

STATUTORY INSTRUMENTS
1973 No. 1428

A/119/Angus/22



BARRY BUDDON RANGES

BYELAWS

Made by the Secretary of State for Defence, under the provisions of Part II of the Military Lands Act 1892, and Section 2 of the Military Lands Act 1900 for regulating the use of the above-mentioned ranges.

DEFENCE

THE BARRY BUDDON RANGES BYELAWS 1973

Made

24th July, 1973

Coming into operation 2nd October, 1973

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 2 of the Defence (Transfer of Functions) Act 1964 (c) and of all other powers enabling him in that behalf hereby, with the consent of the Secretary of State for Trade and Industry, makes the following Byelaws:—

AREAS OF LAND AND FORESHORE AFFECTED

1. (1) The area to which these Byelaws apply (hereinafter referred to as “the Danger Area”) consists of:—
 - (a) the lands belonging to the Secretary of State in the parishes of Monifieth, Monikie and Barry in the County of Angus known as the Barry Buddon Ranges (which lands are in these Byelaws referred to as the “Land Area”) and
 - (b) the area of sea, tidal water and shore abutting thereon comprising Area ‘A’ and Area ‘B’ (which area is in these Byelaws referred to as the “Foreshore Area”).
- (2) The limits of the Foreshore Area are set out in the Schedule hereto and the boundaries of the Land Area and the limits of the Danger Area are, for convenience of identification, shown by a thick black line on the plan hereto annexed and identified as “Plan of the Barry Buddon Ranges”.

USE OF DANGER AREA

2. The Danger Area may be used for the firing of anti-tank weapons, machine guns, mortars, rifles, pistols, grenades, demolitions and pyrotechnics including flares dropped by aircraft, and for all activities ancillary to such firing and dropping.

PROHIBITION OF ACCESS

3. (1) When the Danger Area is being used for any of the purposes specified in Byelaw No. 2, no person shall:—
 - (a) enter into or upon or pass over or through the Danger Area, or

(a) 55 & 56 Vict. c.43. (b) 63 & 64 Vict. c.56. (c) 1964 c.15.

- (b) be or remain in or upon the Danger Area, or
 - (c) cause or permit or suffer any vehicle, animal, vessel, aircraft or thing to enter into or upon or to pass through or to be or remain in or upon the Danger Area, or
 - (d) cause or permit any aircraft to fly over the Danger Area at a height less than 1,000 feet above mean sea level.
- (2) No person shall at any time, whether firing is taking place or not, enter into or upon the three areas of ground shown cross hatched black on the attached plan of Barry Buddon Ranges, such areas being clearly defined on the ground by a post and wire fence.
- (3) Whilst the Danger Area is being used for any of the said purposes, notice of the fact shall be given by the display of the following signals, that is to say
- (a) For the Land Area—
 - a red flag by day and a red light by night hoisted at the following places :-
 - (i) at a place approximately 1,000 yards west south-west of the junction of the Buddon Burn and the Main Line Railway and 22 yards due south of the Main Line Railway fence;
 - (ii) at a place to the north of Buddon Camp, approximately 17 yards south of the Main Line Railway fence and 455 yards east-north-east of the point where Buddon Burn passes beneath the said Railway;
 - (iii) at a place lying to the south-west of premises known as Benthead, approximately 33 yards south of the Main Line Railway fence and 1,480 yards east-north-east of the point where Buddon Burn passes beneath the said Railway;
 - (iv) at a place to the south of the Main Line Railway fence approximately 50 yards south-west of Barry Links Station and 1 yard east of the Main Road leading into Barry Camp from the level crossing;
 - (v) at a place approximately 830 yards south-east of the eastern end of Barry Links Station and 46 yards south of North Range Road.
 - (b) For the Foreshore Area—
 - a red flag by day and a red light by night hoisted at the following places :-
 - Area 'A'—
 - (i) at a place approximately 140 yards south-west of the north-eastern corner of the Ministry of

Defence land at the line of Mean High Water Springs where Carnoustie Golf course adjoins to the north thereof (Latitude $56^{\circ} 29' 26''$ North, Longitude $02^{\circ} 42' 55''$ West);

- (ii) at a place approximately 1,130 yards south-south-west of the north-eastern corner of the Ministry of Defence land referred to above, and 53 yards due west of the line of Mean High Water Springs (Latitude $56^{\circ} 28' 55''$ North, Longitude $02^{\circ} 43' 02''$ West);
- (iii) at a place near "The Pinnacle" approximately 2,673 yards south-south-west of the north-eastern corner of the Ministry of Defence land referred to above and 200 yards from the line of Mean High Water Springs taken at a right angle thereto (Latitude $56^{\circ} 28' 14''$ North, Longitude $02^{\circ} 43' 40''$ West);
- (iv) at a place approximately 267 yards west-south-west of the south-west corner of the enclosure to Buddon Ness High Lighthouse and 40 yards from the line of Mean High Water Springs taken at a right angle thereto (Latitude $56^{\circ} 28' 05''$ North, Longitude $02^{\circ} 45' 10''$ West).

Area 'B'—

- (i) at a place approximately, 1,456 yards west-north-west of the north-west corner of the enclosure to Buddon Ness High Lighthouse and 53 yards from the line of Mean High Water Springs taken at a right angle thereto (Latitude $56^{\circ} 28' 26''$ North, Longitude $02^{\circ} 46' 08''$ West);
- (ii) at a place to the south of Buddon Camp, approximately 60 yards west of the western end of the roadway at the Dismantled Battery and 43 yards from the line of Mean High Water Springs taken at a right angle thereto (Latitude $56^{\circ} 28' 43''$ North, Longitude $02^{\circ} 46' 58''$ West).
- (iii) at a place to the south of Monifieth Links, approximately 930 yards westwards of the outlet of Buddon Burn and 20 yards from the line of Mean High Water Springs (Latitude $56^{\circ} 28' 49''$ North, Longitude $02^{\circ} 47' 59''$ West).

PROJECTILES

4. No person shall dig, trawl, dredge or search for any projectile or any explosive material or any lead or other metal in or on the

Danger Area, or interfere with or take or retain or be in possession of any projectile or any explosive material or any metal found within the Danger Area, or remove any projectile from the Danger Area.

GOVERNMENT STORES

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

OFFENCES

6. Subject to the provisions of Byelaw No 8—

- (1) any person doing anything prohibited by or otherwise contravening any provision of any of the preceding Byelaws Nos 3, 4 and 5 thereby commits an offence against the Byelaw so contravened;
- (2) the master of every vessel shall observe and cause to be observed the said Byelaws so far as they relate to his vessel, and any master who contravenes any of the said Byelaws or who fails to cause the same to be observed thereby commits an offence against the Byelaw so contravened.

ENFORCEMENT

7. The following persons are hereby authorised to remove from the Danger Area and to take into custody without warrant any person found therein when it is being used for any of the purposes specified in Byelaw No 2 or to remove any person from the restricted areas specified in Byelaw 3(2) at any time whatsoever, whether or not these areas are being used for service purposes or to remove any person found committing any other offence against any of the said Byelaws, and to remove from the Danger Area any vehicle, animal, vessel, aircraft or thing whatsoever found in the Danger Area in contravention of any of the said Byelaws—

- (a) the General Officer Commanding Scotland (Army);
- (b) the Officer in charge of the Barry Buddon Ranges;
- (c) any officer, any warrant officer, non-commissioned officer or rating of corresponding rank, or any service policeman, in uniform and being for the time being under the Command of the said General Officer Commanding Scotland (Army) or the Officer in charge of the Barry Buddon Ranges;
- (d) any person authorised in writing by or on behalf of the said General Officer Commanding Scotland (Army) or the Officer in charge of the Barry Buddon Ranges;

- (e) any constable of a police force; and
- (f) any special constable under the control of the Defence Council.

EXEMPTIONS

8. (1) Nothing done by a person using the Danger Area in pursuance of Byelaw No 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 General Officer Commanding Scotland (Army) or the Officer in charge of the Barry Buddon Ranges shall constitute an offence against any of these Byelaws.
- (2) If it is proved that an act or omission of any person which would otherwise have been an offence against any of the provisions of paragraphs (1) and (2) of Byelaw No. 3 was due to any cause not avoidable by the exercise of reasonable care by that person the act or omission shall be deemed not to be an offence by that person against that Byelaw.
- (3) These Byelaws shall not apply to—
- (a) any vessel passing through the Foreshore Area in the ordinary course of navigation and taking no longer than is reasonably necessary for that purpose;
 - (b) any vessel employed in tending, placing, replacing or removing any bouys or other aids to navigation within the Foreshore Area;
 - (c) any wreck-marking vessels, hoppers and vessels carrying out trials or compass adjustment;
 - (d) any vessel belonging to the Commissioners of Northern Lighthouses whilst employed on any Northern Lighthouse Board duty or service;
 - (e) any vessel engaged in racing, provided a minimum of sixty clear days notice in writing has been given to the Officer in charge of the Barry Buddon Ranges.
 - (f) any person or vehicle having legitimate business connected with the Buddon Ness High and/or Low Lighthouses requiring to proceed along the road running from Barry Links Station to the Lighthouse during such time as the Danger Area is being used for any of the purposes specified in Byelaw No. 2.
 - (g) any vessel belonging to the Trustees of the Harbour of Dundee whilst employed on any Harbour Trust duty or service.

INTERPRETATION

9. (1) The Interpretation Act 1889 (d) shall apply to the interpretation of these Byelaws as it applies to the interpretation of an Act of Parliament.
- (2) In these Byelaws the expression—
 “projectile” includes any shot or shell or other missile and any portion thereof;
 “master” includes the person having command or charge of a vessel for the time being;
 “vessel” includes any craft or vessel used in navigation and any craft or vessel which though not so used is for the time being waterborne;
 and
 “aircraft” includes any craft or contrivance which though not an aircraft is for the time being airborne.

COMMENCEMENT, CITATION AND REVOCATION

10. (1) These Byelaws shall come into operation on the 2nd day of October 1973, and may be cited as the Barry Buddon Ranges Byelaws 1973.
- (2) The Byelaws in respect of the Buddon and Barry Links Ranges dated the 7th day of June 1940 (e) are hereby revoked.

THE SCHEDULE

The limits of the Foreshore Area are as follows:—

AREA 'A'

On the North

Commencing at a point on the line of Mean High Water Springs in Latitude $56^{\circ} 29' 27.5''$ North, Longitude $02^{\circ} 42' 48''$ West, thence on a true bearing of 066° for a distance of 0.19 nautical miles to a point in Latitude $56^{\circ} 29' 32''$ North, Longitude $02^{\circ} 42' 30''$ West; thence

On the East

From the last mentioned point along the line of Mean Low Water Springs in a SOUTHERLY direction to a point in Latitude $56^{\circ} 27' 43''$ North, Longitude $02^{\circ} 42' 26''$ West; thence

On the South

From the last mentioned point on a true bearing of 283° for a distance of 0.82 nautical miles to a point in Latitude $56^{\circ} 27' 54''$ North, Longitude $02^{\circ} 43' 52''$ West; thence

On the West

From the last mentioned point along the line of Mean High Water Springs in a NORTHERLY direction to the point of commencement in Latitude $56^{\circ} 29' 27.5''$ North, Longitude $02^{\circ} 42' 48''$ West.

AREA 'B'

On the North-East

Commencing at a point on the line of Mean High Water Springs in Latitude $56^{\circ} 28' 36''$ North, Longitude $02^{\circ} 46' 53''$ West, thence on a true bearing of 158° for a distance of 0.20 nautical miles to a point in Latitude $56^{\circ} 28' 25''$ North, Longitude $02^{\circ} 46' 45''$ West; thence

On the South

From the last mentioned point in a WESTERLY direction along the line of Mean Low Water Springs to a point in Latitude $56^{\circ} 28' 33''$ North, Longitude $02^{\circ} 48' 19''$ West; thence

On the North-West

From the last mentioned point on a true bearing of 043° for a distance of 0.37 nautical miles to a point in Latitude $56^{\circ} 28' 49''$ North, Longitude $02^{\circ} 47' 52''$ West; thence

On the North

From the last mentioned point in a general EASTERLY direction along the line of Mean High Water Springs to the point of commencement in Latitude $56^{\circ} 28' 36''$ North, Longitude $02^{\circ} 46' 53''$ West.

Dated this 22nd day of June, 1973.

D. J. CHAPMAN

By Order of the Secretary of State
for Defence.

The Secretary of State for Trade and Industry hereby consents to the making of these Byelaws.

Dated this 24th day of July, 1973.

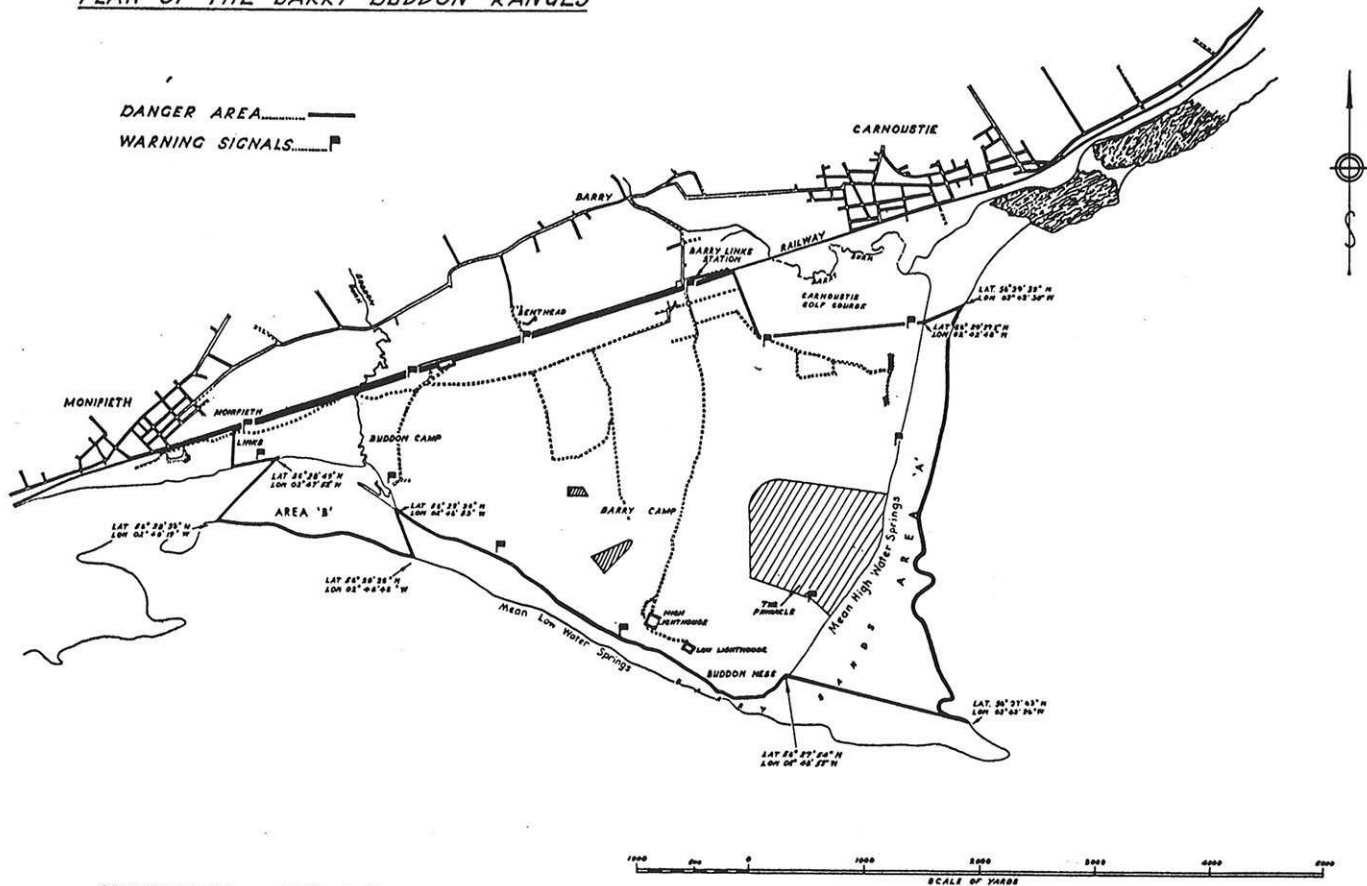
J. N. ARCHER

An Under Secretary of the Department of Trade and Industry.

PLAN OF THE BARRY BUDDON RANGES

DANGER AREA.....

WARNING SIGNALS.....



NOTICES

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 AREA

2. When any vessel is within the Danger Area when it is used for any of the purposes specified in Byelaw No. 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 No. 3(3) (b) in order to notify the master of the vessel that his vessel is within the Danger Area.

INSPECTION OF BYELAWS AND PLAN

3. A copy of these Byelaws and a plan showing the Danger Area may be inspected at the Police Stations at Monifieth and Carnoustie, Angus. They may also be inspected at the Office of the Superintending Defence Land Agent, Property Services Agency, Department of the Environment, Donibristle Estate, Hillend, Dunfermline, Fife, where copies of the Byelaws may be obtained at the price of five pence (5p) for each copy.

RECOVERY OF PROJECTILES

4. Any person who finds a projectile within the Land Area, or within that part of the Foreshore 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, Barry Buddon Ranges,

Buddon, Angus, to the police or to a coastguard at the first opportunity. Any person who, when trawling or dredging in the Foreshore Area, comes into possession of a projectile found within the Foreshore 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 Camp Commandant, Barry Buddon, Angus, or the police or to a coastguard, the position where the projectile was returned into the water.

5. The Range Commandant shall make such arrangements with the General Manager and Engineer to the Dundee Harbour Trustees for the cessation of firing that will ensure persons covered by Byelaw No. 8(3) (f) having immediate access to and egress from the High Lighthouse should need for such access and egress arise.

PUBLIC NOTIFICATION OF FIRING

6. Public Notification that firing will take place will be given by sending notices, not less than three clear days before the day or night of firing, giving particulars of the intended date, time and duration of the firing to the persons and authorities listed in the Appendix hereto.

APPENDIX

Superintendent of Works, Buddon.

Lighthouse Keeper, Buddon Ness, Angus.

Secretary, Harbour Trustees, Dundee. (14 copies).

District Officer, HM Coastguard, Carnoustie, Angus.

OC, RAF Base, Leuchars, Fife. (2 copies).

Senior Range Warden, at present at Lucknow, Barry Road, Carnoustie, Angus. (2 copies except for Classification Ranges).

Occupier, Dalmore Farm, Barry, Carnoustie, Angus.

Tay Fisheries Board, Perth.

Town Clerk, Carnoustie, Angus.

The Sailing Secretary, Royal Tay Yacht Club, 34 Dundee Road,
West Ferry, Dundee.

Range Commandant, HQ Barry Camp, Carnoustie, Angus.

Town Clerk, Monifieth.

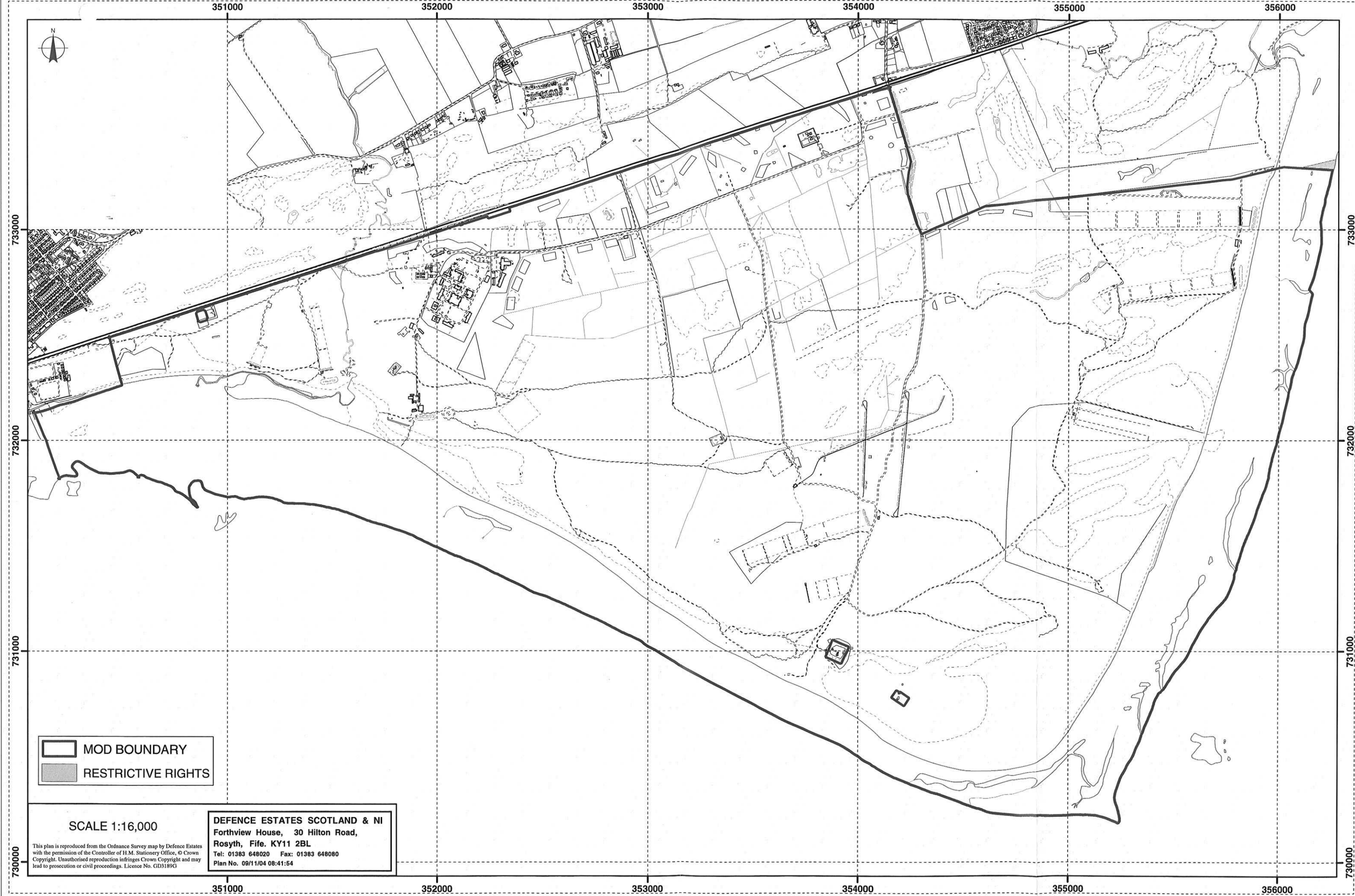
The Editor "Telegraph and Post", Albert Square, Dundee.



The Chief Constable, County of Angus, West High Street, Forfar,
Angus.

Maritime Headquarters, RAF Station, Pitreavie Castle,
Dunfermline, Fife.

Carnoustie Yacht Club, Links Parade, Carnoustie, Angus.

BARRY BUDDON CAMP & RANGES



-  MOD BOUNDARY
-  RESTRICTIVE RIGHTS

SCALE 1:16,000

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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.