1939 No. 1835

DEFENCE

TY-CROES ANTI-AIRCRAFT ARTILLERY RANGE BYELAWS 1939

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.

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 Ty-Croes Anti-Aircraft 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 by Bye-law No. 1 is given by the hoisting and display of signals as provided by 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 10 feet above a Black Ball 6 feet in diameter on a flagstaff on Land Area approximately 400 yards North-East of Ynys Meibion.

By Night — A Red Flashing Light, giving one red flash every 5 seconds, on a flagstaff on Land Area approximately 400 yards North-East of Ynys Meibion.

(b) In respect of the land area.

By Day — A Red Flag hoisted on flagstaffs on top of the cliff at the following points -
Northern Flagstaff on the cliff edge 600 yards North of Ynys Meibion.
Southern Flagstaff on the cliff edge 700 yards South-East of Ynys Meibion.

By Night — Two Red fixed lights, arranged vertically 3 feet apart, hoisted on each of the above-mentioned flagstaffs.

(c) In addition to the above-mentioned signals, the following will also be displayed -

By Day — (1) A red flag at Porth Dynllaen Coastguard Station.
(2) A red flag at North Stack Fog Signal Station.
(3) A red flag on the flagstaff near the Lighthouse on Llanddwyn Island.

By Night — A fixed red light from Porth Dynllaen Coastguard Station
A fixed red light from North Stack Signal Station.

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 portions thereof within the sea area, or take or retain, or be in possession of any such shot, shell, or 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-laws so contravened.

The persons hereby authorised to remove or take into custody without warrant any person committing an offence against Bye-laws Nos. 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, Western 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 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 sea area. Firing will then normally be continued outside the limit of Twenty degrees on either side of such vessel or aircraft.

Exemptions

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.
(g) 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.

SCHEDULE

Description of Land and Sea Areas

(a) LAND AREA

The Land Area is situated to the South-West of Llangwyfan Isaf Farm and includes the island and rocks not covered by water lying to the South-West of the following line -

Commencing at a point on High Water Mark at the Stone Wall approximately 300 yards South of Ffas y Fuwch, thence South-Eastwards for approximately 1,000 yards in a straight line to the High Water Mark just North of Porth China.

(b) SEA AREA

The sea Area is bounded -

Point of origin Latitude 53° 11' 20" North, Longitude 4° 30' 12" West

On the North-East and South-East — By lines drawn 308° and 147° from the origin and by the High Water line westward of these two lines.

On the West, South and East — By the arc of a circle centre origin, radius 24,000 yards (11.83 nautical miles) drawn from a point bearing 308° from origin to a point bearing 170° from origin, thence by a line running in a direction of 170° from origin to cut the arc of a circle of radius 22,000 yards (10.84 nautical miles) centre origin, thence along this arc to a point bearing 157° from origin, thence by a line running in a direction of 157° from origin to cut the arc of a circle of radius 14,000 yards (6.9 nautical miles) centre origin, thence along this arc to a point bearing 147° from origin.

Signed
G.W. Lambert

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

Dated 9 December 1939

NOTICES

(These notices are for information only and do not form part of the byelaws)

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 Miltary 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 on the range from 1st January to 31st December inclusive annually.

Except when night firing occurs, no firing will take place between the hours of 9 p.m. and 6 a.m. the following morning.

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

Public Notification of Firing

5. The following authorities will receive 24 hours' notice before firing takes place -

Mr. R.F. Jones, Surveyor, Valley Rural District Council.
Mr. T.H. Hughes, Firgrove, Menai Bridge Signal Station, North Stack.
Signal Station, South Stack.
Coastguard, Holyhead.
Coastguard, Rhosneigr.
Coastguard, Trearddur Bay.
H.M. Customs and Excise, Chief Officer (Mr. Porbert), Holyhead.
Control Officer, Manchester (Barton) Civil Aerodrome.

Where Bye-laws can be Obtained and Plan of the Range Inspected

6. Copies of these Bye-laws can be obtained and a plan of the range inspected at -

(a) Police Station at Rhosneigr.
(b) The Principal Post Offices at -
(i) Rhosneigr
(ii) Bryngwran
(iii) Aberffraw
(iv) Llangefni
(v) Holyhead
(vi) Beaumaris
(vii) Caernarvon
(viii) Porth Dinorwic

(c) Other places where inspection can be made -
Control Officer, Manchester (Barton) Civil Aerodrome.
Porth Dynnllaen Coastguard Station.

(d) Copies of these Bye-laws can be obtained free on application to -
Commander, Royal Engineers, North Wales Area,
Belle Vue Road, Shrewsbury.
Commandant, Anti-Aircraft Practice Camp,
Ty Croes, Anglesey.

Aircraft Warning

7. 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.

Printed in the UK with the authority of HMSO
Demand No. 8350645