



# **The Tregantle Ranges Byelaws 1982**

**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 ranges.**

## DEFENCE

### THE TREGANTLE RANGES BYELAWS 1982

Made 7th October 1982

Coming into operation 6th January 1983

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 7 of the Land Powers (Defence) Act 1958(c) and of all other powers enabling him in that behalf, and the consent of the Crown Estate Commissioners on behalf of Her Majesty having been first had and obtained for that purpose, hereby with the consent of the Secretary of State for Trade makes the following byelaws:

#### AREAS OF LAND AND SEA AFFECTED

- 1.—(1) The area to which these byelaws apply shall be:
  - (a) the lands belonging to the Secretary of State in the Parishes of Antony and Shevioc in the County of Cornwall known as the Tregantle Ranges (in these byelaws referred to as the “Land Area”), and
  - (b) the area of sea, tidal water and shore the limits of which are set out in the Schedule hereto (in these byelaws referred to as the “Sea Area”).
- (2) For the purpose of these byelaws,
  - (a) the “Eastern Danger Area” shall mean and comprise those parts of the Land Area and Sea Area hatched black on the plans annexed hereto and identified as “Plans of the Tregantle Ranges”;
  - (b) the “Western Danger Area” shall mean and comprise the Land Area and Sea Area other than the Eastern Danger Area.
- (3) The Eastern Danger Area and the Western Danger Area are hereinafter together referred to as the “Danger Areas”. The boundaries and the limits of the Danger Areas are for convenience of identification shown by a thick black line on the said plans.

## USE OF DANGER AREAS

2. The Danger Areas may be used for the military firing of pistols, carbines, rifles, machine guns, hand grenades, rifle grenades, other small arms and pyrotechnics and for all activities ancillary to such firing.

## PROHIBITION OF ACCESS

3.—(1) When either of the Danger Areas is being used for any of the military purposes specified by byelaw 2, no person shall:

- (a) enter or be in that Danger Area;
- (b) cause or permit any vehicle, animal, vessel or thing to enter, pass over or remain in that Danger Area;
- (c) cause or permit any aircraft to fly over that Danger Area at a height less than 800 feet (244 metres) above mean sea level.

(2) Whilst the Eastern Danger Area is being used for any of the said purposes notice of the fact shall be given by the display of a red flag by day and a red light by night hoisted:

- (a) at a place near C Range access gate and approximately 130 metres south-south-west of boundary stone No 7 (Latitude 50°21.22' North, Longitude 04°15.92' West) designated on the attached plans as Flag A;
- (b) at a place approximately 85 metres north east of boundary stone No 2 (Latitude 50°21.16' North, Longitude 04°16.05' West) designated on the attached plans as Flag B.

(3) Whilst the Western Danger Area is being used for any of the said purposes notice of the fact shall be given by the display of a red flag by day and a red light by night hoisted:

- (a) at a place approximately 55 metres north-west of the stop butts of C Range approximately 310 metres south-west of Fort Tregantle (Latitude 50°21.22' North, Longitude 04°16.28' West) designated on the attached plans as Flag C;
- (b) at a place on the cliff edge approximately 30 metres west of the stop butts of F Range (Latitude 50°21.37' North, Longitude 04°16.82' West) designated on the attached plans as Flag D;
- (c) at a place situated midway between the stop butts of F and G Ranges, approximately 630 metres west of Fort Tregantle (Latitude 50°21.42' North, Longitude 04°16.78' West) designated on the attached plans as Flag E;
- (d) at a place on the north-west wall of Fort Tregantle (Latitude 50°21.45' North, Longitude 04°16.20' West) designated on the attached plans as Flag F;

- (e) at a place on the south-west wall of Fort Tregantle (Latitude 50°21.38' North, Longitude 04°16.18' West) designated on the attached plans as Flag G.

### PROJECTILES

4. No person shall search for, interfere with, take or be in possession of any projectile or other thing used for military purposes.

### GOVERNMENT STORES

5. No person shall interfere with or remove from the Danger Areas any stores or articles belonging to or under the care or control of the Secretary of State for Defence or otherwise the property of the Crown.

### ENFORCEMENT

6. The following persons are authorised to remove from the Danger Areas and to take into custody without warrant any person committing an offence against byelaws 3, 4 or 5 and to remove from the Danger Areas any vehicle, animal, vessel or thing found in the Danger Areas in contravention of any of the said byelaws:

- (a) the Commander of the Army District;
- (b) the Officer in Charge of the Tregantle Ranges;
- (c) any—
  - (i) officer, warrant officer, non-commissioned officer or rating of corresponding rank;
  - (ii) service policeman;
 in uniform and being for the time being under the Command of the said Commander or the Officer in Charge of the Tregantle Ranges;
- (d) any public officer, being a Crown servant, authorised in writing by or on behalf of the said Commander or the Officer in Charge of the Tregantle Ranges;
- (e) any member of a police force;
- (f) any special constable under the control of the Secretary of State for Defence.

### EXEMPTIONS

7.—(1) Nothing done by a person using the Danger Areas in pursuance of byelaw 2 or by a person acting under and in accordance with any authority or permission given by or on behalf of the Secretary of State or the Commander of the Army District or the Officer in Charge of the Tregantle Ranges shall constitute an offence against any of these byelaws.

(2) It shall be a defence for any person charged with a contravention of byelaw 3(1) to prove that his failure to comply was due to a cause not avoidable by the exercise of reasonable care.

(3) These byelaws shall not in so far as they relate to the Sea Area apply to:

- (a) any vessel not being used for fishing in the Sea Area passing through the Sea Area in the ordinary course of navigation and remaining in the Sea Area no longer than is reasonably necessary to pass through the Sea Area;
- (b) any vessel employed in tending, placing, replacing or removing any buoys or other aids to navigation within the Sea Area;
- (c) any wreck-marking vessels, hoppers and vessels carrying out trials or compass adjustment;
- (d) any vessel belonging to the Corporation of Trinity House whilst employed on any Trinity House duty or service;
- (e) any vessel for the time being engaged in the clearance of floating oil in the Sea Area or purposes connected therewith;
- (f) any vessel for the time being engaged in giving assistance to persons or to any other vessel at sea.

#### OFFENCES

8. Subject to the provisions of byelaw 7:

- (a) any person who contravenes or fails to comply with the provisions of byelaws 3, 4 or 5 or
- (b) any master of a vessel who fails to take all reasonable measures to ensure that any of its passengers or crew complies with the provisions of the said byelaws

shall be guilty of an offence and liable, on conviction, to the penalties specified in section 17 of the Military Lands Act 1892.

#### INTERPRETATION

9. In these byelaws the expression:

“projectile” means any shot or shell or other missile and any portion thereof;

“master” means the person having command or charge of a vessel for the time being;

“vessel” means every description of water craft, including non-displacement craft and seaplanes (while on the water), used or capable of being used as a means of transportation on water;

“aircraft” means any craft or contrivance which is for the time being airborne.

## COMMENCEMENT, CITATION AND REVOCATION

10.—(1) These byelaws shall come into operation on 6th January 1983, and may be cited as the Tregantle Ranges Byelaws 1982.

(2) The byelaws in respect of the Tregantle Ranges dated the 10th day of February 1940(d) are hereby revoked.

## THE SCHEDULE

The limits of the Sea Area are as follows:

### ON THE NORTH-EAST

Commencing at a point on the line of Mean High Water, in Latitude  $50^{\circ}21.48'$  North Longitude  $04^{\circ}17.73'$  West, about 30 metres east of the eastern entrance point of Oldhouse Cove, along the line of Mean High Water in a generally east-south-easterly direction for a distance of approximately 1.1 nautical miles to a point at the foot of Tregantle Cliff, 36 metres west of boundary stone No 1, in Latitude  $50^{\circ}21.10'$  North, Longitude  $04^{\circ}16.15'$  West; thence

### ON THE SOUTH-EAST

From the last mentioned point on a true bearing of  $229^{\circ}$  for a distance of 1.45 nautical miles in alignment with the two poles at Latitude  $50^{\circ}21.29'$  North, Longitude  $04^{\circ}15.80'$  West, and Latitude  $50^{\circ}21.13'$  North, Longitude  $04^{\circ}16.10'$  West, to a point in Latitude  $50^{\circ}20.15'$  North, Longitude  $04^{\circ}17.87'$  West; thence

### ON THE SOUTH-WEST

From the last mentioned point on a true bearing of  $326^{\circ}$  for a distance of 1.01 nautical miles in alignment with the two poles at Latitude  $50^{\circ}21.82'$  North, Longitude  $04^{\circ}19.63'$  West and Latitude  $50^{\circ}21.72'$  North, Longitude  $04^{\circ}19.53'$  West, to a point in Latitude  $50^{\circ}20.98'$  North, Longitude  $04^{\circ}18.75'$  West; thence

### ON THE WEST

From the last mentioned point on a bearing true North for a distance of 0.43 nautical miles to a point in Latitude  $50^{\circ}21.42'$  North, Longitude  $04^{\circ}18.75'$  West; thence

### ON THE NORTH

From the last mentioned point on a true bearing of  $084^{\circ}$  for a distance of 0.65 nautical miles in alignment with the two poles at Latitude  $50^{\circ}21.51'$  North, Longitude  $04^{\circ}17.32'$  West and Latitude

50°21.51' North, Longitude 04°17.37' West, to the point of commencement in Latitude 50°21.48' North, Longitude 04°17.73' West.

Dated October 7th 1982

(Signed) Jerry Wiggin  
Parliamentary Under Secretary of State for the Armed Forces

The Secretary of State for Trade hereby consents to the making of these byelaws.

Dated 24th September 1982

(Signed) D. N. Byrne  
An Under Secretary of the Department of Trade

#### 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 92 of and Schedule 3 to the Criminal Justice Act 1967, 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 TWENTY 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.

#### WARNING TO VESSELS IN DANGER AREAS

2. If any vessel is within either of the Danger Areas when it is being used for any of the military purposes specified in byelaw 2 an

additional red flag by day and an additional red light by night may be hoisted below the flags and lights described in byelaw 3 in order to notify the master of the vessel that his vessel is within the Danger Area. The additional red flag by day and additional red light by night may also be hoisted half an hour before firing is due to start in order to notify masters of vessels in the vicinity of the Danger Areas that firing will shortly take place.

### FACILITIES TO FISHERMEN

3. The Tregantle Range Staff will afford to fishermen in pursuit of their occupation every facility consistent with the carrying out of firing on the ranges. Up-to-date information on firing programmes may be obtained from the Head Range Warden, Tregantle, telephone Plymouth 822516, or from the telephone answering service on Plymouth 701924. There is no restriction on fishing in the Sea Danger Area when it is not being used for any of the military purposes specified in byelaw 2.

### PUBLIC ACCESS

4. Public access will ordinarily be allowed to the footpath to Longsands Beach across C Range identified on the "Plan of the Tregantle Ranges (Land Area)" when firing is not taking place on that range. When either the Eastern or Western Danger Area is in use for the military purposes specified in byelaw 2, access to the beach within that Danger Area is prohibited. There is no restriction on public access to those sections of beach when the Danger Areas of which they are part are not in use for military purposes.

### INSPECTION OF BYELAWS AND PLAN

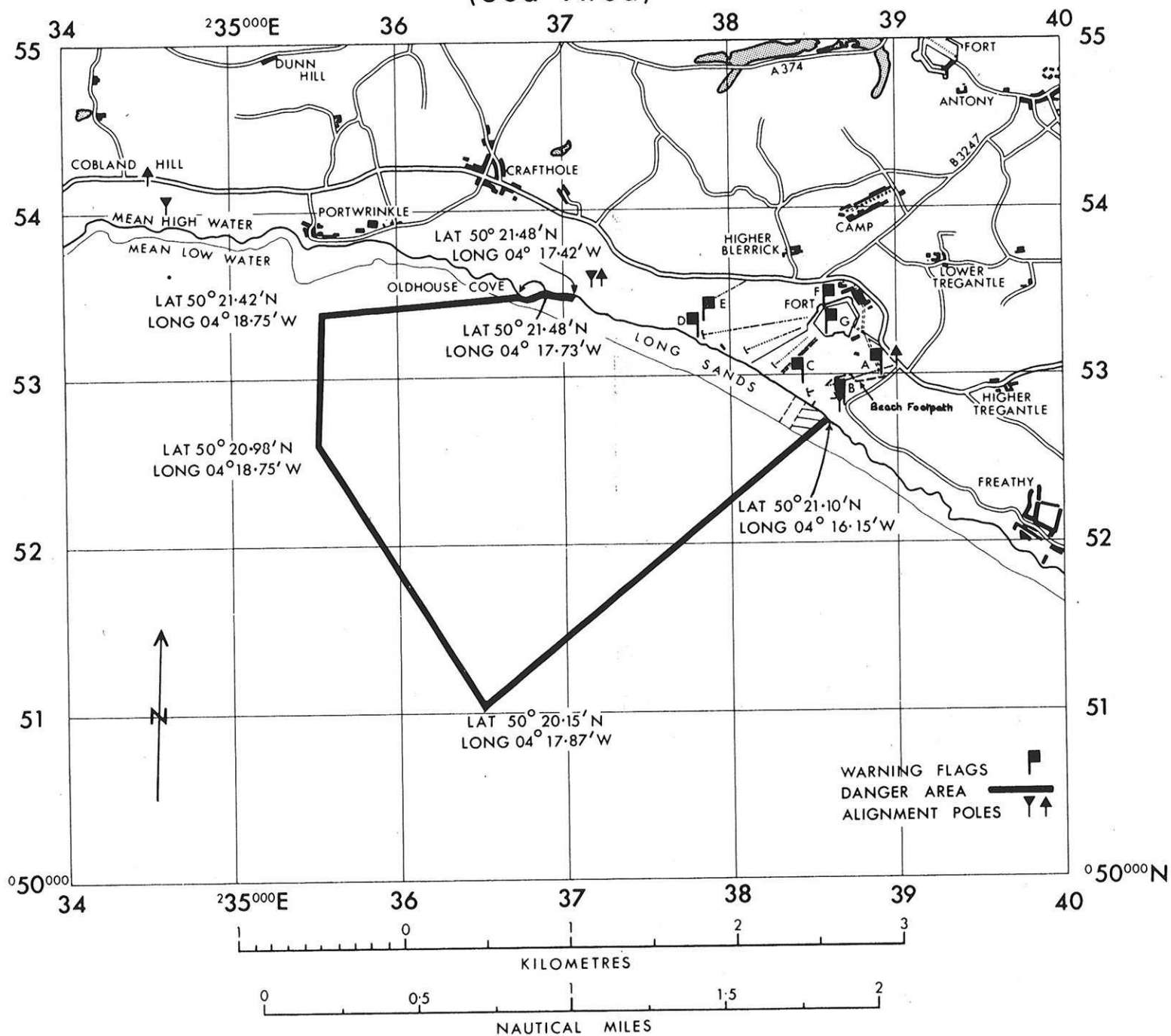
5. A copy of these byelaws and plans showing the Danger Areas may be inspected at the Police Stations at Torpoint and Liskeard, and at the Headquarters South West District, Bulford Camp, Salisbury, Wilts. They may also be inspected at the Office of the Senior Estate Surveyor, Property Services Agency, Department of the Environment, Pilgrim House, 17 Derry's Cross, Plymouth, PL1 2SW where copies of the byelaws may be obtained at the price of five pence (5p) for each copy.

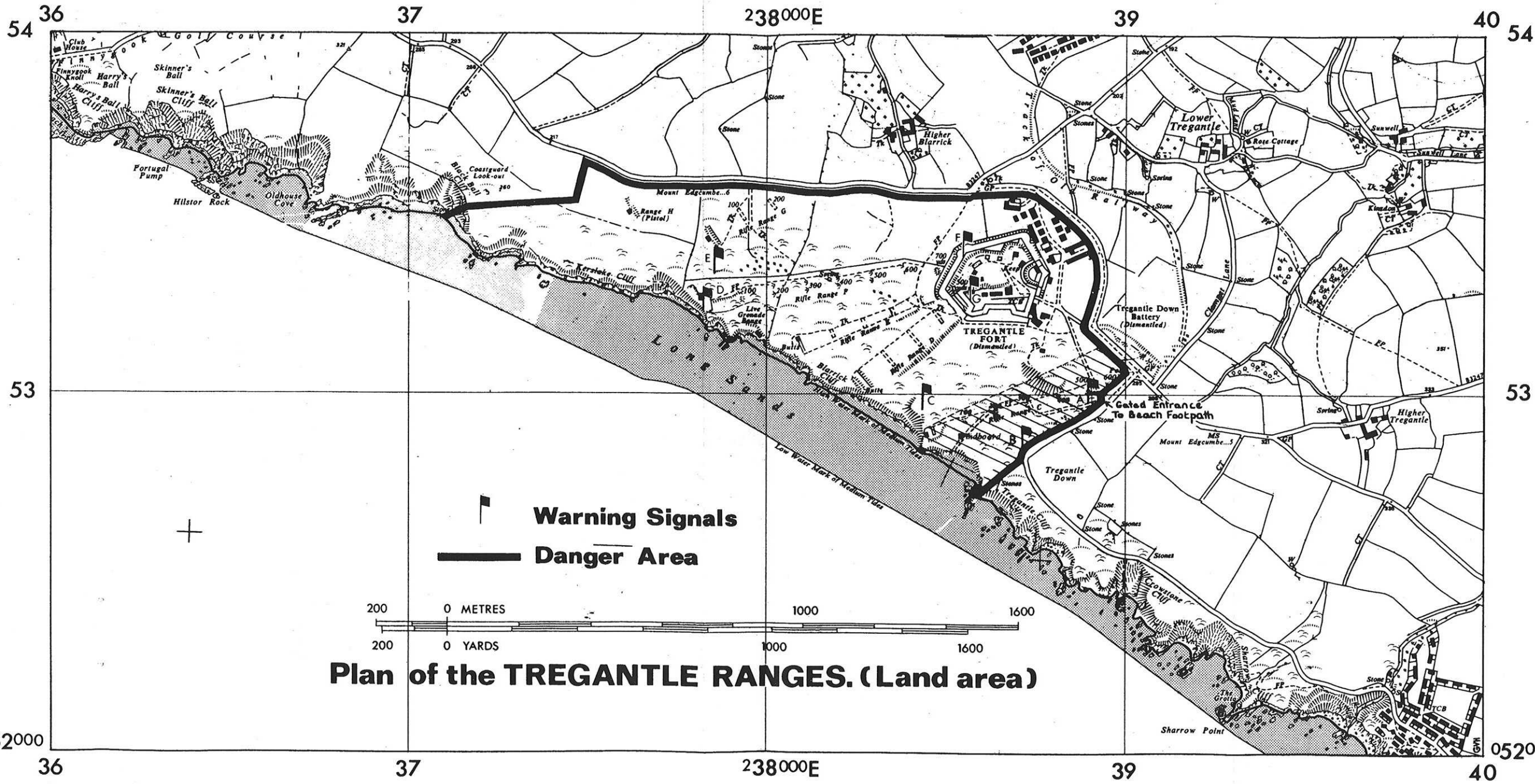
### RECOVERY OF PROJECTILES

6. Any person who finds a projectile within the Land Area, or within that part of the Sea Area which is for the time being uncovered by the tide, must not disturb it but should report the finding of it to the Officer in Charge of the Tregantle Ranges or to the police or to HM Coastguard at the first opportunity. Any person, who, when trawling or dredging in the Sea Area, comes



# PLAN OF THE TREGANTLE RANGES (Sea Area)





**Plan of the TREGANTLE RANGES. (Land area)**

into possession of a projectile found within the Sea Area must not retain it but should immediately and without tampering with it return it in its then condition into the water and report to the Officer in Charge of the Tregantle Ranges or the police or to HM Coastguard the position where the projectile was returned into the water.

### PUBLIC NOTIFICATION OF FIRING

7. Public Notification that firing will take place will be given by sending notices, not less than seven clear days before the day or night of firing, giving particulars of the intended date, time and duration of the firing to the following persons and authorities:

The Clerk to the Antony Parish Council, Pengelly House, Wilcove, Torpoint, Cornwall.

The Clerk to the Sheviocck Parish Council, 6 Cross Park, Craffhole, Torpoint, Cornwall.

The Queen's Harbour Master, Longroom Port Control Station, Stonehouse, Plymouth, Devon PL1 3RT.

The Senior Pilot, Trinity House, 2 Barbican, Plymouth, Devon.

The Dock Manager, Millbay Docks, Plymouth, Devon.

The Harbour Master, Sutton Harbour Improvement Co, Guy's Quay, Barbican, Plymouth, Devon.

The Harbour Master, Cattewater Harbour Commission, 2 Barbican, Plymouth, Devon.

The Harbour Master Garthowen, Court Road, Newton Ferrers, Devon.

The Harbour Master, Looe, Cornwall.

The Harbour Master, Polperro, Looe, Cornwall.

The Harbour Master, Mevagissey, St Austell, Cornwall.

The Fowey Harbour Commissioner, Albert Quay, Fowey, Cornwall.

The Post Office, 5 St Andrews Cross, Plymouth, Devon.

The Post Office, Newton Hill, Newton Ferrers, Plymouth, Devon.

The Post Office, Noss Mayo, Plymouth, Devon.

The Post Office, Fore Street, Cawsand, Plymouth, Devon.

The Post Office, Looe, Cornwall.

The Post Office, Fowey, Cornwall.

The Post Office, Mevagissey, St. Austell, Cornwall.

The Post Office, 72 Fore Street, Torpoint, Cornwall.

HM Coastguard, St Ives, Cornwall.

HM Coastguard, New Fish Quay, Brixham, Devon.

HM Coastguard, Castle Drive, Falmouth, Cornwall.

HM Coastguard, Yealm, Noss Mayo, Devon.

HM Coastguard, Mevagissey, St Austell, Cornwall.

HM Coastguard, Polruan, Cornwall.

HM Coastguard, Polperro, Looe, Cornwall.

HM Coastguard, Ramehead, Cawsand, Plymouth.

The Custom House, The Barbican, Plymouth, Devon.  
The District Fisheries Office, Ministry of Agriculture,  
Fisheries & Food, Fish Market, The Barbican, Plymouth,  
Devon.  
The Royal Corinthian Yacht Club, Madeira Road, Plymouth,  
Devon.  
The Royal Western Yacht Club, West Hoe, Plymouth, Devon.  
Sea Angling Centre, Little Vauxhall, Quay, Barbican,  
Plymouth, Devon.  
The Inspector of Police, Torpoint, Cornwall.  
The Public Library, Torpoint, Cornwall.  
Cornish Times, Putnam Newspapers, Liskeard, Cornwall.  
The Western Morning News, New George Street, Plymouth,  
Devon.  
Air Traffic Control, Plymouth Airport.

*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.*