



RAF MOLESWORTH BYELAWS 1985

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 site.

STATUTORY INSTRUMENTS

1985

No. 486

DEFENCE

THE RAF MOLESWORTH BYELAWS	1985
Made 22nd March	1985
Coming into operation 1st April	1985

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:

APPLICATION OF BYELAWS

1. The area to which these byelaws apply consists of lands belonging to the Secretary of State in the parishes of Bythorn and Keyston, Brington and Molesworth and Old Weston in the County of Cambridgeshire the boundary of which is marked by, and includes, the outer perimeter fence and gates of RAF Molesworth and certain other areas, which lands are for convenience of identification, shown by a thick black line on the plan annexed to these byelaws and identified as "Plan of RAF Molesworth", all of which is hereinafter referred to as "the Protected Area".

PROHIBITED ACTIVITIES

2. No persons shall:
- (a) enter or leave or attempt to enter or leave the Protected Area except by way of an authorised entrance or exit.
 - (b) enter, pass through or over or remain in or over the Protected Area without authority or permission given by or on behalf of one of the persons mentioned in byelaw 5(1).
 - (c) cause or permit any vehicle, animal, aircraft or thing to enter into or upon or to pass through or over or to be or remain in or upon or over the Protected Area without authority or permission given by or on behalf of one of the persons mentioned in byelaw 5(1).

- (d) remain in the Protected Area after having been directed to leave by any of the persons mentioned in byelaw 4.
- (e) 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 or to any building or premises within the Protected Area.
- (f) obstruct any constable (including a constable under the control of the Defence Council) or any other person acting in the proper exercise or execution of his duty within the Protected Area.
- (g) enter any part of the Protected Area which is shown by a notice as being prohibited or restricted.
- (h) board, attempt to board, or interfere with, or interfere with the movement or passage of, any vehicle, aircraft or other installation in the Protected Area.
- (i) 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 without authority or permission given by or on behalf of one of the persons mentioned in byelaw 5(1).
- (j) interfere with or remove from the Protected Area any property under the control of the Crown or of the Service Authorities of a visiting force, or in either case, their agents or contractors.
- (k) wilfully damage, destroy, deface or remove any notice board or sign within the Protected Area.
- (l) wilfully damage, soil, deface or mark any wall, fence, structure, floor, pavement, or other surface within the Protected Area.

CONTRAVENTION OF BYELAWS

3. Subject to the provisions of byelaw 5: any person contravening byelaw 2 in anyway thereby commits an offence.

ENFORCEMENT

4. The following persons are hereby authorised to remove from the Protected Area 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 any vehicle, animal, aircraft, or thing whatsoever found therein in contravention of any of the said byelaws:

- (a) the Air Officer Commanding-in-Chief RAF Support Command;
- (b) the RAF Commander RAF Alconbury;

- (c) any officer, any warrant officer, or non-commissioned officer in uniform and being for the time being under the command of any of the officers mentioned at byelaw 4(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 4(a) and (b);
- (e) any constable including any constable under the control of the Defence Council.

EXEMPTIONS

5.(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 Air Officer Commanding-in-Chief RAF Support Command, or the RAF Commander RAF Alconbury shall be an offence against any of these byelaws.

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

(3) 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 byelaw 2 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 by that person against that byelaw.

INTERPRETATION

6. In these byelaws:

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

“service authorities” means naval, military or airforce authorities;

“visiting force” means such body, contingent or detachment of the force of any country as is a visiting force for the purposes of any of the provisions of the Visiting Forces Act 1952. (a)

DATE OF OPERATION OF BYELAWS

7. These byelaws shall come into operation on the 1st April 1985 and may be cited as the RAF Molesworth Byelaws 1985.

Dated 22nd March 1985

(SIGNED) LORD TREFGARNE

Parliamentary Under Secretary of State for the Armed Forces.

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, 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.”

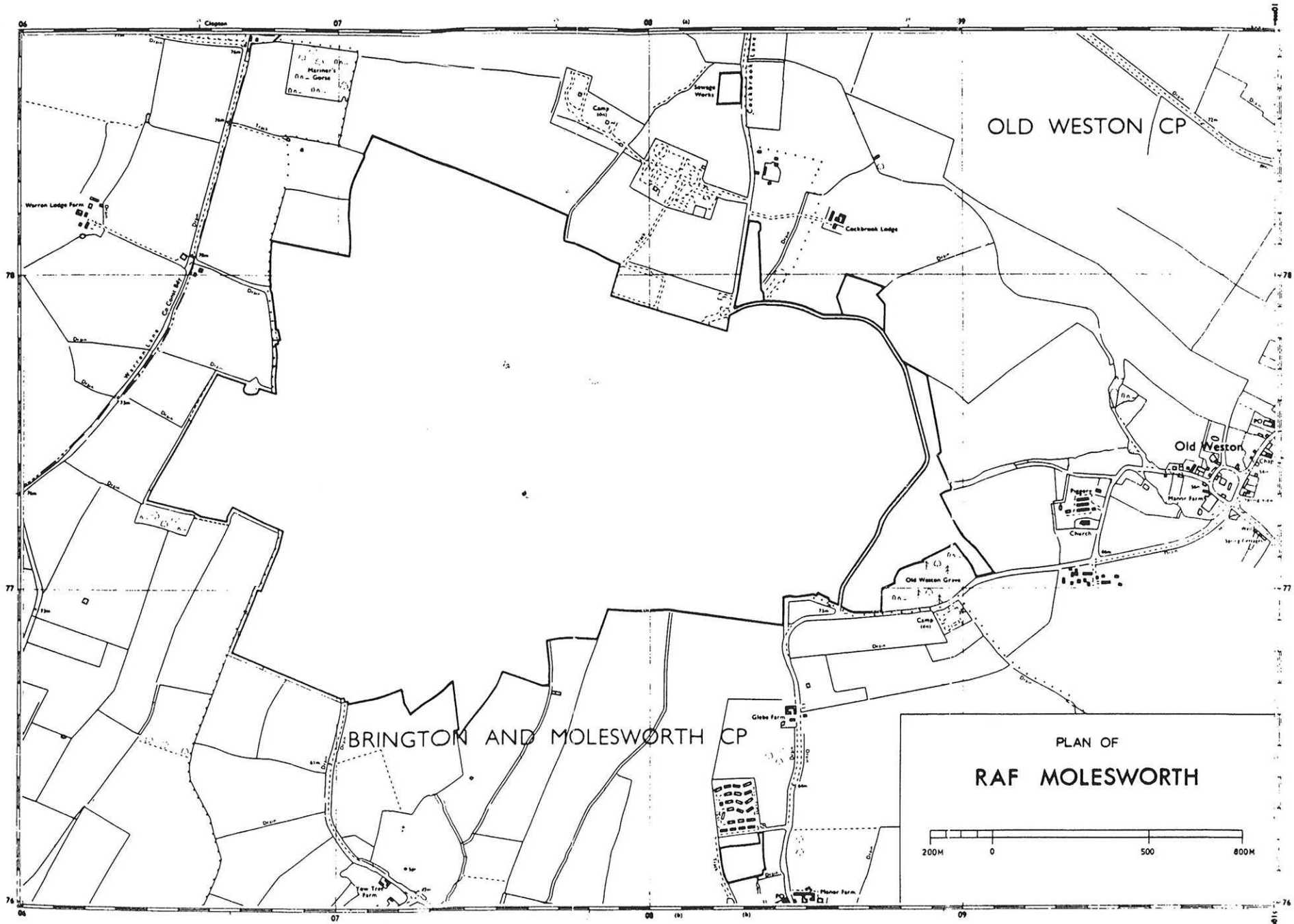
At the time of printing the maximum fine on scale 2 is ONE HUNDRED POUNDS (£100).

BRIDLEWAY NO. 27/12

2. The public bridleway number 27/12, running from the southern end of Cockbrook Lane in the North, around the eastern perimeter of the main part of RAF Molesworth, to the B660 in the South is not affected by the provisions of these byelaws, and will remain open for public use as a highway.

INSPECTION OF BYELAWS AND PLAN

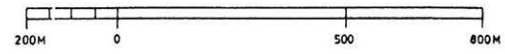
3. A copy of these byelaws and a plan showing the Protected Area to which these byelaws apply may be inspected at The Post Office, Old Weston, Huntingdon, Cambs and at the Huntingdon Town Police Station, Ferrars Road, Huntingdon, Cambs. They may also be inspected on request at the office of the Senior Estate Surveyor (West), Property Services Agency, Department of the Environment, Block D Brooklands Avenue, Cambridge CB2 2DZ where copies may be obtained at the price of five pence (5p) for each copy.



OLD WESTON CP

BRINGTON AND MOLESWORTH CP

PLAN OF
RAF MOLESWORTH



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.