

1930 No. 959

DEFENCE

CHICKERELL RIFLE AND MACHINE
GUN RANGE, FLEET. BYELAWS 1930

Made --- --- ---

September 1930

Made by His Majesty's Principal Secretary of State for the War Department, under the provisions of the Military Lands Acts, 1892 to 1903, with the consent of the Board of Trade, the Dorset County Council and the Rural District Council of Weymouth, for regulating the use of the above-named Range.

General Prohibition

1. During such time as notice is given by the hoisting of signals in manner hereinafter provided that firing is taking place on Chickerell Rifle and machine Gun Range, Fleet, all intrusion on the War Department property at Fleet, and on Chesil Bank, hereinafter together called that 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 obstruction of the use thereof is prohibited.

Land and sea areas affected

The land area affected and set out in the Schedule hereto is divided into two Sections:—

- (1) Mainland Section
- (2) Chesil Bank Section.

The Sea area affected and set out in the Schedule hereto is divided into two sections:—

- (1) Inner Section.
- (2) Outer Section.

Offences during firing

2. While notice that firing is taking place over the Chickerell Rifle and Machine Gun Range, Fleet, is given by the hoisting of signals as provided in byelaw No. 3, there in respect of the sea area and land area:—

- (i) All footpaths 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, vessel, aircraft or thing, except as provided in byelaws Nos. 3(B) and 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 upon the sea area.
- (vi) In the event of any vessel or aircraft being from any cause within the sea area the Master or Pilot or other person in charge thereof shall use his utmost endeavours to pass out of the sea area without loss of time.

Signals

3. Notice that firing is taking place is given by the hoisting of Red flags at the following places:-

- (A)(i) On each of the pair of Beacons, surmounted by a red circular disc, on Chesil Bank, referred to in 1 (b) of the Schedule hereto.
- (ii) On the Flagstaff referred to in 1 (a) of the Schedule hereto, situated about 30 yards in the rear of the 600 yards Firing Point and about 400 yards South West of the Alexandra Inn, Charlestown.
- (iii) On a Flagstaff on Tidmoor Point, near the Stop Butt.

(B) In addition to the signals referred to in (A) above, Sentries will be posted at each point on the mainland where the footpath from Furzedown to the Coastguard Station crosses the boundaries of the land area and at each of the Beacons on Chesil Bank referred to in 1 (b) of the Schedule, and will signal for firing to cease when any person desires to pass along the portion of the footpath or Chesil Bank within the land area. When the sentry has signalled and firing has ceased such persons will then proceed as quickly as possible, without loitering.

Duration of Signals

The signals referred to in (A) of this byelaw will be hoisted half an hour before firing commences and will be lowered immediately firing has ceased.

Officers authorised

4. Any person doing anything prohibited by, or otherwise contravening any of the preceding byelaws Nos. 1 or 2, shall be deemed to commit an offence against the byelaw so contravened.

The persons hereby authorised to remove or to take into custody without warrant any person contravening byelaws 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 byelaw No. 2 are:-

- (1) The General Officer Commanding-in-Chief, Southern Command.
- (2) The Officer in Charge of the Range.
- (3) Any Officer, Warrant Officer, Non-Commissioned Officer or any Military Policeman for the time being under the command of the said Officer in Charge.
- (4) Any person authorised in writing under the hand of the said Officer in Charge, or
- (5) Any Constable.

When vessel or aircraft in danger

5. While any vessel or aircraft is within the sea area all firing will cease, and a second red flag will be hoisted below the first flag on the flagstaff on Tidmoor Point and below the first flag on each of the Beacons on Chesil Bank, referred to in byelaw No. 3, to notify the Master or Pilot or other person in charge of the vessel or aircraft that he is within the sea area.

Exemptions

6. These byelaws 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 area by reason of the exigencies of navigation.
- (c) Any vessel employed in tending, placing or replacing any of the channel mark buoys or other aids to navigation within the sea area.
- (d) H.M. Ships of War, H.M. Aircraft or any vessel or aircraft employed under Admiralty or Air Council Authority.
- (e) Any aircraft compelled to alight on or unable to quit the sea area.

Saving clauses

7. Nothing contained in any of the following byelaws shall prejudicially affect any rights which the Earl of Ilchester as Lord of the Manors of Abbotsbury and Wyke Regis may have to the franchise of a Swannery, or any rights or privileges which he may have in or over the foreshore, soil and water of the East and West Fleets.

8. Nothing contained in or done under any of the provisions of the foregoing byelaws shall in any respect prejudice or injuriously affect the rights and interests of the Crown in the foreshore, soil and waters of the East and West Fleets.

Interpretation

9. (a) "Vessel" in these byelaws includes ship, yacht, lighter, boat and craft of every kind, and whether navigated by steam, motor, sail, oars or otherwise.
- (b) "Aircraft" in these byelaws includes all balloons whether fixed or free, kites, airships, aeroplanes, seaplanes, flying boats and other flying machines.

Date of operation of byelaws

10. These byelaws shall come into force at the date hereof on and after which day the byelaws in respect of Fleet Rifle Range, dated Twenty-third June, One thousand nine hundred and fifteen, shall be revoked.

Schedule Description of Land and Sea areas

1. Land Area

(a) Mainland Section

This Section is situate in the Parish of Chickerell, to the South West of Charlestown, and is bounded on the seaward side by the line of High Water on the Northern side of the East Fleet, and includes Tidmoor Point. The two ends of this seaward side are marked by posts painted black and white and situated just above High Water Mark, the post at the North Western end being about 670 yards South East of the Coastguard Station on Crook Hill; and the post at the South Eastern end being about 530 yards West of Furzedown House.

The area is bounded on the North Western side by a line drawn in a direction 56° True from the North Western end of the seaward boundary through the black and white post which marks it, to a flagstaff situated about 30 yards in the rear of the 600 yards Firing Point, and about 400 yards South West of the Alexandra Inn, Charlestown. Thence on the South Eastern side from the aforesaid flagstaff by a line drawn in a direction 189° True to the South Eastern end of the seaward boundary, passing through the black and white post which marks it, to the line of High Water.

(b) Chesil Bank Section

This area consists of a stretch of Chesil Bank of about 1,300 yards in length, opposite Tidmoor Point, the ends being indicated by two Beacons surmounted by a circular disc painted red, erected on the crest of the bank.

The bearings of these beacons are as follows:—

South Eastern Beacon.— From the post (in line with the flagstaff) marking the South Eastern end of the seaward side of the mainland Section above described, 189° True.

North Western Beacon.— From the corresponding post (in line with the flagstaff) marking the North Western end of the seaward side of the mainland Section above described, 236° True.

2. Sea area

(a) *Inner Section*

This Section is triangular in shape and is that part of the East Fleet (between High Water Marks on the mainland and Chesil Bank respectively) which lies between the following limits:-

On the South East.— By the line bearing 189° True joining the black and white post described in 1 (a) above as marking the South Eastern end of the seaward side of the mainland Section of the land area, to the Beacon surmounted by a red disc described in Section 1 (b) above as marking the South Eastern end of the Chesil Bank Section of the land sea.

On the North West.— By the line bearing 236° True, joining the black and white post described in 1 (a) above as marking the North Western end of the seaward side of the mainland Section of the land area, to the Beacon, surmounted by a red disc described in Section 1 (b) above as marking the North Western end of the Chesil Bank Section of the land area.

(b) *Outer Section*

This Section is rectangular in shape and roughly in extension of the inner section, starting from the line of High Water on the opposite or South Western side of Chesil Bank and projecting seawards for a distance of about 1,600 yards.

It is bounded as follows:-

On the South East.— By a line drawn from a point on High Water on the South Western side of Chesil Bank, directly below the South Eastern Beacon surmounted by a red disc described in Section 1 (b) above, in a direction 212° True (S. 46° 00' W. Mag.) from that Beacon until a point is reached from which All Saints' Church, Wyke Regis, bears 62° True (N. 76° 00' E. Mag.).

Thence—

On the South West.— By a line drawn in a direction 302° True (N. 44° 00' W. Mag.) until a point is reached from which All Saints' Church, Wyke Regis, bears 78° True (S. 88° 00' E. Mag.) and the North Western Beacon surmounted by a red disc described in Section 1 (b) above bears 32° True (N. 46° 00' E. Mag.).

Thence—

On the North West.— By a line drawn towards this last-named beacon until it cuts the line of High Water on the South Western side of Chesil Bank.

Thence—

On the North East.— By the line of High Water on the South Western side of Chesil Bank, to the starting point.

3. A second pair of Beacons with red discs, corresponding to the two Beacons with red discs on Chesil Bank, is erected on the mainland about 150 yards above High Water Mark, in line with the South Eastern and North Western sides of the outer portion of the sea area, above described.

A mariner will know that he is within the outer Section of the sea area if both of these Beacons on the mainland are seen inside the pair of Beacons with red discs on Chesil Bank, and if he is within 1,600 yards of the South Western shore of Chesil Bank.

Signed T. SHAW

His Majesty's Principal Secretary of
State for the War Department

Dated 19th September, 1930.

The Board of Trade hereby signify their consent to the foregoing byelaws.

Signed WILLIAM GRAHAM

President of the Board of Trade

Dated 10th November, 1930.

The Dorset County Council hereby signify their consent to the foregoing byelaws.

The Common Seal of the County Council of Dorset was affixed hereto in the presence of

Signed F.W. BRANDRETH

A Member of the said County Council having the custody of one of the keys of the said Seal and appointed by the said County Council for that purpose and of

Signed J.L. TORR

Clerk of the County Council of Dorset

The Rural District Council of Weymouth hereby signify their consent to the foregoing byelaws.

Signed W.C. JESTY, *Chairman*
Signed G.G.H. SYMES, *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 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 His Majesty.

Application to sea area

(2) By Section 2 (2) of the Military Lands Act, 1990, 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.

Firing programme

(3) Firing on the Range will normally be carried out during March to September (inclusive) of each year, from sunrise until 7 p.m.

Firing on Sundays and Bank Holidays will be restricted to a minimum.

Public Notification

A provisional weekly programme of firing during this period will be posted weekly at the following places:-

General Post Office, Weymouth.

Post Office, Wyke Regis.

Post Office, Chickerell.

The main entrance to the Range West of Wear Bay Cottage on the Chickerell-Weymouth Road.

If firing is contemplated at any other period, at least 24 hours' notice will be posted at the places named above.

Additional precautions during firing

(4) The Sentries posted at each of the Beacons on Chesil Bank, in accordance with byelaw 3(B) will also keep a look-out for any vessel or aircraft entering the sea area.

Where byelaws can be obtained

(5) Copies of these byelaws can be obtained at the Office of the Assistant Engineer, Royal Engineers, Red Barracks, Weymouth.

Where plan of range can be inspected

(6) A plan and chart showing the land and sea areas of the Range, the positions of the flagged poles and beacons can be inspected at the Office of the Assistant Engineer, Royal Engineers, Red Barracks, Weymouth.

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.