

Statutory Rules and Orders.

No. 367 of 1930.



HEUGH AND LIGHTHOUSE BATTERIES.

HARTLEPOOL.

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, with the consent of the Board of Trade, the Commissioners of Crown Lands and the Hartlepool Corporation, for regulating the use of the above-mentioned Batteries.

LONDON:

PRINTED FOR HIS MAJESTY'S STATIONERY OFFICE,
BY HARRISON AND SONS, LTD., 44-47, ST. MARTIN'S LANE,
PRINTERS IN ORDINARY TO HIS MAJESTY.

1930.

REVOKED

BYE-LAWS.

GENERAL PROHIBITION.

1. DURING such time as Notice is given by the hoisting of signals in manner hereinafter provided that Artillery practice is taking place from Heugh and Lighthouse Batteries, all intrusion on the War Department land at the Batteries, hereinafter called the land area, 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.

OFFENCES DURING FIRING.

2. WHILE notice that firing is taking place over the areas mentioned in Bye-law No. 1 is given by the hoisting of signals as provided in Bye-law No. 3, then :—

(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. 7.

(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, 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 utmost endeavours to pass out of the sea area without loss of time, and shall when necessary be towed out of the sea area by any vessel acting under the Orders of the Local Military Authorities.

SIGNALS.

3. NOTICE that firing is taking place is given by the hoisting of a Red Flag at each of the following places :—

(a) Coastguard Signal Station, Heugh, Hartlepool.

(b) F.C. Post, Fairey Cove.

(c) The Pavilion on Redcar Pier.

(d) Coastguard Station, South Gare Breakwater.

(See Note 6 at end of Bye-laws regarding the Red Flag on the Target Towing Vessel.)

DURATION OF SIGNALS.

THE signals referred to in this Bye-law will be hoisted half an 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 other 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 portions 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 or Military Authorities.

OFFICERS AUTHORISED.

5. ANY person doing anything prohibited by or otherwise contravening any of the preceding Bye-laws No^d. 1, 2 or 4 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 committing an offence against Bye-laws No. 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 Officer in Charge of either of the Batteries.
- (2) Any Officer, Warrant Officer, Non-Commissioned Officer or any Military Policeman for the time being under the Command of any such Officer in Charge.
- (3) Any person authorised in writing under the hand of any such Officer in Charge, or
- (4) Any Constable.

WHEN VESSEL OR AIRCRAFT IS IN DANGER.

6. WHILE any vessel or aircraft is within the sea area all firing will cease, and a second red flag will be hoisted below the signal flag 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 the sea area.

EXEMPTIONS.

7. 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 when racing, provided fourteen days' notice of the racing fixture has been given to the Officer Commanding, 17th (Durham) Fire Command, Heugh Battery, Hartlepool.
- (d) Any vessel employed in tending, placing or replacing any of the channel mark buoys or other aids to navigation within the sea area.
- (e) H.M. Ships of War, H.M. Aircraft or any vessel or aircraft employed under Admiralty or Air Council authority.
- (f) Any aircraft compelled to alight on or unable to quit the sea area.
- (g) Any foreign vessel 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 and other flying machines.

9. THESE Bye-laws shall come into force at the date hereof.

SCHEDULE.

LIMITS of the land and sea areas in respect of Artillery practice from Heugh and Lighthouse Batteries.

DESCRIPTION OF LAND AREA.

1. THE area of land affected by these Bye-laws includes the whole of the War Department land at Heugh and Lighthouse Batteries, together with the land on the seaward side thereof, forming the site of the Promenade.

DESCRIPTION OF SEA AREA.

THE area of foreshore and sea affected by these Bye-laws is bounded as follows :—

On the West—

By a line starting from a point on High Water Mark about 115 yards North of the Port War Signal Station Tower, inside Heugh Battery, and drawn in a direction 360° True (N. $14^{\circ} 12'$ E. Mag.) from the said Tower for a distance of about 14,000 yards to a point from which Beacon Hill at Hawthorn bears 259° True (N. $86^{\circ} 48'$ W. Mag.), and thence,

On the North—

By a line drawn in a direction 117° True (S. $48^{\circ} 48'$ E. Mag.) until a point is reached from which the Port War Signal Station Tower bears 241° True (S. $75^{\circ} 12'$ W. Mag.), and thence,

On the East—

By a line drawn in a direction 185° True (S. $19^{\circ} 12'$ W. Mag.) for a distance of about 10,800 yards, and thence,

On the South—

By a line drawn in a direction 284° True (N. $61^{\circ} 48'$ W. Mag.) to High Water Mark at the South East Limit of the War Department Land, at a point about 80 yards South East of the Port War Signal Station Tower, and thence,

On the West again—

By the line of High Water to the starting point.

Dated this 22nd day of July One thousand nine hundred and twenty-nine.

(Signed) T. SHAW,

*His Majesty's Principal Secretary of
State for the War Department.*

The Board of Trade hereby signify their consent to the foregoing Bye-laws.

(Signed) WILLIAM GRAHAM,

President of the Board of Trade.

The Hartlepool Corporation hereby signify their consent to the foregoing Bye-laws.

(Signed) FRED. J. CARR,

Mayor.

(Signed) W. WOODWARD,

Town Clerk.

The Commissioners of Crown Lands hereby signify their consent to the foregoing Bye-laws.

(Signed) D. R. CRAWFURTH SMITH,

*A Secretary of the Office of the
Commissioners of Crown Lands.*

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, 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.

TIME OF FIRING.

(3) Firing from the Batteries will not commence before 10 a.m.

PUBLIC NOTICES.

(4) Public notification that firing will take place will be made as follows:—

By Notices sent to—

The Harbour Master, Hartlepool.
 The Post Master, Hartlepool.
 The Post Master, West Hartlepool.
 The Superintendent of Police, Hartlepool.
 The C.O. Coastguard, Hartlepool.
 The Tees Harbour Master, Dock Point, Middlesbrough.
 The Tees Conservancy Commission, Middlesbrough.
 The Tees Pilotage Authority, Middlesbrough.
 The Hartlepool Pilotage Authority, West Hartlepool.
 The Hartlepool Port and Harbour Commissioners.
 The Coastguard Stations at South Gare and Coatham.
 The Mercantile Marine Office, Middlesbrough.
 The Custom Houses at Middlesbrough and West Hartlepool.
 The Fish Quay, Hartlepool.
 The Sunderland Pilotage Authority.
 The Seaham Dock Master.

The above Notices will be sent out in time to be posted by the recipients 24 hours before firing takes place.

A Notice will also be posted at the gate of Heugh Battery.

ADDITIONAL SIGNAL.

(5) On the day previous to the day of firing a Red Peter (a square red flag with white centre) will be flown from the flagstaff in Heugh Battery from 8 a.m. until sunset.

RED FLAG ON TARGET TOWING VESSEL.

(6) A red flag on the Range Target Towing Vessel is a Signal that the target is ready to be, or is being, fired at, and Masters of vessels seeing the Red Flag hoisted should, if possible, keep clear of the Range.

WHERE BYE-LAWS CAN BE OBTAINED.

(7) Copies of these Bye-laws can be obtained at the Office of the Officer Commanding 17th (Durham) Fire Command, Heugh Battery, Hartlepool.

WHERE PLAN OF RANGE CAN BE INSPECTED.

(8) A plan and chart showing the danger area affected by these Bye-laws can be inspected at the above office.