



Holcombe Ranges

BYELAWS 1973

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

DEFENCE

THE HOLCOMBE RANGES BYELAWS 1973

Made

31st August 1973

Coming into operation

19th November 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 Defence (Transfer of Functions) Act 1964(b) and of all other powers enabling him in that behalf hereby, with the consent of the Ramsbottom Urban District Council so far as regards the interference with the highways hereinafter mentioned, makes the following Byelaws:—

AREA OF LAND AFFECTED

1. The area to which these Byelaws apply (hereinafter referred to as “the Danger Area”) consists of part of the land belonging to the Secretary of State at Holcombe Moor in the Urban District of Ramsbottom in the County Palatine of Lancaster known as the Holcombe Ranges (together with all the highways thereon) the boundaries of which part are delineated by the outer edge of the thick black line on the plan hereto annexed and identified as “Plan of the Holcombe Ranges”.

USE OF DANGER AREA

2. The Danger Area may be used for the firing of rifles, machine guns, machine carbines, pistols and mortar smoke bombs and for the inert firing of anti-tank grenades, medium and light recoilless anti-tank weapons, for demolition training and for all activities ancillary to such firing and training.

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 or through the Danger Area, or
 - (b) be or remain in or upon the Danger Area, or
 - (c) cause or permit or suffer any vehicle, animal, 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 2,100 feet above mean sea level.

(2) 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, by the display of a red flag by day and a red light by night hoisted at the following places:—

- (a) approximately 190 yards east-north-east of the north-east corner of Range House on the footpath leading across the southern end of the Danger Area;
- (b) at a place approximately 460 yards north-east of the north-east corner of Range House on the easternmost range, 120 yards west by north of the point where the eastern Ministry of Defence boundary fence crosses Holcombe Brook;
- (c) approximately 215 yards east-south-east of the easternmost building of Holcombe Hey Fold Farm behind the stop butts of the westernmost rifle range;
- (d) approximately 265 yards north-north-east of the easternmost building of Holcombe Hey Fold Farm on the southern brow of Lark Hill;
- (e) at the junction of the two footpaths on the eastern boundary of the Danger Area; 140 yards south-south-east of the sheepfolds adjoining Red Brook;
- (f) approximately 745 yards north-north-east of the Stone on the site of the Pilgrims Cross at the north-eastern corner of the Danger Area;
- (g) approximately 575 yards north-north-west of the Stone on the site of the Pilgrims Cross on the eastern side of Bull Hill;
- (h) approximately 865 yards north-west of the Stone on the site of the Pilgrims Cross on the north-western brow of Bull Hill.

PROJECTILES

4. No person shall dig or search for any projectile of 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 lead or other 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 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.

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 found committing any other offence against any of the said Byelaws, and to remove from the Danger Area any vehicle, animal, aircraft or thing whatsoever found in the Danger Area in contravention of any of the said Byelaws:—

- (a) the General Officer Commanding, North West District;
- (b) the Officer in charge of the Holcombe Ranges;
- (c) any officer, 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 or the Officer in charge of the Holcombe Ranges;
- (d) any person authorised in writing by or on behalf of the said General Officer Commanding, North West District or the Officer in charge of the Holcombe Ranges, and
- (e) any member of a police force or 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, North West District, or the Officer in charge of the Holcombe 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 any of the provisions of paragraph (1) 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 against that Byelaw.

INTERPRETATION

9. (1) The Interpretation Act 1889 (a) 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;
 “aircraft” includes any craft or contrivance which though not an aircraft is for the time being airborne.

(a) 52 & 53 Vict. c.63.

COMMENCEMENT, CITATION AND REVOCATION

10. (1) These Byelaws shall come into operation on the 19th day of November 1973, and may be cited as the Holcombe Ranges Byelaws 1973.
- (2) The Byelaws in respect of the Holcombe Rifle Ranges dated the 29th day of June 1918, are hereby revoked.

Dated this 31st day of August 1973.

(Sgd.) D. J. CHAPMAN

By order of the Secretary of State for Defence

The consent of the Ramsbottom Urban District Council to the making of these Byelaws, so far as regards the restriction of the use of the highways within the Danger Area mentioned therein, was given by a resolution dated the 21st day of October 1971.

(Sgd.) J. ALCOCK,

Clerk of the Ramsbottom Urban District Council

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.

INSPECTION OF BYELAWS AND PLAN

2. A copy of these Byelaws and a plan showing the Danger Area may be inspected at the Police Station, Bridge Street, Ramsbottom, near Bury. They may also be inspected at the Office of the Defence Land Agent, Property Services Agency, Department of the Environment, Spring Gardens, Ditherington, Shrewsbury, where copies of the Byelaws may be obtained at the price of five pence (5p) for each copy.

RECOVERY OF PROJECTILES

3. Any person who finds a projectile within the Danger Area must not disturb it but should report the finding of it to the Range Warden at the Holcombe Ranges or to the police at the first opportunity.

PUBLIC NOTIFICATION OF FIRING

4. Public Notification that firing will take place will be given by sending notices, not less than seven 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. In addition the public may telephone the Commandant of Holcombe Camp on Tottington 2991 to ascertain the current range usage.

APPENDIX

- The Police Station, Bridge Street, Ramsbottom, near Bury.
- The Police Station, Castle Street, Bolton.**
- The Clerk of the Council, Ramsbottom Urban District Council,
Council Offices, Market Place, Ramsbottom.
- The Clerk of the Council, Haslingden Borough Council, Municipal
Offices, Haslingden, Rossendale.
- The Clerk of the Council, Tottington Urban District Council,
Council Offices, Tottington.
- The Central Library, Bolton.
- The County Library, Carr Street, Ramsbottom, near Bury.
- The Secretary, Bolton Countryside Holidays Association Rambling
Club.
- The Secretary, The Ramblers Association—Manchester area.
- The Secretary, The Council for the Protection of Rural England—
Lancashire Branch.
- The Secretary, Ramsbottom & District Boy Scouts Association.
- The Secretary, Bolton Holiday Fellowship.
- The Secretary, Peak and Northern Counties Footpath Society.

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.