



Milton Ranges

BYELAWS

Made by Her Majesty's Principal Secretary of State for the War Department, under the provisions of Part II of the Military Lands Act 1892, for regulating the use of the above-mentioned ranges.

STATUTORY INSTRUMENTS

1963 No. 1555

ARMY

The Milton Ranges Byelaws 1963

Made 4th September 1963

Coming into operation 16th December 1963

Her Majesty's Principal Secretary of State for the War Department in exercise of the powers conferred upon him by Part II of the Military Lands Act 1892^(a) and of all other powers enabling him in that behalf hereby makes the following Byelaws:—

AREA OF LAND AFFECTED

1. The area to which these Byelaws apply (hereinafter referred to as "the Danger Area") consists of the Milton Ranges in the Parishes of Gravesend and Shorne in the County of Kent, the limits of which are set out in the Schedule hereto and are, for convenience of reference, marked with a thick black line on the plan hereto annexed and identified as "Plan of the Milton Ranges".

USE OF DANGER AREA

2. The Danger Area may be used for the firing of rifles, machine guns, revolvers and pistols and for all activities ancillary to such firing.

PROHIBITION OF ACCESS

3. (1) When the Danger Area is being used for any of the military purposes specified in Byelaw No. 2, no person shall:—
- (a) enter into or upon or pass over or through the Danger Area, or
 - (b) be or remain in or upon the Danger Area, or
 - (c) cause or permit or suffer any vehicle, animal, vessel, aircraft or thing to enter into or upon or to pass through or to be or remain in or upon the Danger Area, or
 - (d) cause or permit any aircraft to fly over the Danger Area at a height less than 500 feet above mean sea level.
- (2) Whilst the Danger Area is being used for any of the said military purposes, notice of the fact shall be given by the display of the following signals, that is to say, by the display of a red flag by day and a red light by night hoisted at the following places:—
- (a) immediately north-west of the Range Warden's Quarters;

(a) 55 & 56 Vict. c.43.

- (b) on the west side of Shornmead Fort Road 235 yards north of the railway level crossing;
- (c) on the west side of Shornmead Fort Road 1000 yards north of the railway level crossing.

PROJECTILES

4. No person shall dig or search for any projectile or any lead or other metal in or on the Danger Area, or interfere with or take or retain or be in possession of any projectile or any lead or other metal found within the Danger Area, or remove any projectile from the Danger Area.

GOVERNMENT STORES

5. No person shall interfere with or remove from the Danger Area any stores or articles belonging to the War Department or otherwise the property of the Crown.

OFFENCES

6. Subject to the provisions of Byelaw No. 8 any person doing anything prohibited by or otherwise contravening any provision of any of the preceding Byelaws Nos. 3, 4 and 5 thereby commits an offence against the Byelaw so contravened.

ENFORCEMENT

7. The following persons are hereby authorised to remove from the Danger Area and to take into custody without warrant any person found therein when it is being used for any of the military purposes specified in Byelaw No. 2 or found committing any other offence against any of the said Byelaws, and to remove from the Danger Area any vehicle, animal, vessel, aircraft or thing whatsoever found in the Danger Area in contravention of any of the said Byelaws:—

- (a) the General Officer Commanding-in-Chief, Eastern Command;
- (b) the Officer in charge of the Milton Ranges;
- (c) any officer, warrant officer, non-commissioned officer, or any military policeman or War Department constable, in uniform and being for the time being under the Command of the said General Officer Commanding-in-Chief or the Officer in charge of the Milton Ranges;
- (d) any person authorised in writing by or on behalf of the said General Officer Commanding-in-Chief or the Officer in charge of the Milton Ranges; and
- (e) any member of a police force.

EXEMPTIONS

8. (1) Nothing done by a person using the Danger Area in pursuance of Byelaw No. 2 or in the exercise of any such

private rights as are referred to in Section 15 of the Military Lands Act 1892, or by a person acting under and in accordance with any authority or permission given by or on behalf of the Secretary of State or the General Officer Commanding-in-Chief, Eastern Command, or the Officer in charge of the Milton Ranges shall constitute an offence against any of these Byelaws.

- (2) If it is proved that an act or omission of any person which would otherwise have been an offence against any of the provisions of paragraph (1) of Byelaw No. 3 was due to any cause not avoidable by the exercise of reasonable care by that person the act or omission shall be deemed not to be an offence against that Byelaw.

INTERPRETATION

9. (1) The Interpretation Act 1889(a) shall apply to the interpretation of these Byelaws as it applies to the interpretation of an Act of Parliament.
- (2) In these Byelaws the expression—
 “projectile” includes any shot or shell or other missile and any portion thereof;
 “vessel” includes any craft or vessel used in navigation and any craft or vessel which though not so used is for the time being waterborne; and
 “aircraft” includes any craft or contrivance which though not an aircraft is for the time being airborne.

DATE OF OPERATION OF BYELAWS

10. These Byelaws shall come into operation on the 16th day of December 1963, and may be cited as the Milton Ranges Byelaws 1963.

THE SCHEDULE

The limits of the Danger Area are as follows:—

On the North

Commencing at a point situated at the north end of the 600 yard firing point and 40 yards south of the Delf which runs parallel with the sea wall, thence in a straight line in an EAST-NORTH-EASTERLY direction for a distance of 625 yards to a point situated north of the targets and 15 yards north of the Delf, thence in a straight line in an EAST-NORTH-EASTERLY direction for a distance of 1030 yards to a point situated 210 yards west-south-west from the main building of Shornmead Fort 130 yards south of the Delf, thence in a straight line in an EASTERLY direction for a distance of 1000 yards to a point situated 680 yards east by south

from the main building of Shornmead Fort and 900 yards north-north-west of Stonewick Bridge at the Uralite Works; thence

On the East

From the last mentioned point in a straight line almost due SOUTH for a distance of 900 yards to a point situated 30 yards north of the tow-path and 450 yards west by south of Stonewick Bridge; thence

On the South

From the last mentioned point in a straight line in a WESTERLY direction for a distance of 1000 yards to a point situated 80 yards north of the Railway and 490 yards west-north-west of the level crossing north of Queen's Farm, thence in a straight line in a WEST-NORTH-WESTERLY direction for a distance of 1030 yards to a point situated south of the targets and 10 yards north of the Workshop, thence in a straight line in a WEST-NORTH-WESTERLY direction for a distance of 625 yards to a point situated at the south end of the 600 yard firing point and 100 yards north-north-east of the Range Entrance Gate; thence

On the West

From the last mentioned point in a straight line in a NORTHERLY direction for a distance of 200 yards to the point of commencement.

Dated this 4th day of September 1963.

(Sgd.) W. GERAGHTY

By order of Her Majesty's Principal
Secretary of State for the War Department

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 Byelaw 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 Byelaw from the area, whether land or water, to which the Byelaw 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 Byelaw, 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 Her Majesty.

PRIVATE RIGHTS

2. By Section 15 of the Military Lands Act 1892, it is provided:—

Where a Secretary of State has for the time being the right of using for any military purpose any land vested in another person this part of this Act shall apply in like manner as if the land were vested in the Secretary of State and the same were appropriated for the said purpose, save that nothing therein or in any Byelaws made thereunder shall injuriously affect the private rights of any person further or otherwise than is authorised by the grant of the right to use the land.

INSPECTION OF BYELAWS AND PLAN

3. A copy of these Byelaws and a plan showing the Danger Area may be inspected at the Police Station Gravesend. They may also be inspected at the Office of the War Department Land Agent, 2 Manege Lines, Old Infantry Barracks, Canterbury, Kent, where copies of the Byelaws may be obtained at the price of one shilling for each copy.

RECOVERY OF PROJECTILES

4. Any person who finds a projectile within the Danger Area must not disturb it but should report the finding of it to the Officer in charge of the Milton Ranges or to the police at the first opportunity.

PUBLIC NOTIFICATION OF FIRING

5. Public Notification that firing will take place will be given by sending notices, not less than seven days before the day or night of firing, giving particulars of the intended date, time and duration of the firing to the farmers and graziers of land in the Danger Area, to the Chief Superintendents of Police at Rochester and Gravesend, and to the Area Engineer, Kent River Board, Pier Approach Road, Gillingham, Kent.

PLAN OF THE MILTON RANGES

