

CAPE WRATH
BOMBARDMENT RANGE,
SUTHERLANDSHIRE.

BYE-LAWS

Made by the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, in pursuance of the powers vested in them in that behalf by the Military Lands Acts, 1892 to 1903, and the Naval Works Act, 1895, with the consent of the Board of Trade and the County Council of Sutherland for regulating the use of the above Bombardment Range.

(As amended by Admiralty Letters M.0659/49 dated 11th April, 1949 and M.4579/49 dated 1st August, 1950).

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 GENERAL PROHIBITION

1. During such time as notice is given by the hoisting of signals in manner hereinafter provided in Bye-Law No. 3 that firing is taking place over the Bombardment Range, Cape Wrath, all intrusion on the property at Cape Wrath, hereinafter called the Land Area, and the foreshore, and sea abutting thereon, hereinafter together called the Sea Area, within the limits set out in the Schedule hereto, and all trespass and all other obstruction of the use thereof is prohibited.

LAND AND SEA AREAS AFFECTED

The Land and Sea areas affected are set out in the Schedule hereto.

OFFENCES DURING FIRING

2. While notice that firing is taking place over the Bombardment Range, Cape Wrath, is given by the hoisting of signals as provided in Bye-Law No. 3, then in respect of the land and sea area affected.

- (1) All roads and footpaths bounding, or within, the land area will be closed, and no person shall enter or remain within the land area, or the sea area, nor bring, take, nor suffer to remain therein, any vehicle, animal (except unattended sheep left grazing on the ground at their owner's risk), vessel, aircraft or thing, except as provided in Bye-Law No. 6.

- (ii) No vessel shall be employed in fishing in the sea area.
- (iii) No pleasure boat shall cruise in the sea area.
- (iv) No vessel shall anchor or remain anchored in or ground on the sea area.
- (v) No aircraft shall alight on, or remain in or travel over the sea area or land area.
- (vi) In the event of any vessel or aircraft being from any cause within the sea area, or in the case of aircraft the land area, the Master or Pilot or other person in charge thereof shall use his utmost endeavours to pass out of the sea area or land area without loss of time.

SIGNALS.

3. (i) Notice that firing is taking place is given by day, by hoisting red flags at the four extremities of the land area. The flags at the Northern extremities will be hoisted before firing takes place on any one day and hauled down on completion of all firing that day. The flags at the Southern extremities will be hoisted at half mast a quarter of an hour before firing is due to begin and will be hoisted close up when firing begins and will, subject to the provisions of Bye-Law No. 5 remain so hoisted until firing has ceased, when they will be hauled down.

(ii) By night - Notice that firing is taking place is given by night by the hoisting of two vertical red lights six feet apart at each of the four extremities of the land area. Such lights will be of an all-round character and will be visible for a distance of at least three miles; they will, subject to the provisions of Bye-Law No. 5 be exhibited for a period commencing half an hour before the commencement of firing and will be extinguished on the cessation of firing.

OFFICERS AUTHORISED.

4. Any person doing anything prohibited by or otherwise contravening Bye-Laws Nos. 1 or 2 shall be deemed to commit an offence against the Bye-Laws so contravened.

The persons hereby authorised to remove or to take into custody, without warrant, any person contravening Bye-Laws Nos. 1 or 2 or to remove any vehicle, animal, vessel aircraft or thing found on the land area or the sea area in contravention of Bye-Law No. 2 are:-

- (1) The Flag Officer Commanding Scotland and Northern Ireland.
- (2) The Senior Naval Officer in charge of the practice.
- (3) Any Naval or Army Officer or man for the time being under the command of the said Senior Naval Officer.

- (4) Any person authorised in writing under the hand of the said Senior Naval Officer, or
- (5) Any Constable.

WHEN VESSEL, OR AIRCRAFT IN DANGER.

5. While any vessel or aircraft is within the sea area or aircraft is on or over the land area, all firing will cease.

By day the red flags on the Southern extremities of the Range referred to in Bye-Law No. 3 will be half-masted to notify the Master or Pilot or other persons in charge of the vessel or aircraft that he is within the sea area or land area.

By night such notification will be conveyed by a continuous signalling by searchlight in the direction of the vessel or aircraft of the International code Group "Item Baker" ("You should keep clear of Firing Range").

EXEMPTIONS.

6. These Bye-Laws shall not apply to:-

- (a) Any vessel entering or passing through the sea area in the ordinary course of navigation.
- (b) Any vessel compelled to enter or unable to quit the sea areas by reason of the exigencies of navigation.
- (c) H.M. Ships of War, H.M. Aircraft or any vessel or aircraft employed under Admiralty or Air Ministry authority.
- (d) Any aircraft compelled to alight on or unable to quit the sea area.
- (e) Any persons using the Daill-Cape Wrath road unless stopped by a sentry.
- (f) Any vessel employed in tending, placing or replacing any channel mark buoys or other aids to navigation which may be established within the sea area.

INTERPRETATION

7. (a) "Vessel" in these Bye-Laws includes ships, yacht, lighter, boat and craft of every kind, and whether navigated by steam, motor, sail, oars or otherwise.

(b) "Aircraft" in these Bye-Laws includes all balloons, whether fixed or free, kites, airships, aeroplanes, flying boats, seaplanes and other flying machines.

DATE OF OPERATION OF BYE-LAWS

8. These Bye-Laws shall come into force at the date hereof.

SCHEDULE
DESCRIPTION OF LAND AND SEA AREAS

(1) LAND AREA.

The Land area included in these Bye-Laws extends to about 2,400 acres or thereby in the County of Sutherland, being part of the Farm of Balnakeil and comprises that portion of the Daill Hirsell within the following boundaries, viz:-

Commencing at the Shepherd's house at Daill, thence in a Westerly direction on the Northern side of the road running from the Kyle of Durness to Cape Wrath to a point Northwards of the Western shore of Loch Nam Breac, then in a North-Westerly direction to a point about the centre of Loch Inshore, thence in a Westerly direction to and along the Northern side of the said road to The Gualen, thence in a North-North-Easterly direction along the line of the fencing now existing or to be erected to a point on the coast near Gedha - Sligeach, thence following the line of the coast to the point of commencement at Daill.

(2) SEA AREA.

(a) On the West by a line drawn in a direction 013 degrees for a distance of 3.0 nautical miles from a point on the high water line in latitude 58 degrees 36' 12" North longitude 4 degrees 51' 12" West.

(b) On the East by a line drawn in a direction 033 degrees for a distance of 3.0 nautical miles from a point on the high water line in latitude 58 degrees 36' 14" North longitude 4 degrees 48' 58" West.

(c) On the North by a line joining the Northern extremities of the lines given in (a) and (b).

(d) On the South by the high water line, between the points on the high water line given in (a) and (b).

Dated this Ninth day of February, One Thousand nine hundred and thirty-three

GEOFFREY BLAKE

DUDLEY POUND

Commissioners for executing the Office
of Lord High Admiral of the
United Kingdom of Great Britain
and Ireland.

The Board of Trade hereby signify their consent to the foregoing
Bye-Laws.

WALTER RUNCIMAN

President of the Board of Trade.

The County Council of Sutherland hereby signify their consent
to the foregoing Bye-Laws so far as they are interested under Section 16(1)
of the Military Lands Act 1892.

ALFRED N. MACAULAY,

Convener.

ARCHD. ARGO.

County Clerk.

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, whether land or water, 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, vessel 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.

APPLICATION TO SEA AREA

- (2) By Section 2 (2) of the Military Lands Act 1900, it is provided:-

Where any land, the use of which can be regulated by Bye-Laws under the Military Lands Act 1892, or this Act, abuts on any sea or tidal water or where rifle or artillery practice is or can be carried on over any sea, tidal water or shore from any such land, Bye-Laws may be made in relation to any such sea, tidal water or shore as if they were part of the land.

FIRING PROGRAMME AND PUBLIC NOTIFICATION

- (3) Firing on the Bombardment Range will be carried out at such times as the Naval authorities shall direct.

At least 7 days warning of proposed practices will be notified for promulgation through the following authorities:-

Secretary of the Admiralty

Captain Thomas Elliott, Thirlestane, Lauder, Berwickshire

The Occupier, Balnakeil, Durness, Sutherlandshire

Flag Officer Scotland and Admiral Superintendent Rosyth

General Officer, Commanding in Chief, Scottish Command

Scottish Home Department, Fisheries Division, St. Andrews House
Edinburgh

Commissioners of Northern Lighthouses, 84 George Street, Edinburgh

Inspector, H.M. Coastguard, Northern Scotland Division, Wick,
Caithness

Air Traffic Control Centre Inverness (who are to be informed of the danger height for the firings so that they can issue the the necessary warnings)

Fishery Officer, Custom House, Harbour Terrace, Wick, Caithness

County Road Surveyor, Sutherlandshire County Council, Bridge House,
Brora, Sutherland

Superintendent Police Station Durness (for information of Lighthousekeeper Cape Wrath, Shepherds at Dail and Keswick and the ferryman at Dail.)

ADDITIONAL PRECAUTIONS DURING FIRING.

(4) In addition to the signals referred to in Bye-Law No.3 Sentries will be posted at the Southern extremities of the Bombardment area, together with Danger notices to warn persons who may be approaching the area.

LIVE SHELL ON THE RANGE.

(5) Persons are warned of the danger of touching live shell. Any person finding any shell should on no account touch it, but should mark its position and inform the nearest Police Officer.

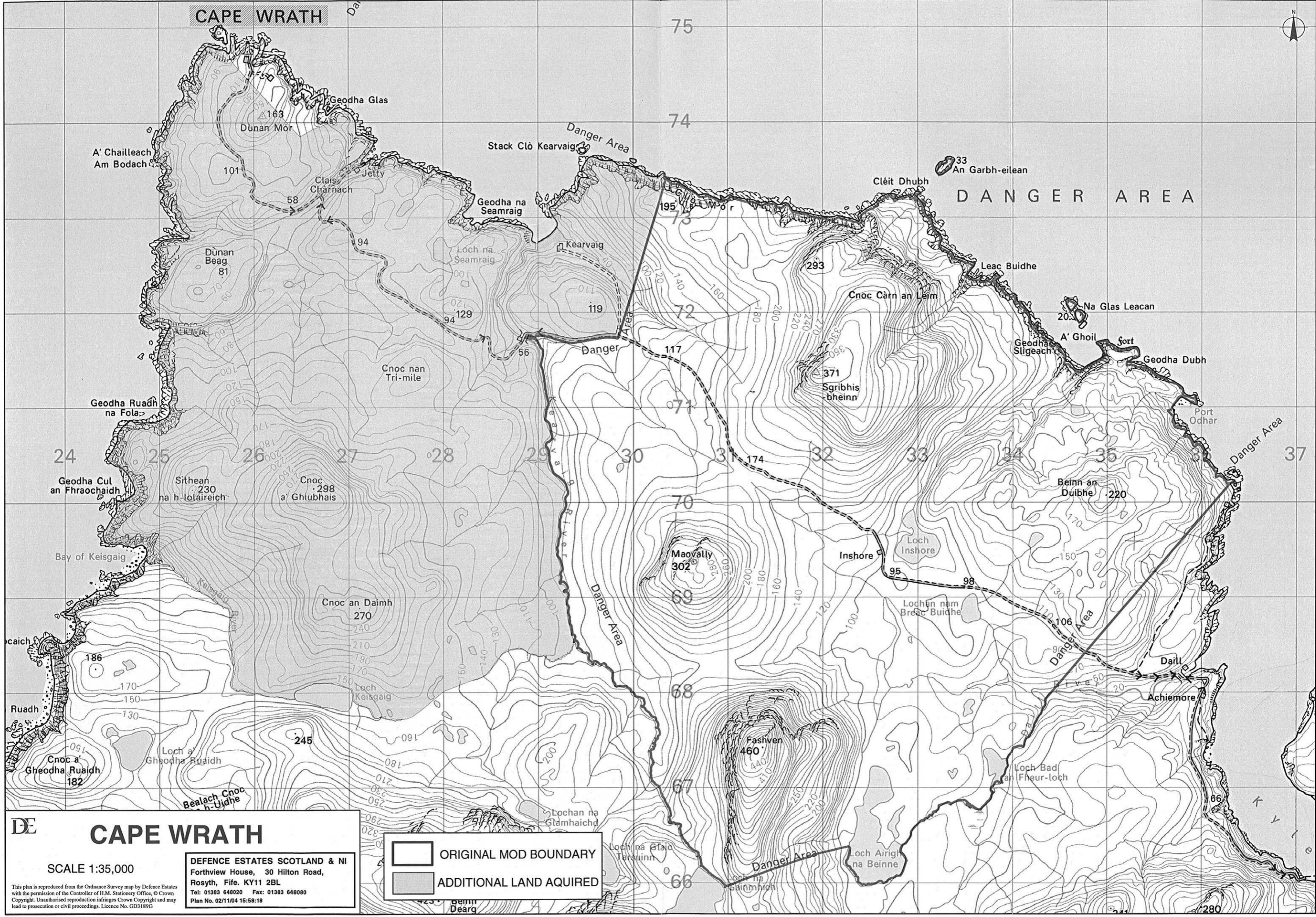
WHERE BYE-LAWS CAN BE OBTAINED.

(6) Copies of these Bye-Laws can be obtained at the Office of the Legal Adviser to the Admiralty in Scotland, 26 Alva Street, Edinburgh.2.

WHERE PLAN OF BOMBARDMENT RANGE CAN BE INSPECTED.

(7) A plan and chart showing the land and sea areas of the Bombardment Range and the position of the flagstaffs can be inspected at the Office of the Legal Adviser to the Admiralty in Scotland, 26 Alva Street, Edinburgh.2.

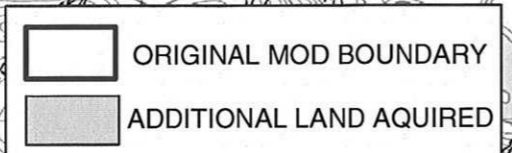
CAPE WRATH



DE **CAPE WRATH**

SCALE 1:35,000

DEFENCE ESTATES SCOTLAND & NI
Forthview House, 30 Hilton Road,
Rosyth, Fife. KY11 2BL
Tel: 01383 648020 Fax: 01383 648080
Plan No. 02/11/04 15:58:18



ORIGINAL MOD BOUNDARY

ADDITIONAL LAND ACQUIRED

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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.