

STATUTORY INSTRUMENTS
1981 No 1882

D/Lands/6/52/1



Salisbury Plain
Military Lands
Byelaws 1981

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
1981 No 1882

DEFENCE

THE SALISBURY PLAIN MILITARY LANDS BYELAWS 1981

Made 26th November 1981

Coming into operation 19th April 1982

The Secretary of State for Defence, in exercise of his powers under Part II of the Military Lands Act 1892(a) and of all other powers enabling him in that behalf, hereby makes the following byelaws:

LANDS AFFECTED

1. The lands to which these byelaws apply consist of lands belonging to the Secretary of State specified in the Schedule attached hereto, in the Counties of Wiltshire and Hampshire, the boundaries of which are, for convenience of identification, shown by a black line on the plan annexed to these byelaws and identified as "PLAN OF THE SALISBURY PLAIN MILITARY LANDS" including all roads and footpaths upon the said lands all of which is hereinafter referred to as "the Military Lands".

CONTROL OF ROAD TRAFFIC

2. When on a Ministry of Defence road within the Military Lands:

(1) No person shall use any vehicle to ply for hire on any such road provided that this prohibition shall not apply to the driver of a licensed hackney carriage plying for hire on a public highway in accordance with such licence;

(2) Every person who rides a horse, bicycle or tricycle or drives a vehicle on any such road

(a) shall comply with the directions given orally or by signal, of a Service policeman in uniform or any member of a police force, or special constable under the control of the Secretary of State for Defence;

(b) shall comply with all military and traffic signs; and

(c) shall ride or drive with due care and attention and with reasonable care for other persons;

(a) 1892 c.43

(3) No person shall ride a bicycle or tricycle, or drive a vehicle upon such a road during the hours of darkness as prescribed by the enactments relating to the lighting of road transport unless such bicycle or tricycle or vehicle carries the appropriate lights which are required to be carried by such bicycle or tricycle or vehicle when on a public highway during the hours of darkness;

(4) No person shall drive without a valid Driving Licence — nor shall any person be in charge of any vehicle unless the vehicle is registered, taxed and insured and the subject of a current Department of Transport test certificate as required for such vehicle when on a public highway.

PROHIBITED ACTIVITIES

3.—(1) Without prejudice to the provisions of byelaw 2, no person when on the Military Lands shall except with the prior permission of the General Officer Commanding the Army District and in accordance with the terms of such permission.

- (a) enter on any part of the Military Lands which is enclosed or the entry to which is shown by a notice as being prohibited or restricted, or which is under cultivation or in private occupation;
- (b) enter any plantation of trees;
- (c) ride a horse, bicycle or tricycle or ride, drive or propel a vehicle of any kind otherwise than on the carriageway of a road suitably constructed and made up for general use by vehicular traffic;
- (d) engage in or carry on any trade or business of any kind whatsoever or ride, drive, conduct, or cause to be ridden, driven or conducted, use or employ any animal or vehicle of any kind or use any audible means either wholly or mainly for the purpose of trade or advertisement, other than in the course of providing a service to persons resident in dwellings on the Military Lands;
- (e) assemble or attempt to assemble or cause to assemble, or bring upon the Military Lands any number of persons for the purpose of a private or public meeting or otherwise, or address any such persons when assembled, other than in dwellings or schools on the Military Lands;
- (f) camp, (whether in tents, caravans or otherwise) bivouac or sleep out;
- (g) deposit refuse, rubble, waste or litter or abandon any vehicle or vehicle part or article;
- (h) damage, cut or remove grass, turves, growing crops, shrubs, trees, timber, wildflower roots or humus;
- (i) remove sand;
- (j) pasture any animal;
- (k) pursue, kill, shoot, catch, snare or trap game, fish or other animals, or take or destroy nests or eggs;

- (l) damage, spoil, deface, interfere with or remove any building, wall, fence, gate, post, cattle grid, stores, equipment or ammunition;
 - (m) dig or search for any projectile or any lead or other metal, pottery, bottles, or any other thing or interfere with or take or retain or be in possession of any projectile or lead or other metal, pottery, bottles or any other thing found within the Military Lands;
 - (n) have in his possession any device for detecting metal;
 - (o) affix posters, notices or bills of any description in or on the boundaries, walls or fences or in or on any building or other structure or on any tree, pillar, post, bollard, railing, gate or other erection, provided that this shall not prevent the display of such posters, notices, or bills for non-commercial purposes in a window or on a temporary notice board within the curtilage of any dwelling;
 - (p) take or cause to be taken on the Military Lands any cross-bow, fire-arm, air gun, ammunition, any explosive or detonator or any part or component of the foregoing;
 - (q) fly or cause to be flown model aircraft;
 - (r) engage in hang-gliding, parascending or kite-flying.
- (2) No person when on the Military Lands shall:
- (a) loiter, or commit any nuisance, or behave in any indecent or unseemly manner;
 - (b) do, or cause or allow to be done any act which is likely to cause nuisance, annoyance or injury to other persons;
 - (c) light fires, drop or leave lighted or live matches or burning cigarette ends or do any act or thing liable to cause an outbreak of fire;
 - (d) fail to keep under control any dog or animal.

WARNING OFF

4.—(1) No person shall remain on the Military Lands after having been warned off by an authorised person or return thereto after having been so warned off.

(2) No person being the owner or person for the time being in charge of any animal, vehicle, aircraft 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 an authorised person.

OFFENCES

5. Subject to the provisions of byelaw 7, any person who contravenes or fails to comply with the provisions of byelaws 2, 3 or 4 shall be guilty of an offence and liable, on conviction, to penalties specified in section 17 of the Military Lands Act 1892.

ENFORCEMENT

6. Any authorised person may remove from the Military Lands and take into custody without warrant any person committing an offence against byelaw 2, 3 or 4, and remove from the Military Lands any vehicle, animal, aircraft, or thing found on the Military Lands in contravention of any of the said byelaws.

EXEMPTIONS

7.—(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 purposes, shall be an offence.

(2) 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 for Defence or the General Officer Commanding the Army District shall be an offence.

USE OF LANDS BY PUBLIC

8. Subject to the provisions of these byelaws and when the Military Lands are not being used for the military purposes for which they are appropriated, the public may use the Military Lands for recreational purposes.

BOUNDARIES

9. Where in any prosecution for an offence under byelaw 5 the question arises as to whether any land is land to which these byelaws apply, a plan or diagram setting out the boundaries of such land, in so far as they may be relevant in the circumstances, and purporting to be certified as correct by the Defence Land Agent, Property Services Agency, Department of the Environment, Estate Office, Durrington, Salisbury, Wiltshire SP4 8AF, shall be receivable in evidence for the purpose of establishing such boundaries.

RIGHTS OF WAY

10. Nothing in these byelaws shall affect the lawful exercise by any person of a public right of way or the proper use of any layby or parking place provided for users of any right of way.

MINISTRY OF DEFENCE TENANTS

11. Nothing in these byelaws shall affect the rights of Ministry of Defence tenants and licensees under their agreements with the Secretary of State for Defence.

INTERPRETATION

12. In these byelaws:

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

“Ministry of Defence road” means any road maintained by the Ministry of Defence which may or may not be a public right of way;

“authorised person” means

- (a) the General Officer Commanding the Army District;
- (b) any—
 - (i) officer, warrant officer, non-commissioned officer or rating of corresponding rank; or
 - (ii) Service policeman;
 - in uniform and for the time being under the command of the said General Officer Commanding the Army District;
- (c) any officer being a Crown servant authorised in writing by or on behalf of the said General Officer Commanding the Army District;
- (d) any member of a police force, or any special constable under the control of the Secretary of State for Defence.

COMMENCEMENT, CITATION AND REVOCATION

13.—(1) These byelaws shall come into operation on the 19th day of April 1982 and may be cited as the Salisbury Plain Military Lands Byelaws 1981.

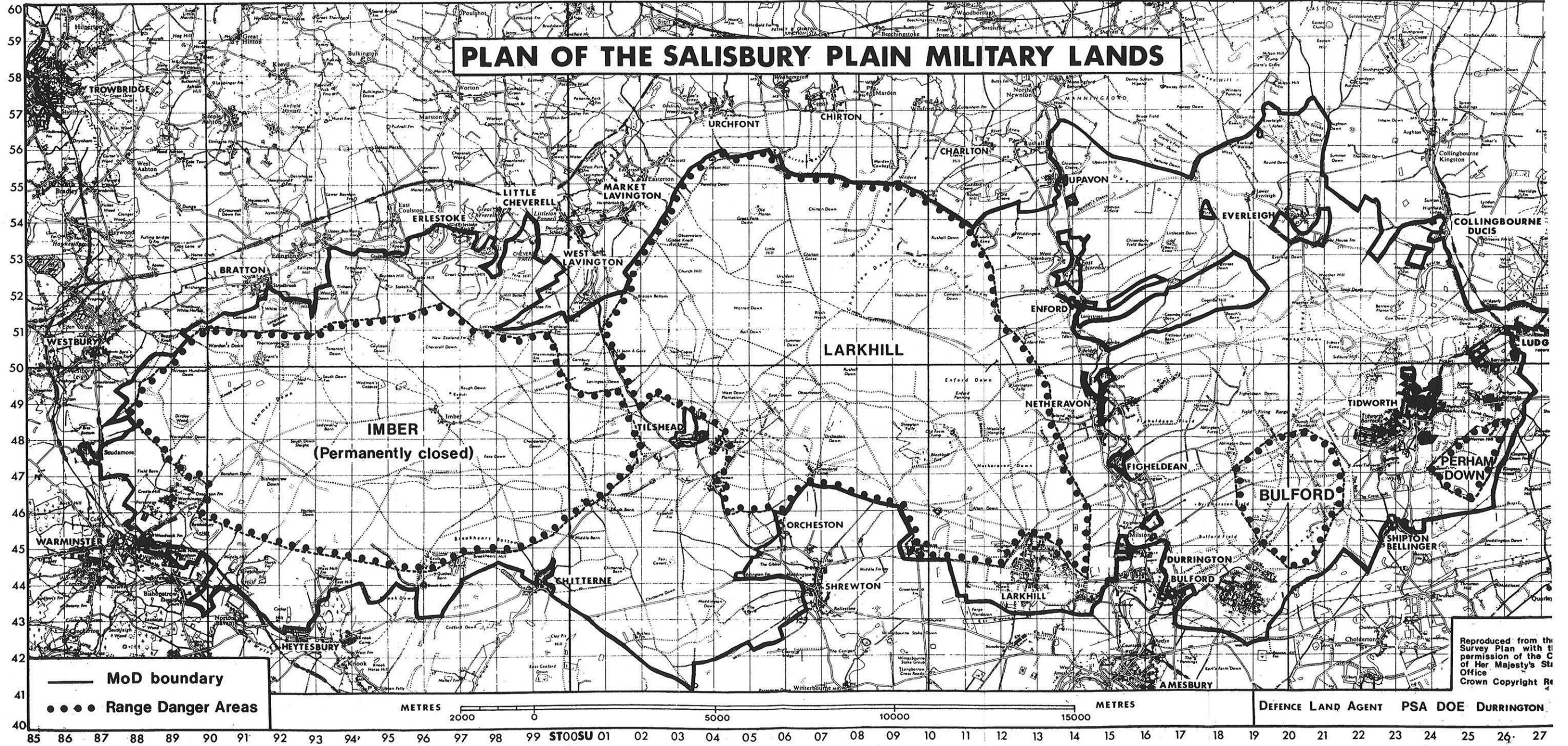
(2) The Salisbury Plain Area Military Lands Byelaws 1937(b) as amended by the Salisbury Plain Area Military Lands (Amendment) Byelaws 1977(c) are hereby revoked.

Dated 26th November 1981.

(Signed) JERRY WIGGIN

Parliamentary Under Secretary of State for the Armed Forces

PLAN OF THE SALISBURY PLAIN MILITARY LANDS



— MoD boundary
 ●●●● Range Danger Areas

METRES 2000 0 5000 10000 15000 METRES

DEFENCE LAND AGENT PSA DOE DURRINGTON

Reproduced from the Survey Plan with the permission of the C of Her Majesty's Staff Office Crown Copyright Re

STOOSU 01 02 03 04 05 06 07 08 09 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27

such contravention, be declared by a Court of Summary Jurisdiction to be forfeited to Her Majesty.

RANGE BYELAWS

2. Parts of the Salisbury Plain Military Lands are also subject to Range byelaws being those in respect of Bulford Ranges, Perham Down Ranges, Larkhill Artillery Ranges and Imber Ranges, and such parts are outlined on the plan annexed.

BOUNDARIES

3. Included within the boundaries of the land shown on the plan are certain small areas including some roadways which do not belong to the Secretary of State for Defence and over which the byelaws do not apply. Further information about these areas can be obtained from the office of the Defence Land Agent, Property Services Agency, Department of the Environment, Estate Office, Durrington, Salisbury, Wiltshire SP4 8AF.

PUBLIC ACCESS

4. The Salisbury Plain Military Lands are in almost constant military use. Permission is not required for the exercise of public rights of way; the existence and extent of such rights may be ascertained from the appropriate definitive map which can be inspected at Wiltshire County Council (Land Charges Section) County Hall, Trowbridge, Wiltshire or Hampshire County Council (Recreation Department) North Hill Close, Andover Road, Winchester, Hants. Persons wishing to enter and use the Military Lands otherwise are advised to consult the Defence Land Agent, Property Services Agency, Department of the Environment, Estate Office, Durrington, Salisbury, Wiltshire SP4 8AF since certain activities on the Lands constitute offences under the byelaws unless they are done with the prior permission of the General Officer Commanding. Such permission will whenever possible be granted for group activities. Applications for permission by individuals will be considered on their merits.

INSPECTION OF BYELAWS AND PLAN

5. A copy of these byelaws and a plan showing the Military Lands to which these byelaws apply may be inspected at Headquarters, South West District, Bulford Camp, Salisbury, Wilts; Headquarters, Salisbury Plain Training Area, Bulford Camp, Salisbury, Wilts; the Police Stations at Amesbury, Devizes and Warminster. They may also be inspected at the office of the Defence Land Agent, Property Services Agency, Department of the Environment, Durrington, Salisbury, Wiltshire SP4 8AF where copies of the byelaws may be obtained at the price of fivepence (5p) for each copy.

THE SCHEDULE
LANDS AFFECTED

COUNTY OF WILTSHIRE

District of Salisbury

Parts of the Town of Amesbury and parts of the Parishes of Bulford, Durrington, Figcheldean, Milston, Orcheston, Shrewton and Tilshead.

District of Kennet

Parts of the Parishes of Charlton, Cheverell Magna, Cheverell Parva, Chirton, Collingbourne Ducis, Collingbourne Kingston, Easterton, Enford, Erlestoke, Everleigh, Fittleton, Ludgershall, Manningford, Marden, Market Lavington, Milton Lilbourne, Netheravon, North Tidworth, Rushall, Upavon, Urchfont, West Lavington and Wilsford.

District of West Wiltshire

Parts of the Town of Westbury and parts of the Parishes of Bishopstrow, Bratton, Chitterne, Coulston, Edington, Heytesbury, Imber, Knook, Norton Bavant, Sutton Veny, Upton Lovell, Upton Scudamore and Warminster.

COUNTY OF HAMPSHIRE

District of Test Valley

Parts of the Parishes of Shipton Bellinger and South Tidworth.

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 92 of and Schedule 3 to the Criminal Justice Act 1967, it is provided that:

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

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.