

[*Statutory Rules and Orders*
No. 266 of 1940.]

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*Revised by
1964 B/L*

COLCHESTER
(MIDDLEWICK AND DONYPOND RANGES)
IN THE COUNTY OF ESSEX

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-named Ranges.

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1940.

**COLCHESTER (MIDDLEWICK & DONYLAND RANGES)
IN THE COUNTY OF ESSEX.**

BYE-LAWS

1. These ranges may be used for Rifles, Revolvers, Machine Guns, Light Machine Guns, Mortars, Rifle Grenades, Hand Grenades, Anti-Tank Guns and Anti-Tank Rifles.

LANDS AFFECTED.

2. The area of land affected by Middlewick Ranges (hereinafter referred to as "the Middlewick Ranges Area") and the area of land affected by Donyland Ranges (hereinafter referred to as "the Donyland Ranges Area") are as set out in the Schedule hereto.

OFFENCES DURING FIRING.

3. During such time as notice is given by the hoisting or display of signals as hereinafter provided by Bye-law No. 4 that firing is taking place on the Middlewick Ranges or the Donyland Ranges, or on the Middlewick and Donyland Combined Ranges, then so long as the said signals remain hoisted or displayed, the Middlewick Ranges Danger Area or the Donyland Ranges Danger Area or such Areas combined, including all roads and footpaths crossing the said Danger Areas, will be closed to the public and no unauthorised person shall enter or remain within the Danger Area or Areas affected, nor bring, take or suffer to remain therein any vehicle, animal, aircraft or thing.

SIGNALS.

4.—A. MIDDLEWICK RANGES ONLY.

Notice that firing is taking place on Middlewick Ranges and that the provisions of Bye-law No. 3 apply to the Middlewick Ranges Area is given by the hoisting and display on flagstaffs of **RED FLAGS BY DAY AND RED LIGHTS BY NIGHT** at the following places :—

- (1) " C " Range Stop Butt.
- (2) " G " Range Stop Butt.

- (3) The Range Warden's Quarter situate on the Colchester-West Mersea Road approximately four hundred yards South of Colchester Cemetery.
- (4) Approximately fifty yards North-West of the Ipswich Arms Inn, East Donyland.
- (5) Approximately four hundred and fifty yards South-East of most Easterly corner of Donyland Heath.
- (6) Manwood Bridge on the Colchester-West Mersea Road.
- (7) Approximately two hundred and fifty yards South-East of the Cherry Tree Inn, Blackheath.

B. DONYLAND RANGES ONLY.

Notice that firing is taking place on the Donyland Ranges and that the provisions of Bye-law No. 3 apply to the Donyland Ranges Area is given by the hoisting and display on flagstaffs of:—

- (i) RED AND WHITE FLAGS BY DAY AND RED LIGHTS AND WHITE LIGHTS BY NIGHT at the following places:—
 - (1) Near the road bridge over Roman River approximately two hundred and fifty yards North-North-West of the Whalebone Inn, Fingringhoe.
 - (2) Approximately one hundred and fifty yards West of West House Farm, Fingringhoe.
 - (3) Approximately one hundred yards South-East of Upper Haye Farm, Fingringhoe.
 - (4) Approximately two hundred and fifty yards South-East of the Cherry Tree Inn, Blackheath.
 - (5) Approximately fifty yards North-West of the Ipswich Arms Inn, East Donyland.
- (ii) RED FLAGS BY DAY AND RED LIGHTS BY NIGHT at the following places:—
 - (1) Manwood Bridge on the Colchester-West Mersea Road.
 - (2) Approximately two hundred and fifty yards South-East of the most Easterly corner of Donyland Heath.

C.—Notice to aircraft that firing is taking place on the Donyland Mortar Range will be given by exposing a suitably sited letter "F" (8 feet by 5 feet) in black on a white background which has a red border.

D.—MIDDLEWICK AND DONYLAND COMBINED RANGES.

Notice that firing is taking place on both Middlewick Ranges and Donyland Combined Ranges and that the provisions of Bye-law No. 3 affect both the Middlewick Ranges Area and the Donyland Ranges Area is given by the hoisting and display on flagstaffs of:—

(i) RED FLAGS BY DAY AND RED LIGHTS BY NIGHT at the following places:—

- (1) " C " Range Stop Butt.
- (2) " G " Range Stop Butt.
- (3) The Range Warden's Quarter situate on the Colchester-West Mersea Road approximately four hundred yards South of Colchester Cemetery.
- (4) Approximately fifty yards North-West of the Ipswich Arms Inn, East Donyland.
- (5) Approximately two hundred and fifty yards South-East of the most Easterly corner of Donyland Heath.
- (6) Manwood Bridge on the Colchester-West Mersea Road.
- (7) Approximately two hundred and fifty yards South-East of the Cherry Tree Inn, Blackheath.

AND (ii) RED AND WHITE FLAGS BY DAY AND RED LIGHTS AND WHITE LIGHTS BY NIGHT at the following places:—

- (1) Near the Road Bridge over Roman River approximately two hundred and fifty yards North-North-East of the Whalebone Inn, Fingringhoe.
- (2) Approximately one hundred and fifty yards West of West House Farm, Fingringhoe.
- (3) Approximately one hundred yards South-East of Upper Haye Farm, Fingringhoe.

E.—Notice to aircraft that firing is taking place on the Donyland Mortar Range will be given by exposing a suitably sited letter " F " (8 feet by 5 feet) in black on a white background which has a red border.

DURATION OF SIGNALS.

The Signals referred to in *A*, *B* and *D* of this Bye-law will be hoisted or displayed half an hour before firing commences and will be lowered and, in the case of the letter " F " referred to in *C* and *E* above, covered up immediately firing has ceased.

RECOVERY OF SHELL, ETC.

5. No person shall search for or otherwise interfere with any shot, shell, bomb, bullet or other projectile or portions thereof within the Middlewick Ranges Area or the Donyland Ranges Area, or take, retain or be in possession of any such shot, shell, bomb, bullet or other projectile, or portions thereof found within the aforesaid Ranges Areas.

PROVIDED NEVERTHELESS that the provisions of this Bye-law shall not apply in cases of persons who recover shot, shell, bombs, bullets or other projectiles under the instructions of the Local Military Authority.

OFFICERS AUTHORISED.

6. Any persons doing anything prohibited by or otherwise contravening Bye-laws Nos. 3 or 5 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 No. 3 or 5 or to remove any vehicle, animal, aircraft or thing found on either of the said Danger Areas in contravention of any of the aforesaid Bye-laws are :—

- (1) The General Officer Commanding-in-Chief, Eastern Command.
- (2) The Officer in charge of the Ranges.
- (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.

AIRCRAFT IN DANGER.

7. When any aircraft is observed flying over the Donyland Ranges Area at a height estimated to be less than 3,000 feet, when Mortar firing is in progress, firing will immediately cease and will not be resumed until the aircraft is out of danger.

DATE OF OPERATION OF BYE-LAWS.

8. These Bye-laws shall come into force at the date hereof, on and after which date any previous Bye-laws in respect of Middlewick or Donyland Ranges shall be revoked.

SCHEDULE.

DESCRIPTION OF RANGES AREAS.

(a) MIDDLEWICK RANGES AREA.

The Middlewick Ranges Area comprises that area of land encompassed by the following line (hereinafter referred to as "the Middlewick Ranges boundary line").

Starting from a point thirty yards East of the Range Warden's Quarter situate on the Colchester-West Mersea Road approximately four hundred yards South of Colchester Cemetery, the Middlewick Ranges boundary line runs approximately one hundred and fifty yards in a North-North-Westerly direction along the East side of the Colchester-West Mersea Road, thence in a series of straight lines whose lengths and directions are as hereunder consecutively stated :—

Three hundred and fifty yards East-North-East; thence one hundred and fifty yards South-East; thence two hundred yards East by South; thence one hundred and fifty yards North-North-East which point is situate on the Southern boundary of Abbots Road. Thence the Middlewick Ranges boundary line follows the Southern boundary of Abbots Road in an Easterly direction until the War Department boundary leaves the aforesaid road; thence along the War Department boundary to a point two hundred and fifty yards South-West by West of Donyland Lodge; thence to a point on Birch Brook two hundred and fifty yards West of the Colchester-Fingringhoe Road; thence to the road junction at the Ipswich Arms Inn, East Donyland; thence along the West side of the Colchester-Fingringhoe Road to a point one hundred and fifty yards West of East Donyland Hall. Thence the Middlewick Ranges boundary line follows a series of straight lines whose lengths and directions are as hereunder consecutively stated :—

Three hundred yards South-South-West; thence two hundred and fifty yards South-East by South; thence seven hundred yards West-South-West (which point is situate on the South Bank of Roman River); thence eight hundred yards West-by-South; thence two hundred yards North; thence two hundred yards West (which point is situate on the East side of Manwood Bridge on the Colchester-West Mersea Road). Thence the Middlewick Ranges boundary line runs Northwards along the East side of the Colchester-West Mersea Road for one hundred and fifty

yards thence along the Southern, Eastern and Northern boundaries of the Senior Estate Warden's Quarter until the aforesaid road is again reached; thence in a Northerly direction along the East of the aforesaid road to a point two hundred and fifty yards South by East of Roman Hill House; thence along the Southern and Eastern boundaries of Roman Hill House Estate to a point one hundred yards East of Roman Hill Farm; thence to a point on the South side of and one hundred and fifty yards from the West end of Weir Lane; thence along the South side of Weir Lane to a point fifty yards from the West end of Weir Lane; thence to a point on the South-East side of and fifty yards from the South-West end of Cherry Tree Lane; thence along the South-East side of Cherry Tree Lane a distance of fifty yards in a North-Easterly direction; thence a distance of twenty yards in a North-Westerly direction to the North-West side of Cherry Tree Lane; thence along the North-West side of Cherry Tree Lane to a point three hundred and fifty yards from the South-Western extremity of the aforesaid lane; thence in a straight line a distance of four hundred and fifty yards in a direction approximately North-North-West to a point which is situate approximately two hundred and fifty yards South-West of "X" Stop Butt; thence seven hundred and seventy yards in a direction North by West to a point which is situate thirty yards East of the Range Warden's Quarter situate on the Colchester-West Mersea Road approximately four hundred yards South of Colchester Cemetery and is the point from which the Middlewick Ranges boundary line started.

(b) DONYLAND RANGES AREA.

The Donyland Ranges area comprises that area encompassed by the following line (hereinafter referred to as "the Donyland Ranges boundary line") :—

Starting from the East side of Manwood Bridge on the Colchester-West Mersea Road the Donyland Ranges boundary line runs Northward along the East side of the Colchester-West Mersea Road for one hundred and fifty yards; thence along the Southern Eastern and Northern boundaries of the Senior Estate Warden's Quarter until the aforesaid road is again reached; thence in a Northerly direction along the East side of the aforesaid road to a point two hundred and fifty yards South by East of Roman Hill House; thence along the Southern and Eastern boundaries of Roman Hill House Estate to a point one hundred yards East of Roman Hill Farm; thence to a point on the South side of and one hundred and fifty yards from the West

end of Weir Lane; thence in an Easterly direction along the South side of Weir Lane to a point five hundred yards from the most Westerly end of the aforesaid lane. Thence the Donyland Ranges boundary line follows a series of straight lines whose lengths and directions are as hereunder consecutively stated:—

One hundred and fifty yards North-North-East; thence three hundred yards North-East by East; thence three hundred yards East by North; thence two hundred and fifty yards East by South; thence one hundred yards East; thence one hundred and fifty yards South-South-East which point is situate at the road junction at the Ipswich Arms Inn, East Donyland. Thence the Donyland Ranges boundary line runs along the West side of the Colchester-Fingringhoe Road to a point one hundred and fifty yards West of East Donyland Hall; thence in a series of straight lines whose lengths and directions are as hereunder consecutively stated:—

Three hundred yards South-South-West; thence two hundred and fifty yards South-East by South; thence seven hundred and fifty yards South-South-West, thence three hundred yards South-West by South; thence three hundred and fifty yards North-West by West; then one hundred and fifty yards North; thence three hundred yards West by North; thence three hundred yards North-West by West; thence two hundred yards North (which point is on the North bank of Roman River); thence two hundred yards West which point is on the East side of Manwood Bridge and is the point from which the Donyland Ranges boundary line started.

Dated this Tenth day of February 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 :—

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 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 or thing found in the area in contravention of any Bye-law may be removed by any Constable or Officer as aforesaid, and on due proof of such contravention, be declared by a Court of Summary Jurisdiction to be forfeited to His Majesty.

TIMES OF FIRING.

2.—(a) *Firing by Day*.—No Notice will be given of the fact that firing by day is to take place on the Middlewick Ranges and/or the Donyland Ranges other than that already provided for under Bye-law No. 4.

(b) *Firing by Night*.—In addition to the notice provided for under Bye-law No. 4, notice that firing by night is to take place on the Middlewick Ranges and/or the Donyland Ranges will be given by the insertion of a suitable advertisement in the Local Press.

ADDITIONAL PRECAUTIONS.

3. The limits of the danger area described in the Schedule hereto are marked by War Department Notice Boards and War Department Danger Posts.

AIRCRAFT WARNING.

4. Aircraft are warned not to fly in the vicinity of the Ranges while mortar firing is in progress at a less height than 3,000 feet and no liability for accident to aircraft arising from the use of the ranges can be admitted.

WHERE PLAN OF RANGE CAN BE INSPECTED.

5. A plan showing the limits of the danger area and the position of signal flags and signal to aircraft referred to in Bye-law No. 4 and the roads and footpaths affected can be inspected at the following places:—The Office of the Clerk to the Council of the Borough of Colchester and the Office of the Clerk to the Council of the Administrative County of Essex and the Office of the Commander, Royal Engineers, Colchester, and 4th Division, Colchester.

WHERE COPIES OF BYE-LAWS CAN BE OBTAINED.

6. Copies of the Bye-laws can be obtained at the Office of the Commander, Royal Engineers, Colchester and 4th Division, Colchester.