

Statutory Rules and
Orders No. ~~433~~ of 1931.

433



Revised

FORT GEORGE RIFLE AND MACHINE GUN 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, 1892-1903, with the consent of the Board of Trade, and the County Council of Inverness, for regulating the use of the above-named Ranges.

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.

1931.

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GENERAL PROHIBITION.

1. During such time as notice is given by the hoisting of signals in manner hereinafter provided in Bye-law No. 3 that firing is taking place on the Rifle and Machine Gun Ranges, Fort George, all intrusion on the War Department property at Fort George, hereinafter called the land area, and the foreshore and sea abutting thereon, hereinafter together 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.

- (a) The land area affected is set out in the schedule hereto.
- (b) The sea area affected and set out in the schedule hereto is divided into two sections :—
- (i) Classification Area.
 - (ii) Battle Practice Area.

OFFENCES DURING FIRING.

2. While notice that firing is taking place over the Rifle and Machine Gun Ranges, Fort George, is given by the hoisting of signals as provided in Bye-law No. 3, 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. 6.
- (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 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 of Red Flags at the following places :—

(a) In respect of the Land Area and Classification Area :—

On the flagstaff No. 2, situated about 80 yards N.N.E. of the Northern Stop Butt, and 160 yards South of Black Scarp Point.

(b) In respect of the Land Area and Battle Practice Area—

On the flagstaff No. 1 situated about 520 yards East of Black Scarp Point, and on the flagstaff No. 3 on the S.E. corner of Fort George.

DURATION OF SIGNALS.

The signals referred to in this Bye-law will be hoisted at half mast a quarter of an hour before firing is due to begin, and will be hoisted close up when firing begins, and will, subject to the provisions of Bye-law No. 5, remain so hoisted until firing has ceased, when they will be hauled down.

OFFICERS AUTHORISED.

4. Any person doing anything prohibited by or otherwise contravening Bye-laws Nos. 1 or 2 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. 1 or 2, 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. 2, 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.

5. While any vessel or aircraft is within the sea area all firing will cease, and the red flag on the signal masts referred to in Bye-law No. 3 will be half masted to notify the Master or Pilot or other person in charge of the vessel or aircraft that he is within the sea area.

EXEMPTIONS.

6. 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—Ardersier Road on business or duty to Fort George, unless stopped by a sentry.

INTERPRETATION.

7. (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.

DATE OF OPERATION OF BYE-LAWS.

8. These Bye-laws shall come into force at the date hereof.

SCHEDULE.

DESCRIPTION OF LAND AND SEA AREAS.

(1) LAND AREA.

The land area in respect of both Classification and Battle Practices 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 E.S.E. of the Eastern end of the Southern Ramparts of Fort George (Devil's Bellows) and about 1,500 yards N.N.W. 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. 1 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.

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, and is bounded as follows:—

(A) CLASSIFICATION AREA.

On the South.—By a line commencing at a point on High Water Mark about 150 yards North East of the North Casemates, Fort George, and drawn in a direction 289° True (N. $55^{\circ} 20'$ W. Mag.) for a distance of about 720 yards from High Water Mark, until a point is reached from which the Chanonry Point Lighthouse is seen bearing 208° True (S. $43^{\circ} 40'$ W. Mag.); thence by a line drawn in a direction $298^{\circ} 30'$ True (N. $45^{\circ} 50'$ W. Mag.) for a distance of about 1,500 yards until a point is reached from which the Spire of the Free Church, Fortrose, is seen bearing 236° True (S. $71^{\circ} 40'$ W. Mag.), and the present charted position of the

Riff Bank, West Buoy, is seen bearing 78° True (S. $86^{\circ} 20'$ E. Mag.); thence:—

On the West.—By a line drawn in a direction 30° True (N. $45^{\circ} 40'$ E. Mag.) for a distance of about 1,200 yards, until a point is reached from which the Chanonry Point Lighthouse is seen bearing 183° True (S. $18^{\circ} 40'$ W. Mag.), and the Spire of the Free Church, Fortrose, is seen bearing 228° True (S. $63^{\circ} 40'$ W. Mag.); thence:—

On the North.—By a line drawn in a direction 120° True (S. $44^{\circ} 20'$ E. Mag.) for a distance of about 1,500 yards, until a point is reached from which the Chanonry Point Lighthouse is seen bearing $208^{\circ} 30'$ True (S. $44^{\circ} 10'$ W. Mag.); thence by a line drawn in a direction 129° True (S. $35^{\circ} 20'$ E. Mag.) for a distance of about 1,030 yards to a point on High Water Mark at Black Scarp Point, about 160 yards North East of No. 2 Flagstaff, described in Bye-law No. 3; thence:—

On the East.—By the line of High Water for a distance of about 970 yards to the Starting Point.

(B) BATTLE PRACTICE AREA.

On the South.—By a line commencing at the Seaward end of the Ferry Pier, Fort George, and drawn in a direction 237° True (S. $72^{\circ} 40'$ W. Mag.) bearing on to the Chanonry Point Lighthouse, for a distance of about 1,300 yards, until a point is reached from which the Riff Bank, West Buoy, is seen bearing 28° True (N. $43^{\circ} 40'$ E. Mag.); thence:—

On the West and North.—By the arc of a circle of 2,500 yards radius ($1\frac{1}{4}$ nautical miles) with centre at Flagstaff No. 2, near Black Scarp Point, described in Bye-Law No. 3, until a point is reached from which the Spire of the Free Church, Fortrose, is seen bearing 234° True (S. $69^{\circ} 40'$ W. Mag.) and the Flagstaff No. 2, described in Bye-Law No. 3, is seen bearing 182° True (S. $17^{\circ} 40'$ W. Mag.); thence:—

On the East.—By a line drawn in a direction 154° True (S. $10^{\circ} 20'$ E. Mag.) for a distance of about 1,170 yards, until a point is reached from which the Spire of the Free Church, Fortrose, is seen bearing $245^{\circ} 30'$ True (S. $81^{\circ} 10'$ W. Mag.) and the Flagstaff No. 2 near Black Scarp Point is seen bearing 201° True (S. $36^{\circ} 40'$ W. Mag.); thence by a line drawn in a direction 180° True (S. $15^{\circ} 40'$ W. Mag.) for a distance of about 1,400 yards to a point on High Water Mark just below Flagstaff No. 1 and the War Department Boundary Stone No. 1, situated about 600 yards North East of

Flagstaff No. 2, near Black Scarp Point ; thence by the line of High Water round Fort George to the Starting Point.

Dated this twenty-seventh day of March, One thousand nine hundred and thirty one.

(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.

15th May, 1931.

The County Council of Inverness hereby signify their consent to the foregoing Bye-laws, so far as they are interested under Section 16 (1) of the Military Lands Act 1892.

(Signed) D. W. CAMERON of Lochiel,

Vice-Convener.

(Signed) J. W M'KILLOP,

County Clerk.

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 Range is carried out throughout the year, from sunrise until 7 p.m.

A provisional programme of firing will be posted weekly at the Post Office, Ardersier.

ADDITIONAL PRECAUTIONS DURING FIRING.

(4) In addition to the signals referred to in Bye-law No. 3, Sentries will be posted on the Fort George-Ardersier Road, to warn persons who may be approaching the area.

FACILITIES TO FISHERMEN.

(5) Arrangements will be made to suspend firing on the Range at any time to allow any fishing vessels to cross the sea danger area on their way to or from the fishing grounds.

WHERE BYE-LAWS CAN BE OBTAINED.

(6) Copies of these Bye-laws can be obtained at the Office of the D.C.R.E., Aberdeen, Fort George, Inverness-shire.

WHERE PLAN OF RANGE CAN BE INSPECTED.

(7) A plan and chart showing the land and sea areas of the Range, and the positions of the flagstaffs can be inspected at the Office of the D.C.R.E., Aberdeen, Fort George, Inverness-shire.