



CITY AND COUNTY OF CANTERBURY AND COUNTY OF KENT.

MILITARY LANDS.

BYE-LAWS

made by His Majesty's Principal Secretary of State for the War Department, under the provisions of the Military Lands Acts, 1892-1903, for regulating the use of certain War Department land situate in the City and County of Canterbury and the Parish of Fordwich, in the County of Kent, for the purposes to which it is appropriated, and for prohibiting all intrusion on such land and all obstruction of the use thereof.

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1935.

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OFFENCES.

1. No costermonger, hawker, pedlar, huckster, marine store or other dealer, or rag and bone and bottle gatherer, or book-maker or racing or betting tout, or vendor of newspapers or any kind of literature or vendor of refreshments, or photographer, or person engaged in any similar traffic or occupation to any of those specified, or any tradesman or his agents or servants unless in possession of a Pass, issued under the authority of the Commander, Home Counties Area, shall intrude, or enter, or be upon the said War Department lands for the purposes of selling, buying or trafficking or otherwise carrying on his or her or any like business or calling.

2. No person shall deposit or distribute or cause to be deposited or distributed upon the said War Department lands any handbills, literature or other printed matter of any description.

3. No person shall, without the authority of the Commander, Home Counties Area, attempt to cause or cause to assemble upon the said War Department lands any number of persons or address any such persons when assembled.

4. No person, without the authority of the Commander, Home Counties Area, shall affix any posters, hills or notices of any description in or on the boundaries or walls of the said War Department lands.

5. No person shall enter or be upon the said War Department lands for the purpose of committing a nuisance or of idling, loitering or behaving in an indecent or disorderly manner, or for the purpose of gaming, betting or wagering.

6. No person shall enter or be upon the said War Department lands for the purpose of carrying, or of applying for permission to carry, the kits of soldiers, or other persons, or of obtaining any other kind of casual employment.

7. No person shall enter or be upon the said War Department lands for the purpose of removing Cartridge Cases, lead from the Butts, or any kind of metal or other material, unless duly authorised and in possession of a Pass issued under the authority of the Commander, Home Counties Area.

8. No person whatever shall continue on the said War Department lands after being warned off by an Officer or by any person acting under the authority of an Officer. Nor shall any vehicle, animal or thing be allowed to remain on the said lands after the owner, or the person for the time being in charge thereof, shall have been warned to remove the same by an Officer or by any person acting under the authority of an Officer.

9. No person, unless in possession of a Pass, issued under the authority of the Commander, Home Counties Area, shall camp whether in tents or caravans or otherwise, or bivouac, or sleep out upon the said War Department lands.

10. No person, without the authority of an Officer, shall deposit broken glass or other rubbish upon the said War Department lands.

11. No night walker or common prostitute shall locate herself in, or trespass on, or resort to the said War Department lands for the purpose of prostitution.

12. No person, without the authority of the Commander, Home Counties Area, shall cut grass or growing crops or cut and remove turf, or use the said War Department lands for the purpose of grazing any horse, cow, sheep, or other animal.

13. No person, without the authority of the Commander, Home Counties Area, shall cut or deface any growing trees or shrubs or remove any timber, trees, shrubs or wild flower roots from the said War Department lands, nor shall any person enter or be upon the said lands for the purpose of damaging trees or other property situated on the said lands.

14. No person shall enter or be upon the said War Department lands for the purpose of pursuing or killing game or other animals or birds, or of fishing in any waters within the said lands without the authority of the Commander, Home Counties Area.

15. No person, without the authority of an Officer, shall light a fire on the said War Department lands for any purpose whatever; nor shall any person, by throwing down lighted or live matches or in any other way, do anything causing or tending to cause a fire to break out on the said lands.

16. No person shall ride a horse or bicycle or drive any motor car or other vehicle upon any footpath by the side of any War Department road maintained by the War Department and situate on the said War Department lands.

17. No driver of a hackney carriage, taxi-cab or other vehicle shall enter or be upon the said War Department lands for the purpose of plying for hire, without a Pass issued under the authority of the Commander, Home Counties Area.

18. Subject to the restrictions contained in Bye-laws Nos. 16 and 17, the public may ride any horse or bicycle or drive any horse-drawn vehicle, motor-car, motor cycle or other mechanically-propelled vehicle on any road maintained by the War Department and situate on the said War Department lands, when such road is not being used for any military purpose, but in such cases :—

- (i) No driver of any such motor-car, motor cycle or other mechanically-propelled vehicle under three tons in weight shall drive at a speed exceeding fifteen miles per hour on any such roads.
- (ii) No driver of any mechanically-propelled vehicle of three tons in weight and over shall drive at a speed exceeding eight miles per hour on any such roads.
- (iii) The rider of any such horse or bicycle, or the driver of any such horse-drawn vehicle, motor-car, motor cycle or other mechanically-propelled vehicle, shall at the request of a military policeman in uniform or a War Department constable in uniform, or if such military policeman or War Department constable put up his hand as a signal for that purpose, stop and not proceed further until a signal to proceed is given.
- (iv) The rider of any such bicycle or the driver of any such horse-drawn vehicle, motor-car, motor cycle or other mechanically-propelled vehicle shall not drive over such roads without a light between the hours of one hour after sunset and one hour before sunrise during summer time, or between the hours of half-an-hour after sunset and half-an-hour before sunrise during winter time. The provisions of this sub-section are in addition to and not in derogation of any existing statute local or other bye-laws or regulations which may now or hereafter be in force.

RIGHTS OF WAY.

19. Nothing in these Bye-laws shall affect any public right of way, but subject as aforesaid the expression "lands" or "War Department lands" shall include all roads on such lands.

WAR DEPARTMENT TENANTS.

20. Nothing in these Bye-laws shall affect the rights of the tenants of the War Department under their agreements with the War Department.

CONTRAVENTION OF BYE-LAWS.

21. Any person doing anything prohibited by or otherwise contravening any of the preceding Bye-laws numbered 1 to 18 shall be deemed to commit an offence against the Bye-law so contravened.

OFFICERS AUTHORISED.

22. The persons hereby authorised to remove or to take into custody without warrant any person committing an offence against any of the preceding Bye-laws numbered 1 to 18, or to remove any vehicle, animal or thing found on the said War Department lands in contravention of any of these Bye-laws are:—

- (1) The Major-General in charge of Administration, Eastern Command.
- (2) The Commander, Home Counties Area.
- (3) The Officer in charge of any of the said War Department lands.
- (4) Any Officer, Warrant Officer, Non-Commissioned Officer or any Military Policeman or War Department constable in uniform for the time being under the Command of the said Major-General in charge of Administration, Eastern Command, or of the said Commander, Home Counties Area.
- (5) Any person authorised in writing under the hand of the said Major-General in charge of Administration, Eastern Command, the said Commander, Home Counties Area, or of the said Officer in charge; or
- (6) Any Constable.

DATE OF OPERATION OF THESE BYE-LAWS.

23. These Bye-laws shall come into force on the first day of September, One thousand nine hundred and thirty-five, on and after which date the Bye-laws in respect of Canterbury Military Lands dated twenty-sixth day of March, One thousand nine hundred and twenty-three shall be revoked.

SCHEDULE.

The War Department land to which the foregoing Bye-laws apply is situated in the City and County of Canterbury and in the Parish of Fordwich, in the County of Kent. It lies between Sturry Road (Canterbury Barracks) and St. Martin's Hill. The precise boundaries are defined by Boundary Stones on the ground.

The following Rights of Way over the War Department land have been admitted for foot traffic only :—

- (1) The footpath from Boundary Stone No. 26, situated near the Military Cemetery past the Infantry and Artillery Barracks to the Eastern end of the Cavalry Barracks, thence by the footpath just within the War Department boundary to boundary Stone No. 3A.
- (2) The footpath from a point about 160 yards East of Boundary Stone No. 3A, continuing to the War Department boundary in the direction of Fordwich.
- (3) The footpath from Boundary Stone No. 13, situated East of the Military Hospital, leading in a North-easterly direction to Reed Pond, thence to a point where it joins the footpath described in (2) above.
- (4) The footpath from a point near Boundary Stone No. 12 to Boundary Stone No. 11, thence in a North-easterly direction to Old Park Farm, continuing to the War Department boundary, where it meets the footpath described in (7) below.
- (5) The footpath from the Sturry Road between the Eastern boundary wall of the Cavalry Barracks and the Western boundary wall of the East Kent Militia Store, to the corner of the Cavalry Barracks, where it meets the footpath described in (1) above.
- (6) The footpath leading from a stile East of the Council houses at St. Martin's Hill to Boundary Stone No. 11 at the junction with the footpath described in (4) above.
- (7) The footpath from a point about 125 yards North of the Canterbury Hospital for Infectious Diseases, continuing in a Northerly direction to the War Department boundary where it meets the footpath described in (4) above.

Dated this twenty-sixth day of August, One thousand nine hundred and thirty-five.

(Signed) HALIFAX,

*His Majesty's Principal Secretary of State for the
War Department.*

NOTICES.

PENALTY FOR OFFENCES.

1. By Section 17 (2) of the Military Lands Act, 1892, it is provided that :—

If any person commits an offence against any bye-law 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 bye-law from the area to which the bye-law 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, or thing found in the area in contravention of any bye-law 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.

INSPECTION OF MAP SHOWING LANDS AFFECTED.

2. The lands described in the Schedule hereto, together with all Buildings thereon, to which these Bye-laws apply, are shown on a plan which may be inspected at the office of the Commander, Royal Engineers, Canterbury.

WHERE BYE-LAWS CAN BE OBTAINED.

3. Copies of these Bye-laws can be obtained at the office of the Commander, Royal Engineers, Canterbury, by any person who desires to obtain the same.

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.