

STATUTORY INSTRUMENTS

1960. No. 1846

ROYAL NAVY
LOCH LONG TORPEDO RANGE
BYELAWS

1960

Made - 5th September, 1960

Coming into operation - 20th December, 1960

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The Admiralty in exercise of the powers conferred upon them by Part II of the Military Lands Act, 1892^(a), section two of the Military Lands Act, 1900^(b), and section seven of the Land Powers (Defence) Act, 1958^(c), and of all other powers enabling them in that behalf, hereby, with the consent of the Minister of Transport, make the following Byelaws:-

Application of Byelaws

1.—(1) The danger area to which these Byelaws apply (hereinafter referred to as 'the Danger Area') consists of —

- (a) an area of sea, foreshore and land (hereinafter referred to as 'Sub-Area A') situated in and bordering on Loch Long (hereinafter referred to as 'the Loch') in the counties of Argyll and Dunbarton; and
- (b) an area of sea and foreshore (hereinafter referred to as 'Sub-area B') situated in the Loch.

(2) The Limits of Sub-area A and Sub-area B are respectively set out in Parts I and II of the Schedule to these Byelaws, and, for the purpose of approximate identification only, in the Plan annexed thereto.

Use of the Danger Area

2. The Danger Area may be used for running uncharged torpedoes, and for all activities ancillary to such running, during the following periods:-

(a) 55 & 56 VICT C.43

(b) 63 & 64 VICT C.56

(c) 6 & 7 ELIZ 2 C.30

- (a) in the case of Sub-area A, from half past eight o'clock to half past eleven o'clock in the morning, and from half past one o'clock to four o'clock in the afternoon, on Mondays to Fridays (both days inclusive);
- (b) in the case of Sub-area B, during such periods as the officer in charge of the range may determine on any day except –
 - (i) Sundays, and
 - (ii) Saturday afternoons from the fifteenth day of June to the fifteenth day of September (both days inclusive) in any year.

Prohibition of Access

3.—(1) During any period when notice of the use of any sub-area of the Danger Area is given by the display of the signals appropriate to that sub-area, as described in heads (a), (b) or (c) of the next following Byelaw, that sub-area shall, subject to the following provisions of this Byelaw, and to Byelaw No. 8, be closed to the public.

(2) Subject as aforesaid, when any sub-area is closed to the public under the foregoing paragraph of this Byelaw no person shall—

- (a) enter into or upon, or pass over or through, that sub-area,
or
- (b) be or remain in or upon or over that sub-area, or
- (c) cause or permit any vehicle, animal, vessel, aircraft or other thing whatsoever to enter into or upon, or to pass over or through, or to be or remain in or upon or over, that sub-area.

(3) Notwithstanding anything in the foregoing provisions of this Byelaw, during any period when notice is given, by the display of the signals appropriate to a sub-area, as described in head (c) of the next following Byelaw, that the use of that sub-area is temporarily suspended otherwise than under Byelaw No. 5, any person having occasion to enter into or upon, or to pass over or through, that sub-area may do so, but shall do so, and proceed out of the sub-area, with all reasonable speed and shall keep well clear of any target in the sub-area; and while any person is in, on or over any sub-area by virtue of this paragraph, the last foregoing paragraph shall not apply in relation to him.

Signals

4. Notice of the use of any sub-area of the Danger Area shall be given by the display of the following flag signals on masts on the line of targets at the north-eastern and south-western extremities of that sub-area; on masts on any intervening targets; and at the range head when sub-area A is in use:-

- (a) when the running of torpedoes in the sub-area in question is about to begin, and when such running is suspended under the next following Byelaw, red flags will be displayed half-way up;
- (b) when such running as aforesaid is actually in progress, red flags will be displayed at mast-head;
- (c) when such running as aforesaid is temporarily suspended otherwise than under the next following Byelaw, white flags will be displayed at mast-head.

Warning to vessels, aircraft or persons in danger

5. When any vessel, aircraft or person is within or over a closed area (being a closed area the use of which is not temporarily suspended as mentioned in paragraph (c) of the last foregoing Byelaw) the running of torpedoes in that area shall be suspended until the vessel, aircraft or person is clear of the area, and the person, or, as the case may be, the master or pilot or other person in charge of the vessel or aircraft, shall be warned by the use of patrol craft or loud hailers that he or his vessel or aircraft is within or over a closed area.

Recovery of torpedoes

6.-(1) No person shall dig, trawl, dredge or search for any torpedo on or in the Danger Area, or interfere with or take or retain or be in possession of, any torpedo found on or in the Danger Area, or remove any torpedo from the Danger Area.

(2) Any person who finds a torpedo within the Danger Area shall not disturb it, but shall at the first opportunity report the finding of it to the officer in charge of the range, to a police constable or to a coastguard.

(3) Any person who, when trawling or dredging in water within the Danger Area, comes into possession of a torpedo found within the Danger Area, he shall not retain it, but shall immediately, and without tampering with it, return it in its then condition into the water, and shall at the first opportunity report

to the officer in charge of the range or to a police constable or to a coastguard the position where the torpedo was returned into the water.

Offences

7.—(1) Subject to the next following Byelaw, any contravention of any provision of Byelaw No. 3 or the last foregoing Byelaw shall be an offence against the Byelaw in question.

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

- (a) The Flag Officer, Scotland;
- (b) the officer in charge of the range;
- (c) any officer, warrant officer, non-commissioned officer or Admiralty constabulary officer for the time being under the command of any of the above-mentioned officers;
- (d) any person authorised in writing by or on behalf of any of the above-mentioned officers; and
- (e) any police constable.

Exemptions

8.—(1) Nothing done by a person using the Danger Area in pursuance of Byelaw No. 2, or by a person acting under and in accordance with any authority or permission given by or on behalf of the Flag Officer, Scotland, or the officer in charge of the range shall be an offence against any of these Byelaws.

(2) These Byelaws shall not apply to—

- (a) any regular advertised passenger steamer or one whose probable time of arrival at Arrochar has been duly notified in writing to the Officer in Charge of the Torpedo Range; or ferry boats wishing to cross the range from one side of the Loch to the other
- (b) any aircraft passing over the area in the ordinary course of air navigation;

- (c) any vessel or aircraft which for the time being is compelled to enter a closed area, or being in a closed area is unable to proceed to a place not in a closed area, by reason (in either case) of the exigencies of navigation;
- (d) any vessel employed in tending, placing or replacing any channel mark, buoy or other aid to navigation within a closed area;
- (e) any of Her Majesty's ships of war or aircraft, or any vessel or aircraft employed under Admiralty or Air Council authority;
- (f) any wreck marking vessel or vessel employed in placing or removing wreck markings;
- (g) any hopper employed in depositing dredged material or refuse, or any tug attendant on any such hopper;
- (h) any vessel engaged in carrying out trials or adjusting compasses or other like operations, or proceeding to, or returning from, such operations, provided due notice has been given to the officer in charge of the range;
- (i) any unoccupied vessel in respect of which a permit issued by the officer in charge of the range is in force, or which is permitted by that officer, verbally or in writing, to remain within a mooring area situated on the north-west part of Sub-area A in the vicinity of Ardgarten Cottage, the limits of which mooring area as shown in green pecked line on the plan annexed to these Byelaws, shall be marked by buoys or such other manner as the said officer shall consider suitable.

Interpretation

9.—(1) In these Byelaws the following expression shall, unless the context otherwise requires, have the meanings assigned to them respectively, that is to say—

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

'closed area' means any part of the Danger Area for the time being closed to the public under Byelaw No. 3, either absolutely or subject to the limited right of access specified in paragraph (3) of that Byelaw;

'the Danger Area' has the meaning assigned to it by Byelaw No. 1;

'the line of targets' means the line (being approximately the mid-line of the Danger Area) on which the targets used in connection with the running of torpedoes in the Danger Area are for the time being moored;

'the Loch' has the meaning assigned to it by Byelaw No. 1;

'the officer in charge of the range' means the officer for the time being in charge of the Royal Naval Torpedo Range Establishment at Arrochar, or any other officer or person in authority under the command of that officer;

'sub-area' means one or other of the sub-areas defined by Byelaw No. 1 of, and the Schedule to, these Byelaws;

'vessel' includes any craft or vessel used in navigation and any craft or vessel which though not so used is for the time being waterborne.

(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, and as if these Byelaws, and any Byelaw revoked thereby, were Acts of Parliament.

Commencement and revocation

10.—(1) These Byelaws shall come into operation on the 20th day of December nineteen hundred and sixty and may be cited as the Loch Long Torpedo Range Byelaws, 1960.

(2) The Byelaws made by the Admiralty in respect of the Royal Naval Torpedo Range at Arrochar on the thirty-first day of May, nineteen hundred and ten, and on the fourteenth day of July, nineteen hundred and twenty-six, are hereby revoked.

Dated this 26th day of August, 1960.

Signed on behalf of the Commissioners for executing the office of Lord High Admiral of the United Kingdom of Great Britain and Ireland,

NIGEL J. ABERCROMBIE,
Under Secretary.

The consent of the Minister of Transport to the making of these Byelaws is hereby signified, this 5th day of September, 1960.

D. C. HAZELGROVE,
*An Under Secretary of the Ministry
of Transport.*

SCHEDULE
PART I

1. The limits of Sub-area A are as follows:-
 - (a) a straight line running from Point A to Point B;
 - (b) a straight line running from the last-mentioned point to Point C;
 - (c) a line running parallel with, and ten feet above, the high-water line on the south-east side of the Loch from the last-mentioned point to Point D;
 - (d) a straight line running from the last-mentioned point to Point E;
 - (e) a line running from the last-mentioned point along the high-water line, and, where adjacent, the protecting wall on the foreshore of Ardmay House on the south-east side of the Loch to Point F;
 - (f) a straight line running from the last-mentioned point to Point G;
 - (g) a straight line running from the last-mentioned point to Point H;
 - (h) a straight line running from the last-mentioned point to Point I;
 - (i) a straight line running from the last-mentioned point to Point J;
 - (j) a straight line running from the last-mentioned point to Point K;
 - (k) a line running from the last-mentioned point along the high-water line on the north-west side of the Loch to Point A.

2. For the purposes of approximate identification only the limits of Sub-area A are marked with a heavy red line on the plan annexed to these Byelaws.

PART II

3. The limits of Sub-area B are as follows:-

- (a) straight line running from Point H to Point L;
- (b) a line running from the last-mentioned point along the low-water line on the west side of the Loch to Point M;
- (c) a straight line running from the last-mentioned point to Point I;
- (d) a straight line running from the last-mentioned point to Point H.

4. For the purposes of approximate identification only the limits of Sub-area B are marked with a heavy green line on the plan annexed to these Byelaws.

PART III

5. In this Schedule references to the high-water line and the low-water line at any part of the Loch are references respectively to the high-water line and the low-water line at ordinary spring tides at that part of the Loch, and references to Points A to M are references respectively to the points indicated by latitude and longitude opposite those letters in the following Table:-

Letter	Latitude	Longitude
A	56° 11' 49"N	4° 45' 49.6"W
B	56° 11' 41.4"N	4° 45' 24"W
C	56° 11' 20"N	4° 45' 45"W
D	56° 11' 16"N	4° 45' 53"W
E	56° 11' 16"N	4° 45' 53"W
F	56° 11' 13.5"N	4° 46' 4.5"W
G	56° 11' 13.5"N	4° 46' 10.5"W
H	56° 10' 02"N	4° 47' 22"W
I	56° 10' 6.8"N	4° 47' 36.5"W
J	56° 11' 13.2"N	4° 46' 26"W
K	56° 11' 13"N	4° 46' 36"W
L	56° 07' 46"N	4° 49' 40"W
M	56° 08' 18"N	4° 49' 33"W

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.

APPLICATION TO SEA AREA

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

Where any land, the use of which can be regulated by Byelaws 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, Byelaws may be made in relation to any such sea, tidal water, or shore, as if they were part of the land.

- (b) By Section 7 of the Land Powers (Defence) Act, 1958, it is provided:-

Where in the case of any area of sea, tidal water or shore used or to be used for defence purposes by one of the following Ministers, that is to say, a Secretary of State, the Admiralty or the Minister of Supply, being an area lying wholly or partly within the territorial waters of the United Kingdom, it appears to that Minister to be necessary or expedient to make provision for regulating the use of that area for those purposes, or for securing the public against danger arising from that use, the powers conferred by sub-section (2) of section two of the Military Lands Act, 1900, (which enables byelaws to be made in relation to such areas where they abut on, or are subject to rifle or artillery practice from land appropriated or used for defence purposes) shall be exercisable in relation to the area in question whether or not it abuts on or is subject to such practice from any such land.

INSPECTION OF BYELAWS AND PLAN

3. (a) A copy of these Byelaws and a plan showing the danger area may be inspected at the office of the range officer, R.N. Torpedo Range, Arrochar, where copies of the Byelaws may also be obtained. (Price 1s.)

STATUTORY INSTRUMENT

1972 No. 1752

DEFENCE

The Loch Long Torpedo Range Byelaws 1960 (Amendment)

Made 26 October 1972

Coming into operation 15 January 1973

The Secretary of State for Defence in exercise of his powers under Part II of the Military Lands Act 1892 (a), Section 2 of the Military Lands Act 1900 (b), Section 2 of the Defence (Transfer of Functions) Act 1964 (c) and of all other powers enabling him in that behalf hereby, with the consent of the Secretary of State for Trade and Industry, makes the following amendment to the Loch Long Torpedo Range Byelaws 1960.

Byelaw No. 2 Use of the Danger Area

for paragraph (a) there shall be substituted the following paragraph:-

- (a) In the Case of Sub Area A, from 0730 hours to 1130 hours and from 1330 hours to 1600 hours on Monday to Friday (both days inclusive);

Dated this 26th day of September 1972

(Signed) D J CHAPMAN

By order of the Secretary of State for Defence

The Secretary of State for Trade and Industry hereby consents to the making of this amendment.

Dated this 26th day of October 1972

(Signed) J N ARCHER

An Under Secretary of the Department of Trade and Industry

(a) 55 & 56 VICT C.43

(b) 63 & 64 VICT C.56

(c) 1964 C.15

EXPLANATORY NOTE

(This Note is not part of the Byelaw)

The purpose of this amendment is to change the times at which firing may take place.