Justice Act 1967, 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 TWENTY 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 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 Clerk, Leyburn Rural District Council, Leyburn; Clerk, Reeth Rural District Council, Reeth; Clerk, Richmond Rural District Council, Richmond and at the Police Stations at Leyburn, Reeth, Richmond and Catterick Camp. They may also be inspected at the Office of the Defence Land Agent, Catterick Camp, where copies of the Byelaws may be obtained at the price of fivepence (5p) 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 Commandant, Catterick Training Centre, Bellerby Camp, Leyburn, Yorkshire, being the Officer in charge of the Bellerby Moor and Wathgill Ranges 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 days before the day or night firing, giving particulars of the intended date, time and duration of the firing to the persons and authorities listed in the Appendix hereto.

TRAFFIC DELAYS

5. When the Danger Area is being used for any of the purposes

specified in Byelaw No. 2, the sentries posted at Whipperdale Range and at Wimp Hill will, on sighting traffic desiring to pass along that portion of the Leyburn-Grinton Road which crosses the Danger Area, expeditiously arrange for firing to be discontinued for a short spell to allow the traffic to proceed with all reasonable speed along the said road through the Danger Area.

APPENDIX

The Clerk of the Leyburn Rural District Council, Leyburn.

The Clerk of the Reeth Rural District Council, Reeth.

The Clerk of the Richmond Rural District Council, Richmond.

The Chief Superintendent, York and North East Yorkshire Police, Richmond.

The Clerk of the North Riding of Yorkshire County Council.

The Area Surveyor of the North Riding County Council, No. 1.

Highways Depot, Green Howards Road, Richmond.

Copies to:

York and North East Yorkshire Police, Leyburn.

York and North East Yorkshire Police, Reeth,

York and North East Yorkshire Police, Catterick Camp.