



# BURROW HEAD

(In the County of WIGTOWN).

## BURROW HEAD ANTI-AIR- CRAFT ARTILLERY RANGE.

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### 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, as amended by Regulation 52 of the Defence Regulations, 1939, and by virtue of that Regulation, for regulating the use of the above-mentioned Range.

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#### GENERAL PROHIBITION.

1. During such time as notice is given by the hoisting and display of signals in manner hereinafter provided that firing is taking place in the land and sea areas, hereinafter referred to, of the Burrow Head Anti-Aircraft Artillery Range, the limits of which are set out in the Schedule hereto, all intrusion on the land and sea areas and all obstruction of the use thereof is prohibited.

#### OFFENCES DURING FIRING.

2. While notice that firing is taking place in the areas mentioned in Bye-law No. 1 is given by the hoisting and display of signals as provided in Bye-law No. 3 then in respect of the land and sea areas :—

- (a) No person shall enter or remain in the land area or sea area, nor bring, take or suffer to remain therein any vehicle, animal, vessel, aircraft or thing except as provided in Bye-law No. 7.
- (b) No vessel shall be employed in fishing in the sea area.
- (c) No pleasure boat shall cruise in any part of the sea area.
- (d) No vessel shall anchor or remain anchored in or ground in the sea area.
- (e) No aircraft shall alight on, remain in, or travel upon the sea area.

- (f) 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 and display of the following signals:—

(a) *In respect of the sea area—*

*By Day.*—A Red Flag not less than ten feet above a Black Ball six feet in diameter on a flagstaff at the “CAIRN” on Burrow Head.

A Red Flag on a flagstaff on the promontory East of the Harbour at ISLE OF WHITHORN.

*By Night.*—A Red Flashing Light giving one Red Flash every five seconds on the flagstaff at the “CAIRN” on Burrow Head.

(b) *In respect of the land area—*

*By Day.*—A Red Flag on a flagstaff 300 yards North-West of CASTLE FEATHERS.

*By Night.*—A Red Light on the flagstaff 300 yards North-West of CASTLE FEATHERS.

### DURATION OF SIGNALS.

The signals referred to in this Bye-law will be hoisted one hour before firing commences, and will remain hoisted until firing has ceased.

### RECOVERY OF SHELL, ETC.

4. No person shall trawl, dredge, or search for, or otherwise interfere with any shot, shell or other projectile or portion 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 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 instructions from the local Naval, Military, or Royal Air Force Authorities.

### OFFICERS AUTHORISED.

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

The persons hereby authorised to remove or take into custody without warrant any person committing an offence against Bye-laws Nos. 1, 2 or 4, or to remove any vehicle, animal, vessel, aircraft or thing found in the land area or in the sea area in contravention of any of the said Bye-laws are :—

- (1) The Brigadier in charge of Administration, Scottish 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.
- (5) Any Constable.

### WHEN VESSEL OR AIRCRAFT IN DANGER.

6. While any vessel or aircraft is observed within the sea area a second Red Flag by day or an additional red light by night will be hoisted on the flagstaff at the "CAIRN" below the flag and ball or flashing red light, referred to in Bye-law No. 3 (a) to notify the Master or Pilot or other person in charge of the vessel or aircraft that he is within such area. Firing will then normally be continued outside the limit of twenty degrees on either side of such vessel or aircraft.

### EXEMPTIONS.

7. 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) H.M. Ships of War, H.M. Aircraft, or any vessel or aircraft employed under Admiralty or Air Council Authority.

- (d) Any aircraft compelled to alight on or unable to quit the sea area.
- (e) Any vessel belonging to the Northern Lighthouse Board whilst employed on any Lighthouse Board duty or service.
- (f) Any foreign vessel or aircraft when outside territorial waters.

#### INTERPRETATION.

8. (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.

9. These Bye-laws shall come into force at the date hereof, on and after which date the Bye-laws in respect of Burrow Head Anti-Aircraft Artillery Range dated 15th June, 1938, shall cease to have effect.

#### SCHEDULE.

##### DESCRIPTION OF LAND AND SEA AREAS.

(a) *Land Area.*—The land area is situate at Burrow Head and includes the Isle of Burrow and islands or rocks not covered by water and is bounded as follows:—

###### *On the North—*

By a line commencing at a point on High Water Mark near Slockanglass and running due East for a distance of 340 yards and thence North-Easterly for a distance of 133 yards to the stone wall and thence South-Easterly along that wall for a distance of about 226 yards and thence due East to a point on High Water Mark just North of Jamie's Hole and thence:

###### *On the East, South and West—*

By the line of High Water Mark to the starting point.

(b) *Sea Area.*—The sea area on Chart 45 is bounded as follows:—

###### *On the North—*

By lines cutting the High Water line drawn  $90^\circ$  and  $255^\circ$  from a point in Latitude  $54^\circ 40' 46''$  N., Longitude  $4^\circ 24' 10''$  W., and by the High Water line to the Southward of these lines.

*To the South, East and West—*

By an arc of a circle drawn at a radius of 24,000 yards  
(11·83 Nautical Miles) from the centre in Latitude  
54° 40' 46" N., Longitude 4° 24' 10" W.

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*Dated this thirtieth day of January, one thousand nine hundred  
and forty.*

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

(Signed) G. W. LAMBERT.

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## 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 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, 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.

#### PROCEDURE FOR CLEARING SEA AREA.

(3) (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. 7 (b) are requested to assist the carrying out of Artillery 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.

#### TIMES OF FIRING.

(4) Firing will take place from 1st January to 31st December (inclusive) annually.

In normal circumstances firing will not last after 2 a.m.

Except when night firing occurs no firing will take place between the hours of 7 p.m. and 8 a.m.

#### PUBLIC NOTIFICATION OF FIRING.

(5) Public notification that firing will take place will be given 24 hours previously to the following :—

Secretary of the Harbour Committee, Isle of Whithorn,  
who is at present Mr. R. Macfie, George Street, Whit-  
horn.

The Chief Constable, Stranraer, Wigtownshire.

The District Officer of H.M. Coastguard, Portpatrick.

Mr. John MacGuire, Coastguard, Isle of Whithorn.

The Fleetwood Fishing Vessel Owners' Association.

#### ADDITIONAL PRECAUTIONS DURING FIRING.

(6) Safety parties will be stationed on each boundary of the Land Area during firing, at the following points :—

Western Party on Cliff approximately 300 yards North-  
West of Castle Feathers.

Eastern Party on Cliff approximately 300 yards North-East  
of Cairn on Burrow Head.

WHERE BYE-LAWS CAN BE OBTAINED AND PLAN  
OF THE RANGE INSPECTED.

(7) Copies of these Bye-laws can be obtained and a plan of the Range can be inspected at :—

(a) H.M. Coastguard Station at Portpatrick.

(b) Police Stations at :—

(1) **Garliestown.**

(2) **Whithorn.**

(3) **Port William.**

(c) The Principal Post Offices at :—

(1) **Garliestown.**

(2) **Whithorn.**

(3) **Isle of Whithorn.**

(4) **Port William.**

(5) **Kirkcudbright.**

(6) **Wigtown.**

(d) The Office at 26, Alva Street, Edinburgh, of Sir Norman M. Macpherson, Solicitor in Scotland to the War Department.

(e) The Office of the Secretary, Annan Fishermen's Association, Annan.

FACILITIES TO FISHERMEN.

(8) The local military authorities will afford to fishermen, in pursuit of their occupation, every facility consistent with the carrying out of essential firing practices on the range.

AIRCRAFT WARNING.

(9) Aircraft are warned not to fly in the vicinity of this Range while firing is in progress, and no liability for accidents to aircraft arising from the use of the Range can be admitted.