



PENLEE BATTERY ARTILLERY RANGES.

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, for regulating the use of the above-named Ranges.

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1924.

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, for regulating the use of the above-named Ranges.

1. THE War Department property at Penlee, and the foreshore and sea westward and southward thereof, within the areas hereinafter mentioned and described, shall, subject to the provisions of Bye-law No. 12, be closed to all persons for the purpose of firing from Penlee Batteries, while the warning signals are hoisted in accordance with Bye-law No. 4.

2. THE area of foreshore and sea referred to in Bye-law No. 1 (hereinafter called the "sea area") is bounded on the seaward side as follows:—

On the East.

By a line drawn from Penlee Battery 107° True (S. 57° 30' E. Mag.).

On the West.

By a line drawn from Penlee Battery 237° True (S. 72° 30' W. Mag.) within a radius of 17,000 yards.

NOTICES.

3. NOTICE that firing will take place (such notice to stand for the next or succeeding days, if weather conditions are unfavourable for firing on the day or days specified) will be given as follows:—

- (a) The Naval Commander-in-Chief will be informed, and notices will be issued 48 hours previously to the King's Harbour Master's Offices, Hamoaze and Sound, the Offices of the Harbour Masters of Sutton Port and Cattewater, the Sub-Commissioners of Pilotage, Plymouth, the Custom House and the General Post Office, Plymouth, the Offices of the Harbour Masters of, and the Custom Houses at, Fowey, Polperro and Mevagissey, Brixham Fish Market, the Post Offices at Newton Ferrers, Cawsand, Looe and Fowey, the R.N.R. Battery at Polruan-by-Fowey, the Penlee

Point Fog Signal Station, and to the District Inspector of Fisheries, South Western Area, District Office, Barclay's Bank Chambers, Princess Square, Plymouth.

- (b) By notices sent to the Royal Western, Corinthian and South Western Yacht Clubs, the Great Western Docks, the Devonport New Quays and the Saltash Steamboat Company, to the principal Shipping Agents in Plymouth and Devonport, and to the principal Fish Salesmen at Barbican, Plymouth, and distributed amongst the pilots, fishermen and boatmen at Plymouth and Devonport.
- (c) A provisional programme of firing for the coming season will be circulated at the commencement of each firing season to the persons enumerated in (a) and (b) above. This programme will be subject to alteration if necessitated by Military requirements.

SIGNALS.

4. THE signal that the sea area is closed to the public will be given as follows :—

By a red flag hoisted on each flank of the battery from which practice will take place.

OFFENCES.

5. WHILE the signals are hoisted in accordance with Bye-law No. 4 :—

- (i) 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.
- (ii) No vessel shall be employed in fishing in any part of the sea area.
- (iii) No pleasure boat shall cruise in any part of the sea area.
- (iv) No vessel shall anchor or remain anchored in or ground on any part of the sea area.
- (v) No aircraft shall alight on, remain in or travel upon the sea area.

6. IN the event of any vessel or aircraft being from any cause within the sea area while the warning signals are hoisted in accordance with Bye-law No. 4, the Master or Pilot or other person in charge thereof shall use his utmost endeavours to pass out of the said area without loss of time.

7. No person shall trawl, dredge or search for or otherwise interfere with any shot, shell or other projectile 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 any portion thereof, within the sea area, shall not retain it, but shall immediately return it in its then condition, and without tampering with it, into the water.

PROVIDED, nevertheless, that the provision of this Bye-law shall not apply in cases of persons who recover projectiles under written instructions from the local Naval or Military Authorities.

8. THE following persons, viz. :—

- (1) The Officer in charge of the Battery.
- (2) Any Officer, Warrant Officer, Non-Commissioned Officer, or any Military Policeman for the time being under the command of the said Officer in charge.
- (3) Any person authorised in writing under the hand of the said Officer in charge, or
- (4) Any Constable,

shall have power and are hereby authorised :—

- (i) to remove from the land area or the sea area and take into custody without Warrant, and bring before a Court of Summary Jurisdiction, as provided by the Military Lands Acts, 1892 to 1903, to be dealt with according to law, any person contravening any of these Bye-laws.
- (ii) To remove from the land area or the sea area any vehicle, animal, vessel, aircraft or thing found therein in contravention of any of these Bye-laws, and any such vehicle, animal, vessel, aircraft or thing shall be liable to forfeiture as mentioned in the aforesaid Acts.

9. ANY person doing anything prohibited by or otherwise contravening any of the preceding Bye-laws, numbered 5, 6 and 7, respectively, shall be deemed to commit an offence against the same, and is, under the said Acts, liable on conviction, to a fine not exceeding **Five Pounds**.

GENERAL.

10. THESE Bye-laws shall be operative on all days (except Sundays), but in no case will firing take place before 8 a.m.

11. WHEN any vessel or aircraft is within the danger area all firing shall cease, and a second red flag will be hoisted below the red flags referred to in Bye-law No. 4 to notify the Master or Pilot or other person in charge of the vessel or aircraft that he is within the danger area.

12. 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 due notice of the racing fixture has been given not less than forty-eight hours previously to the Officer Commanding the Royal Artillery at the Citadel, Plymouth.
- (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) His Majesty's Ships of War, His Majesty's 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.

13. " 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.

14. " Aircraft " in these Bye-laws includes all balloons whether fixed or free, kites, airships, aeroplanes, seaplanes, flying boats and other flying machines.

15. COPIES of these Bye-laws can be obtained at :—

The Office of the Commanding Royal Engineer,
South Western Area,
Mount Wise, Devonport.

Dated this tenth day of March One thousand nine hundred and twenty-four.

(Signed) STEPHEN WALSH,

*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) SIDNEY WEBB,

President of the Board of Trade.

7th April, 1924.

NOTICE.

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 Ranges can be admitted.