



FORT GEORGE RANGES

INVERNESS-SHIRE.

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 Section 52 of the Defence Regulations, 1939, for regulating the use of the above-named Ranges.

LONDON

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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 Section 52 of the Defence Regulations, 1939, for regulating the use of the above-named Ranges.

1. The Ranges may be used for Anti-Aircraft Small Arms, Anti-Tank Guns, Anti-Tank Rifles, Grenades, Machine Guns, Mortars, Revolvers and Rifles.

GENERAL PROHIBITION.

2. During such time as notice is given by the hoisting of signals in the manner hereinafter provided in Bye-law No. 3 that firing is taking place on the Classification and Battle Shooting Ranges, or on the Field Firing, Anti-Aircraft Small Arms, Anti-Tank Weapon, Mortar and Grenade Ranges, all intrusion into the respective land areas described below, 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.

LAND AND SEA AREAS AFFECTED.

The Land and Sea areas affected are set out in the Schedule hereto and are divided into two sections :—

- (i) The Classification and Battle Shooting Range Area.
- (ii) The Area which includes the Field Firing, Anti-Aircraft Small Arms, Anti-Tank Weapons, Mortar and Grenade Ranges.

OFFENCES DURING FIRING.

3. While notice that firing is taking place over the Fort George ranges is given by the hoisting or display of signals as provided

in Bye-law No. 4, then in respect of the land area or the sea area affected :—

- (i) All roads and footpaths within the land area will be closed, and no person shall enter or remain within the land area 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 endeavours to pass out of the sea area without loss of time.

SIGNALS.

(4) Notice that firing is taking place is given by the hoisting of Red Flags at the following places :—

- (1) In respect of the Classification and Battle Shooting Ranges :—
 - (a) By Day.
 - (i) On the flagstaff No. 2 situated at War Department Boundary Stone No. 1 520 yards EAST of Black Scarp Point and on the flagstaff No. 3 situated at the centre of the NORTH Wall of FORT GEORGE.
 - (b) By Night.

By a Red Lamp at each of the places mentioned in (a) (i) above.
- (2) In respect of the Field Firing, Anti-Aircraft Small Arms, Anti-Tank Weapon, Mortar and Grenade Ranges :—
 - (a) By Day.
 - (i) On the flagstaff No. 1 situated North of CARSE Wood and 1,000 yards North-East of LEITCH-FIELD, on the flagstaff No. 3 mentioned above and on flagstaff No. 4 on the road 100 yards WEST of KIRKTON.

- (b) Notice to Aircraft that firing is taking place on Mortar Range will be given by the exposition of a suitably sited letter " F " (8 ft. by 5 ft.) in black on a white background.
- (c) Notice to Aircraft that firing is taking place on the Anti-Aircraft Small Arms Range will be given by the exposition of a suitably sited letter " A " (8 ft. by 8 ft. 2½ ins.) in black on a white background.
- (d) By Night.
By a Red Lamp at each of the places mentioned in (a) (i) above.

DURATION OF SIGNALS.

The " day " signals referred to in (1) (a) (i), (2) (a) (i), (2) (b) and (c) of this Bye-law will be hoisted at half mast or exposed half an hour before firing is due to begin, and will be hoisted close up or exposed when firing begins, and will, subject to the provisions of Bye-law No. 7 remain so hoisted or exposed until firing has ceased, when the signals will be hauled down and the letters " F " and " A " covered up.

The night signals referred to in (1) (b) and (2) (d) of this Bye-law will be displayed together with a second Red Lamp 8 feet below the first Lamps half an hour before firing is due to begin. The second Red Lamp will be removed when firing begins and subject to the provisions of Bye-law No. 7 the single Red Lamps will 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 either of the sea areas, or take or retain, or be in possession of, any such shot, shell or other projectile, or portions thereof, found within either of the sea areas.

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 either of the sea areas, 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 or 3 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 or 3, or to remove any vehicle, animal, vessel, aircraft or thing found on the land area or the sea area in contravention of Bye-law No. 3 are :—

- (1) The General Officer Commanding-in-Chief, 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, or
- (5) Any Constable.

WHEN VESSEL OR AIRCRAFT IN DANGER.

7. (1) While any vessel or aircraft is within the sea area for the time being closed as provided for in Bye-law No. 4 all firing will cease and the following signals will be made to notify the Master or Pilot or other person in charge of the vessel or aircraft that he is within the sea area affected.

- (a) In respect of the ranges mentioned in Bye-law No. 4 (1) :—

By Day. The Red Flags referred to in (i) of Bye-law No. 4 (1) (a) will be half-masted.

By Night. A second Red Lamp will be displayed 8 ft. below each of the first Red Lamps displayed on the flagstaffs referred to in (i) of Bye-law No. 4 (1) (a).

- (b) In respect of the ranges mentioned in Bye-law No. 4 (2) :—

By Day. The Red Flags referred to in (i) of Bye-law No. 4 (2) (a) will be half-masted.

By Night. A second Red Lamp will be displayed 8 ft. below each of the first Red Lamps displayed on the flagstaffs referred to in (i) of Bye-law No. 4 (2) (a).

(2)—(a) When any aircraft is observed on a course likely to bring it flying over the danger area of the Mortar Range at a height estimated to be less than 3,000 ft. when firing on the range is in progress firing will immediately cease and will not be resumed until the aircraft is out of danger.

(b) When any aircraft is observed on a course likely to bring it flying over the danger area of the Anti-Aircraft Small Arms Range at height estimated to be less than 10,000 ft. 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 person using the Fort George-Ardsiers Road on business or duty at Fort George, unless stopped by a sentry.

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.

SCHEDULE.

DESCRIPTION OF LAND AND SEA AREAS.

(1) LAND AREAS.

(a) Classification and Battle Shooting Ranges.

The land area in respect of both Classification and Battle Shooting Ranges affected by these Bye-laws comprises all the War Department land at Fort George, situate in the Parish of Ardersier, in the County of Inverness, and is bounded as follows:—

On the Seaward Side.—By a line commencing at a point on High Water Mark at War Department Boundary Stone (No. 9) situated about 1,000 yards East-South-East of the Eastern end of the Southern Ramparts of Fort George (Devil's Bellows) and about 1,500 yards North-North-West of Stuarton Pier, and running in a Westerly direction along the line of High Water round Fort George, and thence continuing along the line of High Water, in a North-North-Easterly direction along Black Scarp Beach, to Black Scarp Point, and thence in an Easterly direction along Whiteness Sand to a point just below flagstaff No. 2 and the War Department Boundary Stone No. 1, situated about 520 yards East of Black Scarp Point and about $1\frac{1}{4}$ miles west of Leitchfield House; thence:—

On the Landward Side.—By a line running in a direction due South marked by War Department Boundary Stones (passing just East of the Water Tower) to the Starting Point.

(b) Field Firing, Anti-Aircraft Small Arms, Anti-Tank Weapon Mortar and Grenade Ranges.

The land area in respect of the Field Firing, Anti-Aircraft Small Arms, Anti-Tank Weapon, Mortar and Grenade Ranges comprises that described above for the Classification and Battle Shooting Ranges with an additional area to the Eastwards which is bounded as follows:—

On the Seaward Side.—By a line commencing below War Department Boundary Stone No. 1 and running Eastwards along High Water Mark to a point 1,000 yards N.E. of LEITCHFIELD.

On the Landward Side.—By a line running thence Southwards to a point immediately NORTH of the KIRKTON Farm-FORT GEORGE road and 130 yards West of KIRKTON Farm, and thence along the North side of the road to the point where the latter crosses the War Department Boundary at War Department Boundary Stone No. 5.

(2) SEA AREAS.

The area of foreshore and sea affected by these Bye-laws extends into the Rosemarkie Bay and the Moray Firth for about 2,500 yards from High Water Mark, in the case of the Classification and Battle Shooting Ranges and 3,700 yards in the case of the Field Firing, Anti-Aircraft Small Arms, Anti-Tank Weapon and Mortar Ranges.

(a) *Classification and Battle Shooting Area.*

On the South-West.—By a line commencing on High Water Mark in Latitude $57^{\circ} 35' 02''$ N., Longitude $4^{\circ} 4' 24''$ W., and running in a direction 289° for a distance of 1.15 Nautical Miles to a point in Latitude $57^{\circ} 35' 24''$ N., Longitude $4^{\circ} 6' 24''$ W., and thence—

On the North-West.—By a line commencing at the last mentioned point and running in a direction 38° for a distance of 1.7 Nautical Miles to a point in Latitude $57^{\circ} 36' 44''$ N., Longitude $4^{\circ} 4' 26''$ W., and thence—

On the North-East.—By a line commencing at the last mentioned point and running in a direction 150° for a distance of 1.53 Nautical Miles to a point on High Water Mark in Latitude $57^{\circ} 35' 25''$ N., Longitude $4^{\circ} 3' 00''$ W., and thence—

On the South.—By the line of High Water Mark from the last mentioned point to the starting point in Latitude $57^{\circ} 35' 02''$ N., Longitude $4^{\circ} 4' 24''$ W.

(b) *Field Firing Anti-Aircraft Small Arms, Anti-Tank Weapon, Mortar and Grenade Ranges Area.*

On the South-West.—By a line commencing on High Water Mark in Latitude $57^{\circ} 35' 02''$ N., Longitude $4^{\circ} 4' 24''$ W., and running in a direction 289° for a distance of 1.15 Nautical Miles to a point in Latitude $57^{\circ} 35' 24''$ N., Longitude $4^{\circ} 6' 24''$ W., and thence—

On the North-West.—By a line commencing at the last mentioned point and running in a direction 38° for a distance of 2.27 Nautical Miles to a point in Latitude $57^{\circ} 37' 10''$ N., Longitude $4^{\circ} 3' 47''$ W., and thence—

On the North-East.—By a line commencing at the last mentioned point drawn on the arc of a circle with its centre at Flagstaff No. 2 in Latitude $57^{\circ} 35' 24''$ N., Longitude $4^{\circ} 3' 00''$ W., on a radius of 1.83 Nautical Miles to a point in Latitude $57^{\circ} 35' 51''$ N., Longitude $3^{\circ} 59' 42''$ W., and thence—

On the South-East.—By a line commencing at the last mentioned point and running in a direction 236° for a distance of 0.41 of a Nautical Mile to a point on High Water Mark in Latitude $57^{\circ} 35' 38''$ N., Longitude $4^{\circ} 0' 20''$ W., and thence—

On the South.—By the line of High Water Mark from the last mentioned point to the starting point in Latitude $57^{\circ} 35' 02''$ N., Longitude $4^{\circ} 4' 24''$ W.

Dated this sixth 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.

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, 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.

FIRING PROGRAMME AND PUBLIC NOTIFICATION.

(3) Firing on the Ranges may be carried out throughout the year from sunrise until sunset but on 2 or 3 nights each year firing may take place up to midnight.

A weekly provisional programme will be posted at the Post Office, Ardersier, and sent to the Harbourmaster, FORT GEORGE, at least 48 hours in advance.

In addition, 24 hours' notice of firing on the Field Firing, Anti-Aircraft Small Arms, Anti-Tank Weapon, Mortar and Grenade Ranges will be sent to :—

Tenants of HILLHEAD Farm.

ADDITIONAL PRECAUTIONS DURING FIRING.

(4) In addition to the signals referred to in Bye-law No. 4, Sentries will be posted on the Fort George-Ardersier Road and at the flagstaffs which are in use, to warn persons who may be approaching the area.

PROCEDURE FOR CLEARING SEA AREAS.

(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.

FACILITIES TO FISHERMEN.

(6) 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 ranges.

WHERE BYE-LAWS CAN BE OBTAINED.

(7) Copies of these Bye-laws can be obtained at the Office of the Garrison Engineer, Fort George, Inverness-shire.

WHERE PLAN OF RANGE CAN BE INSPECTED.

(8) A plan and chart showing the land and sea areas of the ranges and the positions of the flagstaffs and signals to aircraft can be inspected at the Office of the Garrison Engineer, Fort George, Inverness-shire.

AIRCRAFT WARNING.

(9) 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.

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.