

1959 No.

MILITARY LANDS

**The Royal Radar Establishment (Pershore Airfield)
Byelaws, 1959**

Made - - - - - , 1959
Coming into Operation , 1959

The Minister of Aviation, 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 the said powers as extended by paragraph 8 of the First Schedule to the Emergency Laws (Miscellaneous Provisions) Act, 1953(c), hereby, with the consent of the Worcestershire County Council so far as regards the interference with the highway hereinafter mentioned, makes the following Byelaws for regulating the use of the Royal Radar Establishment Airfield at Pershore and for securing the public against danger arising from that use :—

Application of Byelaws

1. These Byelaws apply to the area of land used as the airfield in connection with the Royal Radar Establishment at Pershore, that is to say, the area of land (including the highway hereinafter mentioned where it crosses that area) situate in the Parishes of Throckmorton, Hill and Moor, and Wyre Piddle (all in the Rural District of Pershore in the County of Worcester), the limits of which are described in the Schedule hereto and are, for convenience of reference, delineated by a broken black line on the plan attached to these Byelaws and identified as "Plan of the Pershore Airfield", all which area of land is enclosed by a fence and is in these Byelaws referred to as "the Airfield Area".

Use of Airfield Area

2. The Airfield Area may be used in connection with the Royal Radar Establishment at Pershore for the flight of aircraft and all activities ancillary thereto and for other experimental work carried out at that Establishment.

Permanent Closing of Airfield Area to the Public

3. The whole of the Airfield Area, except the highway crossing it, that is to say the road from Pinvin to Throckmorton, shall at all times be closed to the public and all intrusion thereon and obstruction of the use thereof are prohibited.

Closing of Road

4. During such time as notice that flying is in progress is given by the closure of the road gates and the display of red lights as provided in this Byelaw, the said road from Pinvin to Throckmorton, where that road crosses the Airfield Area, shall be closed to the public as follows :—

- (a) the entire length of road which lies within the boundaries of the Airfield Area, that is to say the length of road between the road gates marked on the plan attached to these Byelaws as "Gate No. 1" and "Gate No. 3", shall be closed when both of these road gates are closed and a red light is displayed at each of them; and

(a) 55 & 56 Vict. c. 43. (b) S.R. & O. 1939/877 (Rev. XV, p. 192; 1939 II, p. 3103).
(c) 1 & 2 Eliz. 2. c. 47.

(b) that part only of the foregoing length of road which lies between the road gates marked on the said plan as "Gate No. 2" and "Gate No. 3" shall be closed when the road gate marked on the said plan as "Gate No. 1" is open but the said road gates marked as "Gate No. 2" and "Gate No. 3" are both closed and a red light is displayed at each of them.

Prohibition of Access

5.—(1) No person shall at any time—

(a) enter into or upon any part of the Airfield Area (except the road mentioned in Byelaw No. 4 hereof), or

(b) be or remain in or upon any part of the Airfield Area (except as aforesaid), or

(c) cause or permit or suffer any animal, vehicle or thing to enter into or upon or to be or remain in or upon any part of the Airfield Area (except as aforesaid).

(2) No person shall at any time, when using the road mentioned in Byelaw No. 4 hereof where that road crosses the Airfield Area—

(a) leave the roadway, or cause or permit or suffer any animal, vehicle or thing under his control to leave the roadway, or

(b) use the roadway for any purpose other than passage thereover in exercise of the public right of way.

(3) Whenever the road mentioned in Byelaw No. 4 hereof is closed to the public as therein provided, no person shall enter into or upon or be or remain in or upon the closed length of that road or cause or permit or suffer any animal, vehicle or thing to enter into or upon or to be or remain in or upon that closed length.

(4) No person shall at any time climb, damage, or in any way interfere with—

(a) any fence surrounding the Airfield Area or any part thereof, or

(b) any gate or door in any such fence, or

(c) any of the road gates referred to in Byelaw No. 4 hereof.

Offences

6.—(1) Any person doing anything prohibited by or otherwise contravening any provision of either of the preceding Byelaws Nos. 3 or 5 shall be deemed to commit an offence against the Byelaw so contravened.

(2) The persons hereby authorised to remove from the Airfield Area and to take into custody without warrant any person committing an offence against either of the said Byelaws, and to remove from the Airfield Area any animal, vehicle or thing found in that Area in contravention of either of the said Byelaws, are—

(a) The Director of the Establishment ;

(b) any officer, warrant officer, or non-commissioned officer of any of the Armed Forces, and any service policeman or Air Ministry constable or patrolman, being for the time being under the orders or control of the said Director ;

(c) any person authorised in writing under the hand of the said Director ;
and

(d) any police constable.

Exemptions

7.—(1) Nothing done by a person using the Airfield Area in pursuance of Byelaw No. 2 hereof, or by a person acting under the authority of the Director of the Establishment, or by a person acting in accordance with a permit granted by the Director of the Establishment, shall be deemed to constitute an offence against any of these Byelaws.

(2) Nothing in these Byelaws shall affect the rights of any person under any tenancy or licence agreement with the Minister of Aviation, being an agreement relating to any part of the Airfield Area.

Interpretation

8.—(1) In these Byelaws “the Director of the Establishment” means the Director for the time being of the Royal Radar Establishment.

(2) The Interpretation Act, 1889(a), shall apply to the interpretation of these Byelaws as it applies to the interpretation of an Act of Parliament.

Coming into operation, Citation

9. These Byelaws shall come into operation on the 31st day of December, 1959, and may be cited as the Royal Radar Establishment (Persnore Airfield) Byelaws, 1959.

THE SCHEDULE

LIMITS OF THE AIRFIELD AREA AT PERSHORE

The area of land affected by these Byelaws is situate in the County of Worcester. It lies between Pinvin, Throckmorton and Bishampton. Its boundary fence, which for convenience of reference is marked with a broken black line on the plan hereto annexed and identified as “Plan of the Persnore Airfield”, runs as follows (the plotting points being those shown on the said plan):—

ON THE NORTH: From Gate No. 1 on Long Lane at 971499 (approx. 950 yards East of Tilesford Bridge over Piddle Brook), thence North East for 200 yards to 973501, thence South East for 40 yards to Gate No. 2 (973500), thence North East for 450 yards to 977503, thence North North East for 250 yards to 978505, thence in a Northerly direction for 100 yards to 977505, thence East for 400 yards to 981506; and thence

ON THE EAST: From the last mentioned point South South West for 700 yards to 978500, thence South South East for 120 yards to 979499, thence in a Southerly direction to 978498 (Gate No. 3), thence in a Southerly direction for 300 yards to 978495, thence East for 65 yards to 979495, thence South East for 270 yards to 980493, thence East for 100 yards to 981493, thence South East for 350 yards to 983491, thence West for 110 yards to 982491, thence South South East for 220 yards to 983489; and thence

ON THE SOUTH: From the last mentioned point West South West for 600 yards to 978487, thence South West for 100 yards to 977486, thence West North West for 550 yards to 973487, thence South for 100 yards to 973486, thence South South West for 670 yards to 970481, thence West North West for 350 yards to 967482, thence North for 100 yards to 967483, thence North North East for 650 yards to 970488, thence in a Westerly direction for 600 yards to 964488; and thence

ON THE WEST: From the last mentioned point North North West for 530 yards to 963493, thence North East for 120 yards to 964493, thence North West for 90 yards, thence North North East for 40 yards, thence East for 30 yards to 964494, thence North North East for 200 yards to 965496, thence East for 250 yards to 967496, thence South for 300 yards to 967493,

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

thence South East for 200 yards to 969492, thence East North East for 370 yards to 972493, thence East for 110 yards to 973493, thence North North East for 200 yards to 974495, thence North for 250 yards to 973497, and thence North West for 350 yards to the starting point at 971499 on Long Lane (Gate No. 1).

Dated this day of , 1959.

An Under Secretary of the
Ministry of Aviation.

The consent of the Worcestershire County Council to the making of these Byelaws, so far as regards the restriction from time to time of the use of the highway mentioned therein, is hereby signified this day of , 1959.

Chairman.

Clerk.

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 Her Majesty.

WHERE COPIES OF BYELAWS CAN BE OBTAINED AND INSPECTED

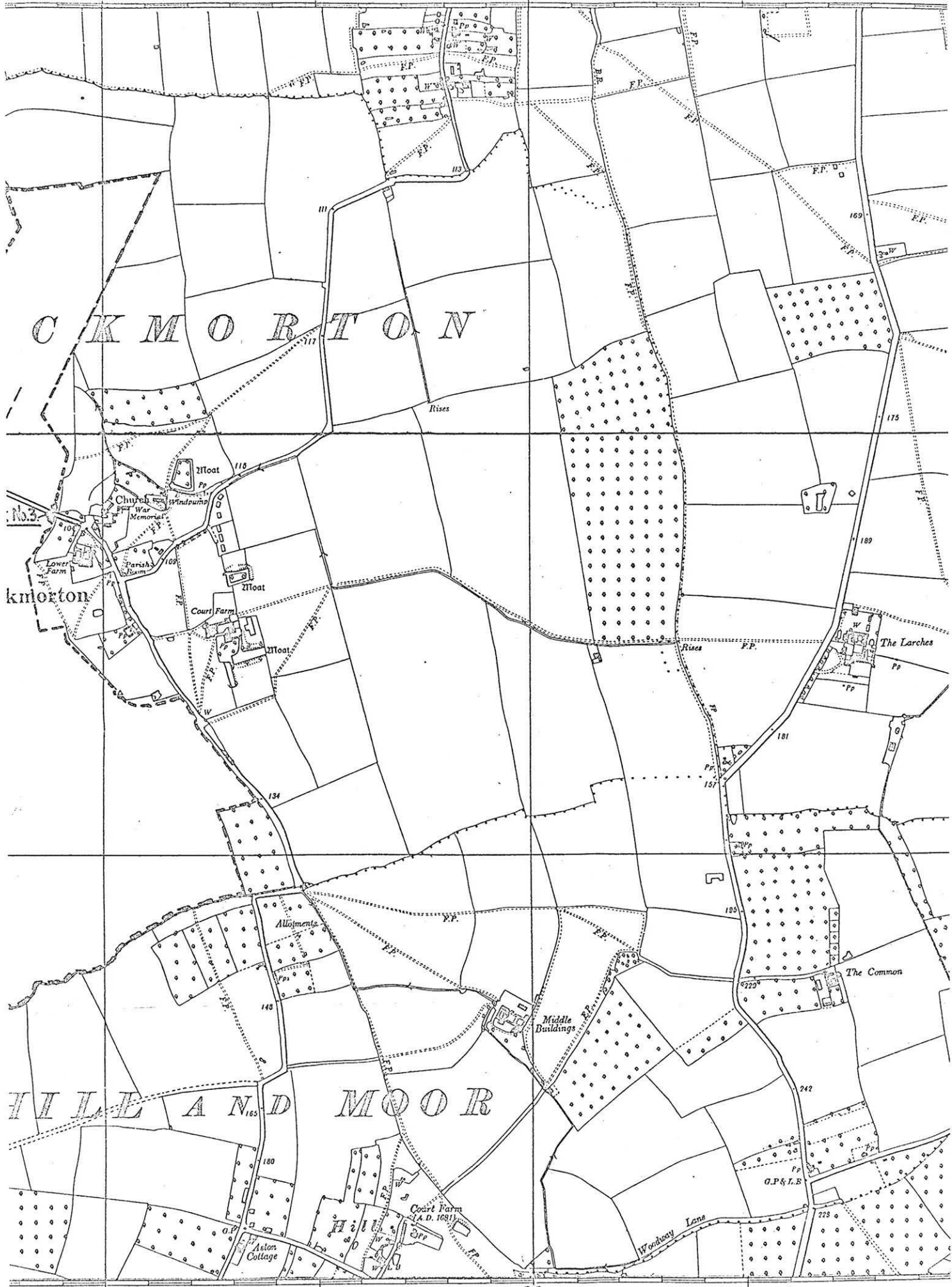
2. Copies of these Byelaws and of the plan annexed can be obtained at the price of one shilling for each copy from the Secretary, Ministry of Aviation, First Avenue House, High Holborn, London, W.C.1, (reference JZ/987/01), and can also be inspected without charge at the following places:—

the Office of the Director of the Royal Radar Establishment at Malvern ;
the Police Station at Lower Moor ;
the Offices of the Pershore Rural District Council ; and
the Offices of the Worcestershire County Council.

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1959

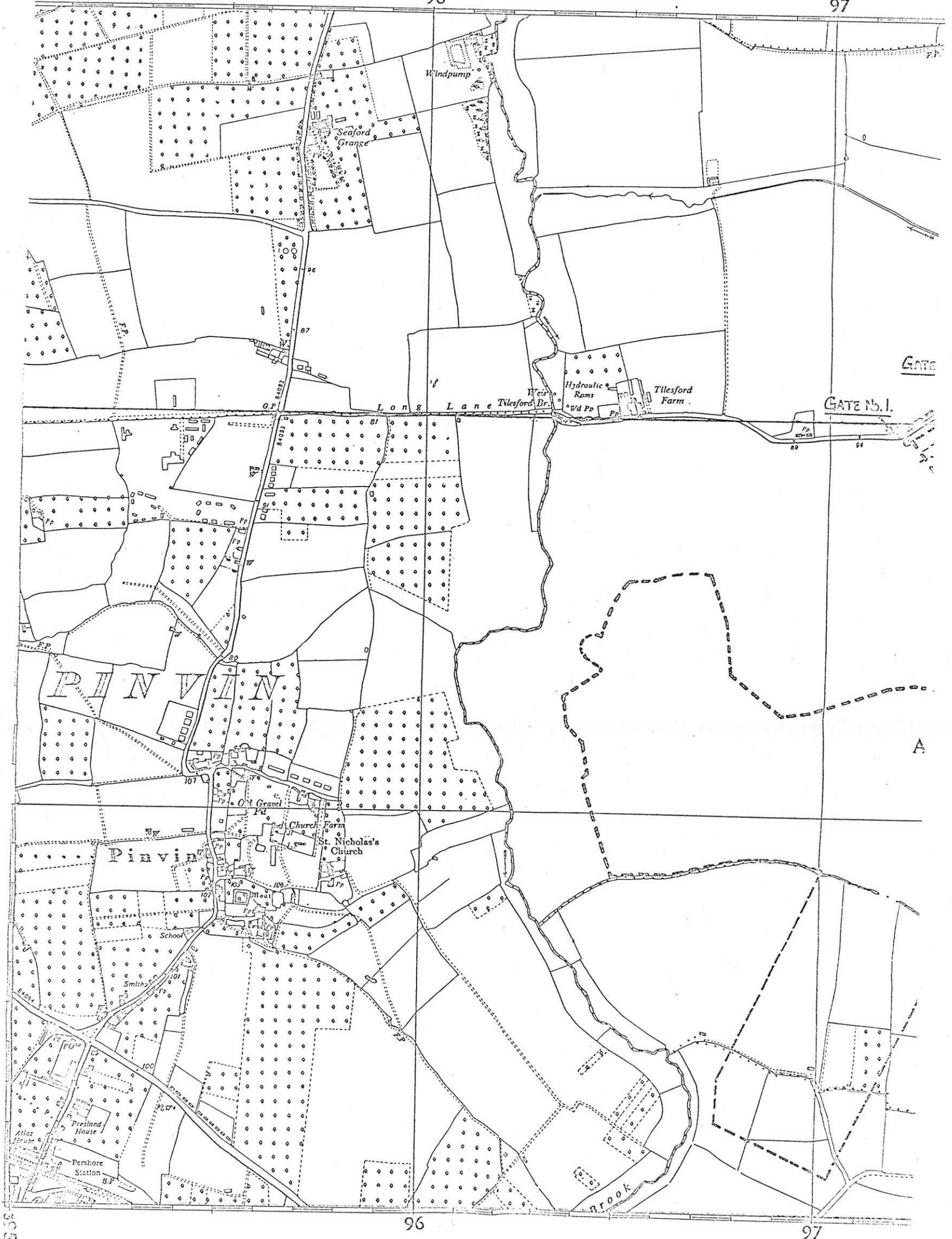
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