



DOVER (LYDDEN SPOUT) RANGES

IN THE COUNTY OF KENT.

BYE-LAWS

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 Rural District Council of Dover and of the Board of Trade, for regulating the use of the above-named Ranges.

LONDON

Printed under the authority of HIS MAJESTY'S STATIONERY OFFICE
By HARRISON AND SONS, LTD., 44-47, St. Martin's Lane, W.C.2.

1939

*Revised by
(1967) SI. 1731*

DOVER (LYDDEN SPOUT) RANGES, IN THE COUNTY OF KENT

BYE-LAWS

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 Rural District Council of Dover and of the Board of Trade, for regulating the use of the above-named Ranges.

1. These Ranges may be used for .303-inch Anti-Aircraft Weapons, Anti-Tank Rifles, Grenades, Machine Guns, Revolvers, Rifles and Rifle Grenades.

GENERAL PROHIBITION.

2. During such time as notice is given by the hoisting and display of signals in manner hereinafter provided in Bye-law No. 4 that firing is taking place on the ranges, all intrusion on the land or any part thereof affected by the said notice (hereinafter together 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 obstruction of the use thereof is prohibited.

OFFENCES DURING FIRING.

3. While notice that firing is taking place on the ranges area mentioned in Bye-law No. 2 is given by the hoisting and display of signals as provided in Bye-law No. 4 then in respect of the land area and sea area included therein and affected by the said notice :—

- (i) No person shall enter or remain within the land area or the sea area nor bring take or suffer to remain therein any vehicle, animal, vessel, aircraft or thing except as provided in Bye-law No. 8. During the time the land and sea areas are closed as aforesaid all footpaths within the land area will be stopped up except that persons shall be allowed access to Abbotsclyff Beach at all times and shall be allowed to bathe therefrom, within a distance of 200 yards from High Water Mark.

- (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 in the sea area.
- (v) No aircraft shall alight on, 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.—(A) The signals that the land and sea areas are closed will be given by hoisting red flags on poles by day and red lights by night :—

- (i) On the cliff on the South East of the Land Area.
- (ii) On the cliff above the West end of Abbotscliff Tunnel.

When firing is taking place from the 500 and 600 yards firing points, look-out men will be posted at each point where Court Lane enters the danger area. Traffic between Lydden Spout Coastguard Station and Folkestone Road, via Court Lane, will be allowed to pass across the danger area on a signal given by the Officer Commanding the Firing Point.

(B) Notice to Aircraft that firing with .303-inch Anti-Aircraft Rifles and Light Machine Guns is taking place will be given by the display of a suitably sited letter "A" (8 feet by 8 feet 2½ inches) in black on a white background which has a red border.

DURATION OF SIGNALS.

The "day" signals referred to in this Bye-law will be hoisted and displayed half an hour before firing is due to begin and will, subject to the provisions of Bye-law No. 7, remain so hoisted and displayed until firing has ceased, when the signals will be hauled down and the letter "A" covered up.

The "night" signals referred to in this Bye-law will be displayed half an hour before firing is due to begin and will, subject to the provisions of Byelaw No. 7, remain so displayed until firing has ceased, when they will be extinguished.

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 any portion thereof, within the sea area, shall not retain it, but shall immediately return it in its then condition, and without tampering with it, into the water.

Provided, nevertheless, that the provisions of this Bye-law shall not apply in cases of persons who recover projectiles under written instructions 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 area or the sea area in contravention of any of the said Bye-laws, are :—

- (1) The General Officer Commanding-in-Chief, Eastern Command.
- (2) The Officer in Charge of the Ranges.
- (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.
- (5) Any Constable.

WHEN VESSEL OR AIRCRAFT IN DANGER.

7.—(a) While any vessel or aircraft is within the sea area all firing will cease and a second red flag by day and a second red light by night will be hoisted below the first red flag by day and below the first red light by night on the pole above the West end of Abbotscliff Tunnel to notify the Master or Pilot or other person in charge of the vessel or aircraft that he is within the danger zone.

(b) When any aircraft is observed on a course likely to bring it flying over the danger area of the .303-inch Anti-Aircraft Rifle and Light Machine Gun Range at a height estimated to be

less than 10,000 feet, when firing on the range is in progress, firing will immediately cease and will not be resumed until the aircraft is out of danger.

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 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.
- (f) Any vessel belonging to the Corporation of Trinity House, London, whilst employed on any Trinity House duty or service.

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 and 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 in respect of Dover (Lydden Spout) Rifle Range dated the fifteenth day of September, one thousand nine hundred and twenty-five shall be revoked.

SCHEDULE.

DESCRIPTION OF LAND AND SEA AREAS.

The land and sea areas affected by these Bye-laws and included with the Ranges Area are as follows :—

(a) Land Area.

The land area is triangular in shape, bounded on the South-East by a line from the South-Eastern end of the six hundred yards firing point bearing 173° True to a point on High Water Mark two hundred and seventy yards West-South-West of the Eastern end of Abbotscliff Tunnel; thence on the South by the line of High Water to a point thereon seventy-three yards South of the Western end of Abbotscliff Tunnel; thence on the North-West by a line bearing 60° True, to the North-Western end of the six hundred yards firing point, and thence to the starting point. The North-Western side of this area is marked by a line of poles.

(b) Sea Area.

The Sea area is bounded as follows :—

On the South, East and West by the sector of a circle with its centre in Latitude $51^{\circ} 6' 22''$ N., Longitude $1^{\circ} 15' 36''$ E. radius 1.7 Nautical Miles, between the bearings $173^{\circ} 30'$ and $239^{\circ} 30'$.

On the North by the line of High Water Mark.

Dated this 8th day of September 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.

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

(Signed) OLIVER F. G. STANLEY,

President of the Board of Trade.

The Rural District Council of Dover hereby signify their consent to the foregoing Bye-laws.

(Signed) F. PITTMAN KING (*Chairman*).

(Signed) H. F. ABBOTT (*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 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 that :—

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.

NOTIFICATION OF FIRING.

(3) Firing may take place on these Ranges at any time except as hereinafter provided, and no special notices of firing will be issued.

TIMES OF FIRING.

(4) On any day during the month of October when High Water at Folkestone Harbour occurs between the hours of 8 a.m. and 12 noon, the local Military Authorities will, on application being made to the Officer Commanding Troops, Dover Garrison, grant every facility to fishermen to pursue their occupation, consistent with the carrying out of essential firing practice.

During the months of November, December, January and February, no firing shall take place on the Ranges on any day on which High Water at Folkestone Harbour occurs between the hours of 8 a.m. and 12 noon.

PROCEDURE FOR CLEARING SEA AREA.

(5)—(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 in the ordinary course of navigation or by reason of the exigencies of navigation and exempt from the operation of the Bye-laws under Clauses No. 8 (a) and (b) are requested to assist the carrying out of firing practice by hastening through the area or 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.

(6) Copies of these Bye-laws can be obtained at the Office of the Commander, Royal Engineers, Home Counties (East) District, Archcliffe, Dover.

WHERE PLAN OF RANGES CAN BE INSPECTED.

(7) A Plan and Chart showing the land and sea areas of the Ranges and the positions of the Flagstaffs and signal to Aircraft can be inspected at the Office of the Commander, Royal Engineers, Home Counties (East) District, Archcliffe, Dover.

AIRCRAFT WARNING.

(8) Aircraft are warned not to fly in the vicinity of these ranges while firing is in progress, and no liability for accident to aircraft arising from the use of the ranges can be admitted.