



PLYMOUTH DEFENCES.

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 County Council of Cornwall and the Corporation of Plymouth, for regulating firing from Bovisand, Watchhouse, Picklecombe, Penlee, Renney and Drake's Island Batteries, in the above-named Defences.

LONDON :

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1935.

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 County Council of Cornwall and the Corporation of Plymouth, for regulating firing from the Plymouth Defences.

GENERAL PROHIBITION.

1.—(a) 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 from the Bovisand, Watchhouse, Picklecombe, Penlee, Renney and Drake's Island Batteries, or any one or more of them, all intrusion on the War Department property at any of the said Batteries affected by the said Notice (hereinafter called the land areas) and the foreshore and sea abutting thereon (hereinafter called the sea areas) within the limits set out in the Schedule hereto, and all obstruction of the use thereof, is prohibited.

ALTERNATIVE FIRING AREAS.

(b) The land areas and sea areas affected when firing takes place will differ according to the Battery or Batteries from which firing is being carried out, and are included in the seven combined land and sea areas described in the Schedule hereto and hereinafter referred to as :—

- (1) Firing Area "A" in respect of firing from Bovisand and Watchhouse Batteries.
- (2) Firing Area "B" in respect of firing from Watchhouse Battery.
- (3) Firing Area "C" in respect of firing from Picklecombe Battery.
- (4) Firing Area "D" in respect of firing from Penlee Battery.
- (5) Firing Area "E" in respect of firing from Renney Battery.
- (6) Firing Area "F" in respect of firing from Renney Battery.
- (7) Firing Area "G" in respect of firing from Drake's Island Battery.

FIRING AREAS WHICH MAY BE AFFECTED SIMULTANEOUSLY.

Firing may take place simultaneously over :—

- (i) Firing Areas " A " and " B."
- (ii) Firing Areas " D," " E " and " F."
- (iii) Firing Areas " A " to " F " inclusive. (See notice (3) at end of Bye-laws.)

OFFENCES DURING FIRING.

2. While notice that firing is taking place in any of the firing areas mentioned in Bye-law No. 1 is given by the hoisting of the signals as provided in Bye-law No. 3, then in respect of the land area or areas and sea area or areas included therein and affected by the said Notice :—

- (i) No person shall enter or remain within the land area or the sea area, nor bring, take or 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.

SIGNALS.

3. Notice that firing is taking place in any of the Firing Areas mentioned in Bye-law No. 1 (b) is given by the hoisting or display of the following signals :—

(A) *In respect of firing by Day :—*

- (a) By a red flag on each flank of the land area or areas over which firing is taking place and at Breakwater Fort.
- (b) By the international Code Flag " A " and/or " B " and/or " C " and/or " D " and/or " E " and/or " F " or " G," corresponding to the Firing Area or areas as set out in Bye-law No. 1 (b) over which firing is taking place, below the Red Flag at Breakwater Fort mentioned in (a) above.
- (c) By a large Red Flag on the Range Target Towing Vessel. The display of this Flag is a signal that the target is ready to be, or is being, fired at.

(B) *In respect of firing by Night :—*

By a Red Light on each flank of the land area over which firing is taking place. Such firing will only take place from Bovisand and Watchhouse Batteries over Firing Area "A."

DURATION OF SIGNALS.

The signals referred to in this Bye-law other than that in Section (A) (c), will be hoisted or displayed one hour before firing is due to commence and will remain hoisted or displayed until firing has ceased, when they will at once be hauled down or extinguished.

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 any of the sea areas, or take or retain, or be in possession of, any such shot, shell or other projectile, or portions thereof, found within any of the sea areas.

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 any of the sea areas, 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 provisions of this Bye-law shall not apply in cases 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 Bye-laws Nos. 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 contravening Bye-laws Nos. 1, 2 or 4, or to remove any vehicle, animal, vessel, aircraft or thing found on the land area or areas or sea area or areas affected in contravention of any of the said Bye-laws, are :—

- (1) The Officer in Charge of the Batteries.
- (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.

WHEN ANY VESSEL OR AIRCRAFT IS IN DANGER.

6. When any vessel or aircraft is within danger in any of the Sea Areas all firing within that area will cease.

EXEMPTIONS.

7. These Bye-laws shall not apply to :—

- (a) Any vessel entering or passing through the Sea Area or Areas affected in the ordinary course of navigation.
- (b) Any vessel compelled to enter or unable to quit the Sea Area or Areas affected by reason of the exigencies of navigation.
- (c) Any vessel when racing, providing due notice of the racing fixture has been given not less than forty-eight hours previously to the Officer Commanding Plymouth and Falmouth Defences, Royal Artillery, at the Royal 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 or Areas affected.
- (e) Any vessel employed under the authority of Trinity House, London, or any pilot vessel whilst engaged on pilotage duties.
- (f) His Majesty's Ships of War, His Majesty's Aircraft, or any vessel or aircraft employed under Admiralty or Air Council Authority.
- (g) Any aircraft compelled to alight on or unable to quit the Sea Area or Areas affected.
- (h) Any foreign vessel when outside territorial waters.
- (i) The Eddystone Lighthouse. (See Notice 5 at end of Bye-laws.)

INTERPRETATION.

8. "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.

"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.

9. The Bye-laws shall come into operation on the First day of January, One thousand nine hundred and thirty-five, on and after which date the Bye-laws in respect of Bovisand Artillery Ranges, dated 10th March, 1924, and the Bye-laws in respect of Penlee Battery Artillery Range, dated 10th March, 1924, shall cease to have effect.

SCHEDULE.

DESCRIPTION OF LAND AND SEA AREAS.

The Firing Areas " A " to " G " referred to in Bye-law No. 1 hereof are situated as follows :—

1.—LAND AREAS.

(a) The area of land included in Firing Areas " A " and " B " in respect of firing from Bovisand and Watchhouse Batteries is bounded as follows :—

On the North-West.—By a line starting at a point on High Water Mark about 210 yards North of Bovisand Pier and drawn in a North-Easterly direction to the footpath at a point thereon by Devonport Quarry (disused), thence

On the North.—By a line drawn in a South-Easterly direction to the North side of the War Department road leading into Watchhouse Battery, thence

On the East.—By a line drawn in a Southerly direction past the East side of Watchhouse Battery to a point on High Water Mark, on the North side of Bovisand Bay about 50 yards South of what was formerly Bovisand Coast-guard Quarters, and thence

On the South and West.—By the line of High Water in a Westerly and Northerly direction round Bovisand Fort and Bovisand Pier to the starting point.

(b) The area of land included in Firing Area " C " in respect of firing from Picklecombe Battery is that War Department land enclosed on the North, East and West by the War Department fences surrounding Picklecombe Fort and bounded on the South by the line of High Water between the Eastern and Western boundaries.

(c) The area of land included in Firing Area " D " in respect of firing from Penlee Battery is bounded as follows :—

On the South-West and West.—By a line starting at a point on High Water Mark below Middlebarton Brake about 1,040 yards West of Penlee Point and drawn in a North-Easterly direction across Middlebarton Brake to the War Department fence denoting the Western boundary of Penlee Battery, and thence following this fence in a Northerly direction to the Military Road at the point where it enters Penlee Battery ; thence

On the North and North-East.—By a line drawn in an Easterly direction following the War Department fence along the

Northern boundary of Penlee Battery to its North-East corner just by Folly Tower, thence drawn in a South-Easterly direction crossing Watery Orchard Plantation to a point on High Water Mark in Inner Broady Cove; thence

On the East and South.—By a line of High Water in a general Southerly and then Westerly direction passing round Penlee Point to the starting point below Middlebarton Brake.

(d) The area of land included in Firing Areas “ E ” and “ F ” in respect of firing from Renney Battery is bounded as follows :—

On the North.—By a line starting on High Water Mark at a point just South of the Beacon on Westlake Brake on the East side of Plymouth Sound and drawn in an Easterly direction until it reaches the W.D. boundary, at War Department Boundary Stone No. 18, just East of Renney Battery; thence

On the East.—By a line drawn in a South-Easterly direction following the W.D. boundary, East of Renney Battery, between Hoostone Brake and Heybrook Brake to a point on High Water Mark, in Heybrook Bay, marked by W.D. Boundary Stone No. 22, about 380 yards East of Renney Point; thence

On the South and West.—By the line of High Water in a Westerly and Northerly direction round Renney Point to the starting point.

(e) The area of land included in Firing Area “ G ” in respect of firing from Drake’s Island Battery is the whole of the War Department property known as Drake’s or St. Nicholas’s Island situated in the Northern portion of Plymouth Sound.

The points on High Water Mark referred to in the foregoing descriptions are marked by white notice boards.

2.—SEA AREAS.

(a) *Firing Area “ A. ”*—The sea area included in this Firing Area is bounded as follows :—

On the East.—By a line starting from a point on High Water Mark on the East side of Plymouth Sound, marked by a notice board, in Latitude $50^{\circ} 20' 06''$ N., Longitude $4^{\circ} 7' 30''$ W., and drawn in a direction 182° until a point is reached in Latitude $50^{\circ} 16' 10''$ N., Longitude $4^{\circ} 7' 42''$ W.

On the West.—By a line starting from a point on High Water Mark on the East side of Plymouth Sound, marked by a notice board, in Latitude $50^{\circ} 20' 18''$ N., Longitude $4^{\circ} 7' 36''$ W., and drawn in a direction 226° until a point is reached in Latitude $50^{\circ} 17' 28''$ N., Longitude $4^{\circ} 12' 10''$ W.

On the South.—By an arc of a circle with a radius of 3·94 Nautical Miles from the H.W.M. in Latitude $50^{\circ} 20' 06''$ N., Longitude $4^{\circ} 7' 30''$ W. between the Eastern and Western boundaries, above described.

On the North.—By the line of High Water between the starting points of the Eastern and Western Boundaries.

(b) *Firing Area "B."*—The sea area included in this Firing Area is bounded as follows:—

On the East.—By the Eastern boundary of the Sea Area included in Firing Area "A" described in 2 (a) above and a continuation of this boundary drawn in a direction 182° until a point is reached in Latitude $50^{\circ} 10' 16''$ N., Longitude $4^{\circ} 7' 56''$ W.

On the West.—By the Western boundary of the Sea Area included in Firing Area "A" described in 2 (a) above and a continuation of this boundary drawn in a direction 226° until a point is reached in Latitude $50^{\circ} 13' 22''$ N., Longitude $4^{\circ} 18' 45''$ W.

On the South.—By an arc of a circle with a radius of 9·85 Nautical Miles from the H.W.M. in Latitude $50^{\circ} 20' 06''$ N., Longitude $4^{\circ} 7' 30''$ W., between the Eastern and Western Boundaries above described.

On the North.—By the Northern Boundary of the Sea Area included in Firing Area "A" described in 2 (a) above.

(c) *Firing Area "C."*—The sea area included in this Firing Area is bounded as follows:—

On the East.—By a line starting from a point on High Water Mark on the West Side of Plymouth Sound, marked by a notice board, in Latitude $50^{\circ} 20' 33''$ N., Longitude $4^{\circ} 10' 12''$ W., and drawn in a direction 151° until a point is reached in Latitude $50^{\circ} 14' 36''$ N., Longitude $4^{\circ} 5' 00''$ W.

On the West.—By a line starting from a point on High Water Mark on the West side of Plymouth Sound, marked by a notice board, in Latitude $50^{\circ} 20' 33''$ N., Longitude $4^{\circ} 10' 18''$ W. and drawn in a direction 202° until a point is reached in Latitude $50^{\circ} 14' 14''$ N., Longitude $4^{\circ} 14' 14''$ W.

On the South.—By an arc of a circle with radius of 6·85 Nautical Miles from the H.W.M. in Latitude $50^{\circ} 20' 33''$ N., Longitude $4^{\circ} 10' 12''$ W., between the Eastern and Western boundaries above described.

On the North.—By the line of High Water between the starting points of the Eastern and Western boundaries.

(d) *Firing Area "D."*—The sea area included in this Firing Area is bounded as follows:—

On the East.—By a line starting from a point on High Water Mark in Inner Broady Cove north of Penlee Point marked by a notice board, in Latitude $50^{\circ} 19' 18''$ N., Longitude $4^{\circ} 11' 15''$ W., and drawn in a direction 143° until a point is reached in Latitude $50^{\circ} 7' 30''$ N., Longitude $3^{\circ} 57' 14''$ W.

On the West.—By a line starting from a point on High Water Mark West of Penlee Point below Middlebarton Brake, marked by a notice board, in Latitude $50^{\circ} 19' 03''$ N., Longitude $4^{\circ} 12' 05''$ W., and drawn in a direction 237° until a point is reached in Latitude $50^{\circ} 11' 12''$ N., Longitude $4^{\circ} 30' 45''$ W.

On the South.—By an arc of a circle with radius of 14.80 Nautical Miles from the H.W.M. of Inner Broady Cove in Latitude $50^{\circ} 19' 18''$ N., Longitude $4^{\circ} 11' 15''$ W., between the Eastern and Western boundaries above described.

On the North.—By the line of High Water between the starting points of the Eastern and Western boundaries.

(e) *Firing Area "E."*—The sea area included in this Firing Area is bounded as follows:—

On the East.—By a line starting from a point on High Water Mark on the East side of Plymouth Sound, in Heybrook Bay, marked by a notice board, in Latitude $50^{\circ} 19' 08''$ N., Longitude $4^{\circ} 6' 54''$ W., and drawn in a direction 168° until a point is reached in Latitude $50^{\circ} 4' 36''$ N., Longitude $4^{\circ} 2' 02''$ W.

On the West.—By a line starting from a point on High Water Mark on the East side of Plymouth Sound, marked by a notice board, in Latitude $50^{\circ} 19' 13''$ N., Longitude $4^{\circ} 7' 12''$ W., and drawn in a direction 220° until a point is reached in Latitude $50^{\circ} 7' 56''$ N., Longitude $4^{\circ} 22' 07''$ W.

On the South.—By an arc of a circle with a radius of 14.80 Nautical Miles from the H.W.M. in Latitude $50^{\circ} 19' 08''$ N., Longitude $4^{\circ} 6' 54''$ W., between the Eastern and Western boundaries above described.

On the North.—By the line of High Water between the starting points of the Eastern and Western boundaries.

(f) *Firing Area "F."*—The sea area included in this Firing Area is bounded as follows:—

On the South-East.—By a line commencing at the Eastern starting point described in 2 (e) above and drawn in a direction 221° until a point is reached in Latitude $50^{\circ} 7' 56''$ N., Longitude $4^{\circ} 22' 07''$ W.

On the North-West.—By a line commencing at the Western starting point described in 2 (e) above and drawn in a direction 261° until a point is reached in Latitude $50^{\circ} 16' 55''$ N., Longitude $4^{\circ} 29' 48''$ W.

On the West.—By an arc of a circle with a radius of 14.80 Nautical Miles from the H.W.M. in Latitude $50^{\circ} 19' 08''$ N., Longitude $4^{\circ} 6' 54''$ W. between the South-Western and North-Western boundaries above described.

On the North.—By the Northern boundary of the Sea Area included in Firing Area "E" described in 2 (e) above.

(g) *Firing Area "G."*—The sea area included in this Firing Area is bounded as follows :—

On the East.—By a line starting from a point on High Water Mark on the Eastern extremity of Drake's Island in Latitude $50^{\circ} 21' 16''$ N., Longitude $4^{\circ} 9' 02''$ W., and drawn in a direction 193° until a point is reached in Latitude $50^{\circ} 14' 36''$ N., Longitude $4^{\circ} 11' 30''$ W.

On the West.—By a line starting from a point on High Water Mark on the Western extremity of Drake's Island in Latitude $50^{\circ} 21' 18''$ N., Longitude $4^{\circ} 9' 16''$ W., and drawn in a direction 209° until a point is reached in Latitude $50^{\circ} 15' 18''$ N., Longitude $4^{\circ} 14' 24''$ W.

On the South.—By an arc of a circle with a radius of 6.85 Nautical Miles from the H.W.M. in Latitude $50^{\circ} 21' 16''$ N., Longitude $4^{\circ} 9' 02''$ W., between the Eastern and Western boundaries above described.

On the North.—By the line of High Water between the starting points of the Eastern and Western boundaries.

Dated this twentieth day of December, One thousand nine hundred and thirty-four.

(Signed) HAILSHAM,

*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) WALTER RUNCIMAN,

President of the Board of Trade.

The County Council of Cornwall hereby signify their consent to the foregoing Bye-laws.

(Signed) T. A. H. SHEERS, *Clerk.*

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

(Signed) JAMES. E. PILLAR, *Mayor.*

(Signed) R. J. FITTALL, *Town 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 AREAS.

(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.

(3) No firing will take place from the batteries on Sundays. Night firing will be carried out only over Firing Area "A." The whole of the Firing Areas "A" to "F" inclusive will not be closed simultaneously on more than one or two days per annum.

A provisional programme of firing from the batteries for the coming season will be circulated at the commencement of each firing season to the persons enumerated in Notice No. 4 below, such programme being subject to alteration from time to time if necessitated by military requirements.

PUBLIC NOTICES.

(4) In addition to the seasonal programme of firing referred to in Notice No. 3 above, forty-eight hours' notice that firing will

take place on any day or night (such notice to stand for the next or succeeding days or nights if weather conditions are unfavourable for firing on the day or days or night or nights specified) will be given to the following :—

- The Naval Commander-in-Chief.
 - The King's Harbour Master, Hamoaze and Sound.
 - The Harbour Masters, Sutton Port, Cattewater, Fowey, Polperro and Mevagissey.
 - The Sub-Commissioners of Pilotage, Plymouth.
 - The Custom Houses, Plymouth, Fowey, Polperro and Mevagissey.
 - The General Post Office, Plymouth.
 - The Post Offices, Newton Ferrers, Cawsand, Looe and Fowey.
 - The Brixham Fish Market.
 - The R.N.R. Battery at Polruan-by-Fowey.
 - The Officer Commanding R.A.F. Station, Mount Batten.
 - The Air Port Officer, Plymouth Municipal Aerodrome, Roborough, near Plymouth.
 - The Trinity House District Superintendent, Trinity Store, Penzance.
 - The Plymouth Breakwater Lighthouse.
 - The Inspector, H.M. Coastguard, South-Western Division, Brixham.
 - The District Officers, H.M. Coastguard, Hope Cove and Looe.
 - The District Inspector of Fisheries, South-Western Area, District Office, Barclays Bank Chambers, Princess Square, Plymouth.
 - The Royal Western, Corinthian and South-Western Yacht Clubs.
 - The Great Western Docks.
 - The Devonport New Quays.
 - The Agent and Tenants of the Land at Penlee.
 - The Saltash Steamboat Company.
 - The Principal Shipping Agents in Plymouth and Devonport.
 - The Penlee Point Fog Signal Station.
 - The Principal Fish Salesmen at Barbican, Plymouth.
- The Notices will also be distributed amongst the pilots, fishermen and boatmen at Plymouth and Devonport.

EDDYSTONE LIGHTHOUSE.

(5) When firing is being carried out over Firing Areas "D" and/or "E" at ranges beyond 17,750 yards, the angle of fire will be so arranged as to exclude Eddystone Lighthouse from the danger area and will follow imaginary lines subtending $7\frac{1}{2}^{\circ}$ on either side of other imaginary lines directly joining the Lighthouse and the Battery or Batteries from which firing is taking place.

PROCEDURE FOR CLEARING SEA AREAS.

(6) (a) Vessels entering or remaining within the sea area in contravention of any of the preceding Bye-laws may, under Section 17 (2) of the Military Lands Act 1892 (*see* 1 above) be removed from the area. In such cases any vessel acting under the orders of the local military authorities will, when necessary, tow the offending vessel out of the area.

(b) Masters of vessels entering or remaining within the sea area in the ordinary course of navigation or by reason of the exigencies of navigation and exempt from the operation of the Bye-laws under Clause No. 7 (a) and (b) are requested to assist the carrying out of artillery practice by hastening through the area or by consenting to be towed out of the area, if necessary, by any vessel acting under the orders of the local military authorities.

WHERE BYE-LAWS CAN BE OBTAINED AND CHART OF THE RANGE INSPECTED.

(7) Copies of these Bye-laws can be obtained, and a chart showing the Firing areas affected can be inspected at the offices of the Commanding Royal Engineer, Area Headquarters Office, Mount Wise, Devonport, at the Harbour Master's Office at Sutton Harbour (Plymouth), Brixham, Looe, Polperro, Mevagissey, and the Post Offices at Cawsand and Newton Ferrers.

AIRCRAFT WARNING.

(8) Aircraft are warned not to fly in the vicinity of these ranges while firing is in progress, and no liability for accident to aircraft arising from the use of the ranges can be admitted.

Notwithstanding any fine limit mentioned in the above byelaws the current maximum fine as at 01/09/2008 is the sum of £500 being the maximum on level 2 of the standard scale.