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PASLEY AND SOUTH GARE BATTERIES

(Near COATHAM)

In the County of Yorks.

BYE-LAWS

Made by His Majesty's Principal Secretary of State for the War Department, under the provisions of the Military Lands Act, 1892 to 1903, as amended by Regulation 52 of the Defence Regulations, 1939, and by virtue of that Regulation, for regulating firing practice from the above Batteries.

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1939.

PASLEY AND SOUTH GARE BATTERIES.

BYE-LAWS.

1. Firing with artillery weapons of all kinds and with anti-aircraft machine guns may take place from these Batteries.

GENERAL PROHIBITION.

2. During such time as Notice is given by the hoisting of signals in manner hereinafter provided in Bye-law No. 4 that firing practice is taking place from Pasley Battery and/or South Gare Battery all intrusion on the land at the Batteries hereinafter called the land areas, and the foreshore and sea abutting thereon, hereinafter called the Sea Area, within the limits set out in the Schedule hereto, and all obstruction of the use thereof, is prohibited.

OFFENCES DURING FIRING.

3. While notice that firing is taking place over the areas mentioned in Bye-law No. 2 is given by the hoisting of signals as provided in Bye-law No. 4 then :—

- (i) No person shall enter or remain within the land areas or the sea area, nor bring, take nor suffer to remain therein any vehicle, animal, vessel, aircraft or thing, except as provided in Bye-law No. 8.
- (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.

4. (1) Pasley Battery.—Notice that firing is taking place is given by the hoisting and display of the following signals :—

By Day—

(a) By a Black Ball at each of the following places :—

- (i) The Lighthouse Battery, The Heugh, Hartlepool.
- (ii) The Coastguard Station, South Gare breakwater.
- (iii) The Coastguard Look-out, Marske.

(b) By a Red Flag on the flagstaff in Pasley Battery.

(2) South Gare Battery.—Notice that firing is taking place is given by the hoisting and display of the following signals :—

By Day—

(a) By a Red Flag above a Black Ball at each of the following places :—

(i) The Lighthouse Battery, The Heugh, Hartlepool.

(ii) The Coastguard Station, South Gare breakwater.

(iii) The Coastguard Look-out, Marske.

(b) By a Red Flag on the flagstaff in South Gare Battery

By Night—

(c) By a Red lamp on the flagstaff in South Gare Battery.

(See Notice No. 6 at end of Bye-laws regarding the Red Flag or Red Lamp on the Target Towing Vessel.)

DURATION OF SIGNALS.

The signals referred to in sub-para. 4 (1) (a) (i) to (iii) and 4 (2) (a) (iii) to (i) and (c) above will be hoisted half an hour before firing commences and will remain hoisted until firing has ceased. The signals will then be hauled down or the Red Lamp extinguished.

The Red Flag referred to in sub-para. 4 (1) (b) will be flown whilst firing is actually taking place and will be hauled down as soon as firing ceases.

The Red Flag referred to in sub-para. (4) (2) (b) will be flown whilst firing is taking place by day and will be hauled down as soon as firing ceases.

The signal that night practice from South Gare Battery is terminated will be the elevating and traversing of the defence electric lights, i.e. searchlights turned skywards and moved laterally.

RECOVERY OF SHELL, ETC.

5. No person shall trawl, dredge, or search for, or otherwise interfere with any shot, shell or other projectile, or portions thereof, within the sea area, or take or retain, or be in possession of any such shot, shell or other projectile, or portions thereof, found within the sea area.

Any person who, when trawling, dredging or in any manner whatever shall come into possession of any such shot, shell or other projectile, or portions thereof, within the sea area, shall not retain them, but shall immediately return them in their then condition and without tampering with them into the water.

Provided nevertheless that the provisions of this Bye-law shall not apply in case of persons who recover projectiles under written instruction from the Local Naval, Military or Royal Air Force Authorities.

OFFICERS AUTHORISED.

6. Any person doing anything prohibited by or otherwise contravening Bye-laws Nos. 2, 3 or 5 shall be deemed to commit an offence against the Bye-law so contravened.

The persons hereby authorised to remove or to take into custody without warrant any person contravening Bye-laws Nos. 2, 3 or 5, or to remove any vehicle, animal, vessel, aircraft or thing found on the land areas or the sea area in contravention of any of the said Bye-laws, are :—

- (1) The Senior R.A. Officer supervising practice.
- (2) Any Officer, Warrant Officer, Non-Commissioned Officer or any Military Policeman for the time being under the Command of the said Senior R.A. Officer.
- (3) Any person authorised in writing under the hand of the said Senior R.A. Officer, or
- (4) Any Constable.

WHEN VESSEL OR AIRCRAFT IS IN DANGER.

7. By day while any vessel or aircraft within the sea area is likely to be in danger, all firing will cease and a Red Flag will be hoisted below the Black Ball and/or Red Ball signal at the Coastguard Signal Station, South Gare, referred to in Bye-law No. 4, to notify the Master or Pilot or other person in charge of the vessel or aircraft that he is within the sea area.

By night the sea area is guarded by picquet boats from which a Rocket or Red Signal Cartridge is fired if any vessel or aircraft enters the sea area.

All firing will cease until the vessel or aircraft has passed out of the sea area.

EXEMPTIONS.

8. 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 area by reason of the exigencies of navigation.
- (c) Any vessel when racing, provided fourteen days' notice of the racing fixture has been given to the Officer Commanding Tees and Hartlepool Fire Command, R.A., Pasley Barracks, Warrenby, Near Redcar, Yorks.
- (d) Any vessel employed in tending, placing or replacing any of the channel mark buoys or other aids to navigation within the sea area.
- (e) H.M. Ships of War, H.M. Aircraft or any vessel or aircraft employed under Admiralty or Air Council authority.
- (f) Any aircraft compelled to alight on or unable to quit the sea area.
- (g) Any foreign vessel when outside Territorial waters.

- (h) Any vessel belonging to the Corporation of Trinity House London, whilst employed on any Trinity House duty or service.
- (i) Any employees of the Tees Conservancy Commission.

INTERPRETATION.

9. (a) "Vessel" in these Bye-laws includes ship, 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, seaplanes, flying boats, gliders or other flying machines.

DATE OF OPERATION OF BYE-LAWS.

10. These Bye-laws shall come into force at the date hereof, on and after which date the Bye-laws for Pasley Battery, dated 12 Jan., 1939, shall cease to have effect.

SCHEDULE.

Limits of the Land Areas and Sea Area in respect of firing practice from Pasley Battery and from South Gare Battery.

DESCRIPTION OF LAND AREAS.

1. (a) Pasley Battery.—The area of land affected by these Bye-laws includes the whole of the War Department land at Pasley Battery, together with the land on the seaward side thereof, to High Water Mark.

(b) South Gare Battery.—The whole of that part of South Gare which is north of the Boundary Fence.

DESCRIPTION OF SEA AREA.

2. The area of foreshore and sea affected by these Bye-laws is bounded as follows:—

On the West—

By a line commencing on High Water Mark in Latitude $54^{\circ} 38' 30''$ N. Longitude $1^{\circ} 8' 18''$ W. and running in a direction 352° for a distance of 6.4 nautical miles to a point in Latitude $54^{\circ} 44' 48''$ N. Longitude $1^{\circ} 9' 48''$ W. and thence,

On the North—

By a line commencing at the last mentioned point and running in a direction 76° for a distance of 3.75 nautical miles to a point in Latitude $54^{\circ} 45' 45''$ N. Longitude $1^{\circ} 3' 32''$ W. and thence by a line drawn in a direction 124° for a distance of 4.50 nautical miles to a point in Latitude $54^{\circ} 43' 12''$ N. Longitude $0^{\circ} 57' 00''$ W. and thence,

On the East—

By a line commencing at the last mentioned point and running in a direction 145° for a distance of 4.50 nautical miles to a point in Latitude $54^{\circ} 39' 32''$ N. Longitude $0^{\circ} 52' 36''$ W., and thence,

On the South—

By a line commencing at the last mentioned point and running in a direction 253° for a distance of 8.0 nautical miles to a point in Latitude $54^{\circ} 37' 06''$ N. Longitude $1^{\circ} 5' 48''$ W., and thence along the High Water Mark to the starting point.

(a) When firing is being carried out from South Gare Battery only, that portion of the Sea Area east of a line starting at a point on High Water Mark in Latitude $54^{\circ} 37' 06''$ N. Longitude $1^{\circ} 6' 24''$ W. and running in a direction 11° for a distance of 8.8 nautical miles to a point in Latitude $54^{\circ} 45' 45''$ N. Longitude $1^{\circ} 3' 32''$ W. will not be closed.

(b) When firing is being carried out from Pasley Battery only, that portion of the Sea Area West of the above quoted line will not be closed.

Dated this third day of November one thousand nine hundred and thirty-nine.

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

(Signed) G. W. LAMBERT.

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 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 areas, 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.

TIME OF FIRING.

(3) Firing by day will not usually commence before 10 a.m. This rule is, however, approximate, and may be varied to conform to military requirements.

Firing by night will not commence earlier than half an hour after sunset.

PUBLIC NOTICES.

(4) Public notification that firing will take place will be made as follows :—

By Notices sent to :—

- The Tees Harbour Master, Dock Point, Middlesbrough.
- The Tees Conservancy Commission, Middlesbrough.
- The Tees Pilotage Authority, Middlesbrough.
- The Mercantile Marine Office, Middlesbrough.
- The Customs Houses at Middlesbrough & West Hartlepool.
- The Coastguard Stations at Hartlepool, South Gare. Staithes, Kettleness, Whitby and Saltburn.
- The Harbour Master, Hartlepool.
- The Hartlepool Pilotage Authority, West Hartlepool.
- The Hartlepool Port and Harbour Commissioners.
- The Fish Quay, Hartlepool.
- The Post Master, Redcar.
- The Post Master, Hartlepool.
- The Post Master, West Hartlepool.
- The Superintendent of Police, Hartlepool.
- The Inspector of Police, Redcar.
- Messrs. Dorman Long and Co., Ltd., Redcar Iron & Steel Works. Redcar, Yorks.
- The Sunderland Pilotage Authority.
- The Dock Master, Seaham Harbour.

The above Notices will be sent out in time to be posted by the recipients 24 hours before firing takes place.

Notices will be posted at the following points 24 hours before firing takes place—

- West End of Queen Street, Coatham.
- North End of Bridge Road, Coatham.
- West End of Promenade Extension, Coatham.
- Fisherman's Crossing, Warrenby.
- North End of Church Street Extension, Coatham.

A Notice will also be posted in front of the Pasley Battery at Tod Point, when Pasley Battery is firing, and on the Gate at South Gare Battery when South Gare Battery is firing.

ADDITIONAL SIGNAL.

5. (a) Pasley Battery.—On the day previous to the day of firing a Red Peter (a square Red Flag with White centre) will be flown from the flagstaff in Pasley Battery from 8 a.m. until sunset.

(b) South Gare Battery.—On the day previous to the day of firing a Red Peter (a square Red Flag with White centre) will be flown from the flagstaff in South Gare Battery from 8 a.m. until sunset.

RED FLAG OR RED LAMP ON TARGET TOWING VESSEL.

6. A Red Flag or a Red Lamp on the Range Target Towing Vessel is a signal that the target is ready to be or is being fired at, and Masters of vessels seeing the Red Flag or Red Lamp hoisted should, if possible, keep clear of the Range.

PROCEDURE FOR CLEARING SEA AREA.

7. (a) Vessels entering or remaining within the sea area in contravention of any of the preceding Bye-laws may, under Section 17 (2) of the Military Lands Act, 1892 (*See* (1) above) be removed from the area. In such cases any vessel acting under the orders of the local Military Authorities will, when necessary, tow the offending vessel out of the area.

(b) Masters of vessels entering or remaining within the sea area by reason of the exigencies of navigation and exempt from the operation of the Bye-laws under Bye-law No. 8 (b) are requested to assist the carrying out of firing practice by consenting to be towed out of the area, if necessary, by any vessel acting under the orders of the local Naval, Military or Royal Air Force Authorities.

WHERE BYE-LAWS CAN BE OBTAINED.

8. Copies of these Bye-laws can be obtained at the Office of the Officer Commanding Tees and Hartlepool Fire Command, Pasley Barracks, Warrenby, Near Redcar, Yorks.

WHERE PLAN OF RANGE CAN BE INSPECTED.

9. A plan and chart showing the danger areas affected by these Bye-laws can be inspected at the above office.