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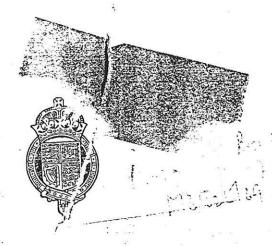
# HOLBEACH;

(IN THE COUNTY OF LINCC LN)

# AIR GUNNERY AND BOMBING RANGE

## BYE-LAWS

MADE by the Secretary of State for Air u nder the provisions of the Military Lands Acts, 1892 and 1 900, as applied by the Air Force (Application of Enactments) (No. 1) Order, 1918, and the Air Force (Application of Enactments) (No. 3) Order, 1923, and as amended by Regulation 52 of the Defence Regulations, 1939, and by virtue of that Regulation for regulating the use of the above-named Range.



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1939

# DESICRIPTION OF THE RANGE

1. The Holbs ach Air Gunnery and Bombing Range, to which these Bye-daws apply (hereinafter called the "Range Area") is situated near Holbeach in the Parishes of Gedney and Holbeach in the County of Lincoln and consists of an area of Air Ministry land (hereinafter called the "Land Area"), together with the foreshore and sea abutting thereon (hereinafter called the "Sea Area").

Within the Laind Area is comprised a small area of land (hereinafter called) the "Safety Zone") which is defined for the purpose of at fording access for repairing, maintaining, renewing and scouring out the Fleet Haven Outfall Sluice and the Fleet Haven Outfall by persons acting under the authority of the Officer Commanding, Royal Air Force, Sutton Bridge, Lin colnshire, or the Royal Air Force Officer in charge of the Rienge.

The respective li mits of the Land Area, the Sea Area and the Safety Zone are set out in the Schedule hereto.

# GENERAL PROHIBITION

2. During such titue as notice is given by the hoisting or displaying of signal is in manner hereinafter provided in Bye-law No. 4 that practice is taking place the Range Area will be closed to the public and all intrusion thereon and all obstruction of the use thereof are prohibited.

# OFFENCES DURING PRACTICE

- 3. During such time as notice is given by the hoisting or displaying of signals in manner hereinafter provided in Bye-law No. 4 that practice is taking place and the Range Area is closed to the Public cordance with the provisions of Bye-law No. 2 then:
  - (1) No person shall enter or remain within the Land Area or the Sea Area, or bride, take or suffer to remain therein, any vehicle, animal vessel, aircraft, or thing except in pursuance of authority given by the Officer

Commanding, Royal Air Force, Sutton Bridge, Lincolnshire, or the Royal Air Force Officer in charge of the Range, or except as provided in Bye-law No. 10.

- (2) No vessel shall be employed in fishing in the Sea Area.
  - (3) No pleasure boat shall cruise in the Sea Area.
- (4) No vessel shall anchor or remain anchored in, or ground on the Sea Area.
- (5) No aircraft shall alight on, remain in, or travel upon the Land Area or the Sea Area.
- (6) In the event of any aircraft being from any cause within the Land Area, the pilot or other person in charge thereof shall use his utmost endeavours to remove such aircraft out of the Land Area without loss of time.
- (7) In the event of any vessel or aircraft being from any cause within the Sea Atea, 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.

#### PROVIDED nevertheless-

- (1) That nothing in this Bye-law shall prohibit Richard Dring, of Thorney, in the Isle of Ely and County of Cambridge, his successors and assigns from exercising the right or rights of way and of watering cattle, sheep, horses and other animals and taking water reserved to him or them by or under Conveyance made the thirty-first day of March, One thousand nine hundred and twenty-seven, between the said Richard Dring and the President of the Air Council to the extent to which and in the manner and subject to the conditions under which the said rights are reserved to him or them by the said Conveyance.
- (2) That nothing in this Bye-law shall prohibit the said Richard Dring, his servants and agents having access to the Safety Zone for the purpose of repairing, maintaining, renewing and scouring out the Fleet Haven Sluice and the Fleet Haven Outfall in accordance with the right reserved to him by a Lease dated the second day of May, One thousand nine hundred and thirty-two, and made between Thomas Arnall Dring, Richard Dring, Alfred John Chapman Dring and Herbert Foster of the one part and the President of the Air Council of the other part and

(3) That nothing in this Bye-law shall prohibit Henry Thompson, of Middleton Hall, Norfolk, Farmer, his successors and assigns, from exercising the right of access to that portion of the Dawsmere Sluice and Dawsmere Creek which is within the Land Area and the Sea Area for the purpose of repairing, maintaining, renewing and scouring out the Dawsmere Sluice and the Dawsmere Creek reserved to him by a Lease dated the eighteenth day of April, One thousand nine hundred and thirtytwo, and made between himself of the one part and the President of the Air Council of the other part to the extent to which and in the manner in which and subject to the conditions under which the said rights are reserved to him or them by the said Lease.

#### SIGNALS

- 4. Notice that practice is taking place within the Range Area is given by the hoisting or displaying of the following signals:—
  - (A) By day:—(i) By a red flag hoisted on Flagstaff No. 1 situated near Danger Board No. 2 on the northwest extremity of the Land Area.
  - (ii) By a red flag hoisted on Flagstaff No. 1a situated near the New Sea Bank in proximity to Danger Board No. 4.
  - (iii) By a red flag hoisted on Flagstaff No. 5 situated on the New Sea Bank north of Danger Board No. 14.
  - (iv) By a red flag hoisted on Flagstaff No. 6 situated north of the New Sea Bank near Danger Board No. 16.
  - (v) By a red flag hoisted on Flagstaff No. 7 situated on the eastern side of Cox's Creek near Danger Board No. 19, at the south-eastern extremity of the Land Area.
  - (B) By night:—(i) By a fixed red light displayed on each of the flagstaffs mentioned in (ii), (iii) and (iv) of (A) above.
  - (ii) By a red flashing light giving one flash of half-a-second's duration every 5 seconds, situated 50 yards north of Flagstaff No. 1 (Latitude 52° 53′ 02″ N., Longitude 0° 06′ 00″ E.).
  - (iii) By a red flashing light giving one flash of half-a-second's duration every 5 seconds, situated on the western side of Cox's Creek opposite Flagstaff No. 7 (Latitude 55° 50′ 37″ N., Longitude 0° 11′ 30″ E.).

#### DURATION OF SIGNALS

The Signals referred to in this Bye-law will be hoisted or displayed half-an-hour before practice commences and will be hauled down or extinguished when practice has ceased.

#### SAFETY ZONE SIGNALS

5. Notice that persons acting under the authority of the Officer Commanding, Royal Air Force, Sutton Bridge, Lincolnshire, or the Royal Air Force Officer in charge of the Range are about to enter the Safety Zone, will be given by the hoisting or displaying of the following signals:—

(i) By lowering the red flag on Flagstaff No. 3 situated near the New Sea Bank on the eastern side of

Fleet Haven.

(ii) By a green flag hoisted on Flagstaff No. 3 situated near the New Sea Bank on the eastern side of Fleet Haven.

(iii) By a red flag hoisted on Flagstaff No. 2 situated near Danger Board No. 5 about 100 yards north-west

of Fleet Haven.

(iv) By a red flag hoisted on Flagstaff No. 4 situated near the New Sea Bank about 100 yards south-east of Fleet Haven.

The signals referred to in this Bye-law will be hoisted or displayed whenever persons acting under the authority of the Officer Commanding, Royal Air Force, Sutton Bridge, or the Royal Air Force Officer in charge of the Range, are about to enter the Safety Zone and will remain hoisted or displayed until the Safety Zone is again unoccupied.

The hoisting or displaying of the signals aforesaid gives no authority to the public to enter the Safety Zone or any part of the Range Area while closed to the public in accordance

with the provisions of Bye-law No. 2.

#### RECOVERY OF SHELL, ETC.

6. No person shall trawl, dredge or search for, or otherwise interfere with, any shot, shell, bomb or other projectile or portion thereof, within the Range Area, or take or retain, or be in possession of, any such shot, shell, bomb or other projectile or any portion thereof, found within the said area.

Any person who, when trawling or dredging shall come into possession of any such shot, shell, bomb or other projectile or 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 provisions of this Bye-law shall not apply in the case of persons who recover projectiles under written instructions from the local Naval, Military, or Air Force authorities.

#### PROHIBITION OF GAME HUNTING, ETC.

7. Subject to the provisions of Bye-laws Nos. 2, 3 and 6, the public may use the Land Area for the purpose of recreation but no person shall enter or be upon the Land Area

for the purpose of pursuing or killing game or other animals or wild fowl or other birds or for any purpose in connection therewith.

#### OFFICERS AUTHORISED

- 8. Any person doing anything prohibited by or otherwise contravening any of the preceding Bye-laws Nos. 2, 3, 6 or 7, 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 persons committing an offence against Bye-laws Nos. 2, 3, 6 or 7, or to remove any vehicle, animal, vessel, aircraft or thing, found in the Land Area or the Sea Area, in contravention of any of the said Bye-laws are:—
  - (1) The Officer Commanding, Royal Air Force, Sutton Bridge, Lincolnshire.

(2) The Royal Air Force Officer in charge of the

Range.

(3) Any Officer, Warrant Officer, Non-Commissioned Officer, or any Service Policeman for the time being under the command of the said Officer Commanding.

(4) Any person authorised in writing under the hand

of the said Officer Commanding.

(5) Any Constable.

## WHEN VESSEL OR AIRCRAFT IN DANGER

9. When any vessel is within the Sea Area or any aircraft is within the Sea Area or the Land Area all practice shall cease and a second red flag or second red flashing light giving one flash of half-a-second's duration every five seconds will be hoisted or displayed below each of the red flags or red flashing lights 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 Sea Area, or the Land Area, as the case may be.

#### **EXEMPTIONS**

10. 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) Any vessel belonging to the Corporation of Trinity House, London, whilst employed on any Trinity House

duty or service.

(e) H.M. Ships of War, H.M. Aircraft, or any vessel or aircraft employed under Admiralty, War Department or Air Council authority.

(f) Any aircraft compelled to alight on or unable to

quit the Sea Area, or the Land Area.

#### INTERPRETATION

11. In these Bye-laws:-

(a) The expression "practice" includes the firing of all kinds of ammunition from aircraft and the dropping of live or other bombs from aircraft and any or all of such operations.

(b) The expression "Land Area" includes all foot-

paths within the Land Area.

(c) The expression "vessel" includes ship, yacht, lighter, boat and craft of every kind, and whether navigated by steam, motor, sail, oars or otherwise.

(d) The expression "aircraft" includes all balloons whether fixed or free, kites, gliders, airships, aeroplanes, seaplanes, flying boats and other flying machines.

## DATE OF OPERATION OF BYE-LAWS

12. These Bye-laws shall come into force on the 13th day of December, One thousand nine hundred and thirty-nine, on and after which date the Bye-laws in respect of Holbeach Air Gunnery and Bombing Range dated the Sixth day of November, One thousand nine hundred and thirty-four shall be revoked.

#### SCHEDULE

LIMITS OF THE LAND AREA, THE SEA AREA AND THE SAFETY ZONE OF THE HOLBEACH AIR GUNNERY AND BOMBING RANGE.

## PART I.—DESCRIPTION OF THE LAND AREA

The area of land comprising the Land Area and affected by these Bye-laws is situated in the Parishes of Gedney and Holbeach in the County of Lincoln, and comprises all the land north of the New Sea Bank extending from about 300 yards east of Lawyer's Creek on the north-west for a distance of about five miles to Cox's Creek on the southeast and is bounded as follows:—

ON THE WEST.—By a line commencing at a point on High Water Mark about 500 yards east of Lawyer's Creek described in Part 2 of this Schedule as Latitude 52° 53′ 15″ N., Longitude 0° 6′ 12″ E., marked by Danger Board No. 1 and continuing in a south-westerly direction for a distance of about 577 yards until a point

is reached on the north side of a footpath (which runs parallel with New Sea Bank) and marked by Danger Board No. 2, and thence:—

On the South.—By a line commencing at the lastmentioned point and running in a south-easterly direction along the northern side of a footpath passing three Danger Boards, Nos. 3, 4 and 5, for a distance of about 3,050 yards to a point by the fence on the west bank of Fleet Haven Outfall marked by Notice Board No. 4 and continuing in the same direction to a point on the east side of Fleet Haven Outfall marked by Flagstaff No. 3 to which is attached a Notice Board displaying a copy of these Bye-laws and thence continuing in a south-westerly direction crossing the New Sea Bank and running parallel with and close to the eastern bank of Fleet Haven until a point is reached on the north side of a creek where the aforementioned creek joins the Fleet Haven south of the New Sea Bank and marked by Danger Board No. 6, and thence continuing along the northern side of the creek through Danger Board No. 7 for a distance of about 313 yards to a point by the creek on the western side of the road from Durham's Farm, and marked by Notice Board No. 5, and thence following the line of a fence running in a south-easterly direction for a distance of about 487 yards to a point about 40 yards north of Two Cottages and 310 yards north-east of Durham's Farm marked by Danger Board No. 10 and thence continuing in a south-easterly direction for a distance of about 90 yards crossing the creek to a point on the eastern bank about 353 yards north-east of Durham's Farm marked by Danger Board No. 11 and thence continuing along the eastern bank of the creek in a southerly direction for a distance of about 77 yards to a point marked by Danger Board No. 12, and thence continuing along the northern side of the creek in an easterly direction for a distance of 323 yards crossing a creek which runs parallel with the New Sea Bank to a point on the northern bank of the aforementioned creek and marked by Danger Board No. 13, and thence continuing along the northern bank of the creek in a south-easterly direction for a distance of about 110 yards to a point where a fence crosses the creek, and thence running north along the western side of the fence crossing the New Sea Bank at a point marked by Flagstaff No. 5 to which is attached a Notice Board displaying a copy of these Bye-laws, and thence continuing along the western side of the fence to a point on the northern side of the footpath which runs parallel with and north of the New Sea Bank, and thence continuing along the northern side of the footpath in a general south-easterly direction passing Danger Boards Nos. 14 and 15 for a distance of about 2,766 yards to a point where the New Sea Bank takes a sharp turn east and marked by Danger Board No. 16 and thence continuing along the northern side of the footpath parallel to the New Sea Bank for a distance of about 1,800 yards passing two Danger Boards, Nos. 17 and 18, until a point is reached where the New Sea Bank crosses Cox's Creek marked by Danger Board No. 19, and thence:—

On the East.—By a line commencing at the last-mentioned point and running along the western bank of Cox's Creek for a distance of about 533 yards until a point is reached where Cox's Creek cuts the line of High Water marked by Danger Board No. 20, and thence:—

ON THE NORTH.—By the line of High Water to the starting point at Danger Board No. 1.

#### PART 2.—DESCRIPTION OF THE SEA AREA

The area of foreshore and sea comprising the Sea Area and affected by these Bye-laws is bounded as follows:—

On the West.—By a line commencing at a point on High Water Mark, Latitude 52° 53′ 15″ N., Longitude 0° 6′ 12″ E., marked by Danger Board No. 1 and drawn in a direction 12½° true passing through five can buoys anchored at intervals of 0·11 of a sea mile, each painted white and having a blue cross cutting the vertical axis and extending to the water line, and with the letters D and A painted in red in alternate quadrants, and continuing in the same direction for a total distance of 1·17 sea miles until a point is reached, Latitude 52° 54′ 24″ N., Longitude 0° 6′ 36″ E., marked by Beacon No. 1, and thence:—

ON THE NORTH.—By a line drawn in a direction 97½° true for a distance of 1.90 sea miles, passing through Beacon No. 2, until a point is reached, Latitude 52° 54′ 08″ N., Longitude 0° 9′ 49″ E., marked by Beacon No. 2A, and thence in a direction 29° true for a distance of 0.32 of a sea mile to a point Latitude 52° 54′ 26″ N., Longitude 0° 10′ 04″ E., marked by Beacon No. 3, and thence in a direction 95½° true for a distance of 1.78 sea miles, passing through Beacons Nos. 4 and 5, until a point is reached, Latitude 52° 54′ 15″ N., Longitude 0° 13′ 00″ E., marked by a buoy painted white and having a blue cross cutting the vertical axis and

extending to the water line and with the letters D and A painted in red in alternate quadrants, and thence:—

On the East.—By a line drawn in a direction 176° true for a distance of 1.40 sea miles, passing through Beacon No. 6, until a point is reached, Latitude 52° 52' 51" N., Longitude 0° 13' 12" E., marked by Beacon No. 7, and thence in a direction 1951° true for a distance of 0.50 of a sea mile until a point is reached, Latitude 52° 52′ 22" N., Longitude 0° 12′ 59" E., marked by Beacon No. 8, and thence in a direction 183° true for a distance of 0.99 of a sea mile to a point marked by a can buoy painted white and having a blue cross cutting the vertical axis and extending to the water line and with the letters D and A painted in red in alternate quadrants and thence continuing in the same direction passing through four other can buoys of similar description anchored at intervals of 0.11 of a sea mile for a total distance of 1.50 sea miles until a point is reached, Latitude 52° 50′ 51" N., Longitude 0° 12′ 52" E., marked by Beacon No. 9, and thence: -

On the South.—By a line drawn in a direction 270° true for a distance of 0.61 sea miles until a point is reached on the north side of Cox's Creek, Latitude 52° 50′ 51″ N., Longitude 0° 11′ 51″ E., marked by Danger Board No. 21, and thence running in a south-westerly direction along the north bank of Cox's Creek for a distance of about one cable's length to a point on High Water Mark, Latitude 52° 50′ 49″ N., Longitude 0° 11′ 47″ E., marked by Danger Board No. 20, and thence:—

ON THE SOUTH-WEST.—By the line of High Water to the starting point at Danger Board No. 1.

#### PART 3.—DESCRIPTION OF THE SAFETY ZONE

The Safety Zone referred to in these Bye-laws, which is comprised within and forms part of the Land Area, consists of a small tract of land extending 100 yards each side of the Fleet Haven Outfall from the New Sea Bank to High Water Mark, and is bounded as follows:—

ON THE WEST.—By a line commencing at a point on High Water Mark 100 yards north-west of the main straight of the western bank of Fleet Haven Outfall and marked by Danger Board No. 8, and continuing in a south-westerly direction parallel with Fleet Haven Outfall for a distance of 830 yards until a point is reached 100 yards west of the western bank of Fleet Haven and situated on the northern side of a footpath

(which runs parallel with the New Sea Bank) and marked by Danger Board No. 5, and thence:—

On the South .- By a line commencing at the lastmentioned point and running along the north side of the footpath to a point close to the fence on the western bank of Fleet Haven Outfall marked by Notice Board No. 4 and continuing in the same direction until a point is reached on the eastern side of Fleet Haven Outfall and marked by Flagstaff No. 3 to which is attached a Notice Board displaying a copy of these Bye-laws and thence continuing in a southerly direction, crossing the New Sea Bank and running parallel with and close to the eastern bank of Fleet Haven Outfall until a point is reached on the north side of a creek and where the said creek joins the Fleet Haven Outfall south of the New Sea Bank and marked by Danger Board No. 6 and continuing along the north side of the creek for a distance of 100 yards until a point is reached marked by Danger Board No. 7, and thence:-

On the East.—By a line commencing at the last-mentioned point and continuing in a north-easterly direction through Flagstaff No. 4 parallel with but 100 yards east of Fleet Haven Outfall for a distance of about 1,150 yards to a point on the line of High Water marked by Danger Board No. 9, and thence:—

ON THE NORTH.—By a line commencing at the lastmentioned point and following the line of High Water crossing Fleet Haven Outfall and terminating at Danger Board No. 8.

DATED this 17th day of November, One thousand nine hundred and thirty-nine.

(Signed) KINGSLEY WOOD,

Secretary of State for Air.

#### 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 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."

## PROGRAMME OF PRACTICE

(3) Practice may take place on the Range Area at any time of the day or night throughout the year.

# ACCESS TO FLEET HAVEN OUTFALL

(4) The Safety Zone is provided for the purpose of affording access at all times when required for repairing, maintaining, renewing or scouring out the Fleet Haven Outfall Sluice and the Fleet Haven Outfall. Authority for such access will be given on application being made to the Officer Commanding, Royal Air Force, Sutton Bridge, or the Royal Air Force Officer in charge of the Range, by the Fleet Haven Outfall Drainage Committee on behalf of the persons entitled to exercise such right of access. The date and time at which and (so far as possible) the time during which access is

required should be notified to the Officer Commanding, Royal Air Force, Sutton Bridge, or the Royal Air Force Officer in charge of the Range, as far in advance as circumstances permit, in order that the necessary arrangements may be made for any restriction of practice which may be necessary during the occupation of the Safety Zone. It is dangerous to enter the Safety Zone until the Signals indicated in Bye-law No. 5 have been hoisted or displayed.

WHERE BYE-LAWS CAN BE INSPECTED AND COPIES OBTAINED (5) Copies of these Bye-laws can be obtained free of charge from the Under-Secretary of State, (S.4 (a)), Air Ministry, Kingsway, London, W.C.2, and can be seen at the

following places:

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The Office of the Officer Commanding, Royal Air Force Station, Sutton Bridge.

The Office of the Clerk to the Holland County Council, County Hall, Boston.

The Office of the Clerk to the East Elloe Rural District Council, Holbeach.

The Office of the Clerk to the Eastern Sea Fisheries Joint Committee, King's Lynn.

The Office of the Clerk to the Port and Harbour Authority, Municipal Buildings, Boston.

The Office of the Clerk to the Boston Rural District Council, 15, Market Place, Boston.

The Office of the Clerk to the Spalding Rural District Council, Spalding.

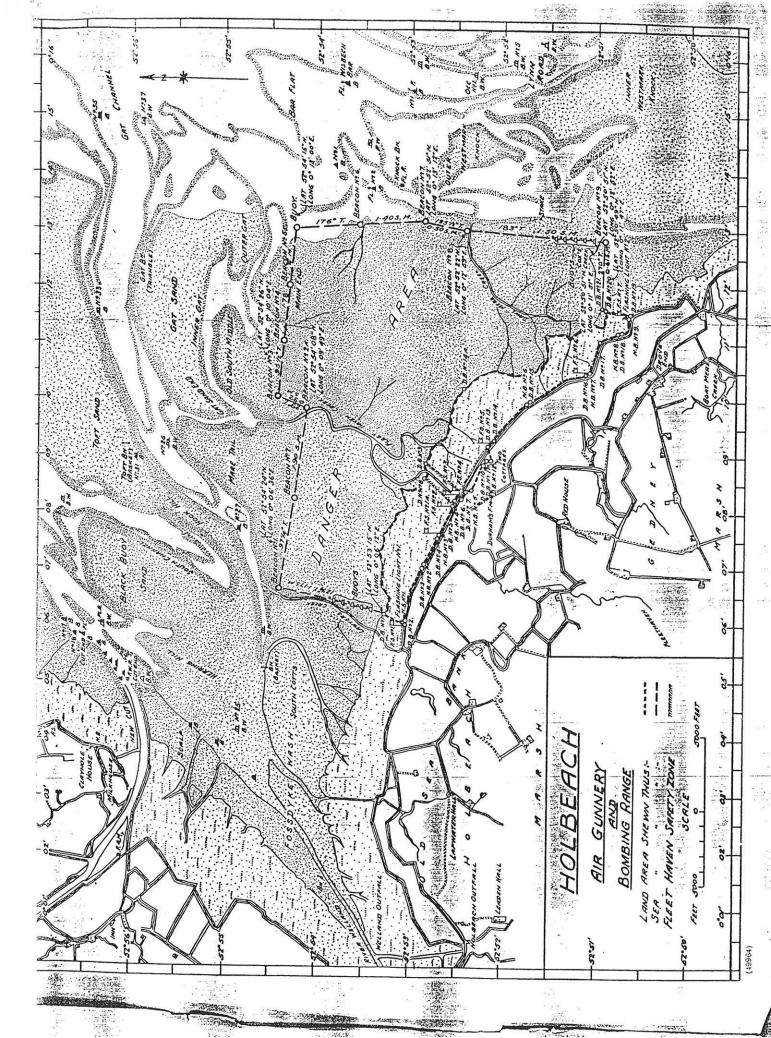
The Office of the Town Clerk, Wisbech.

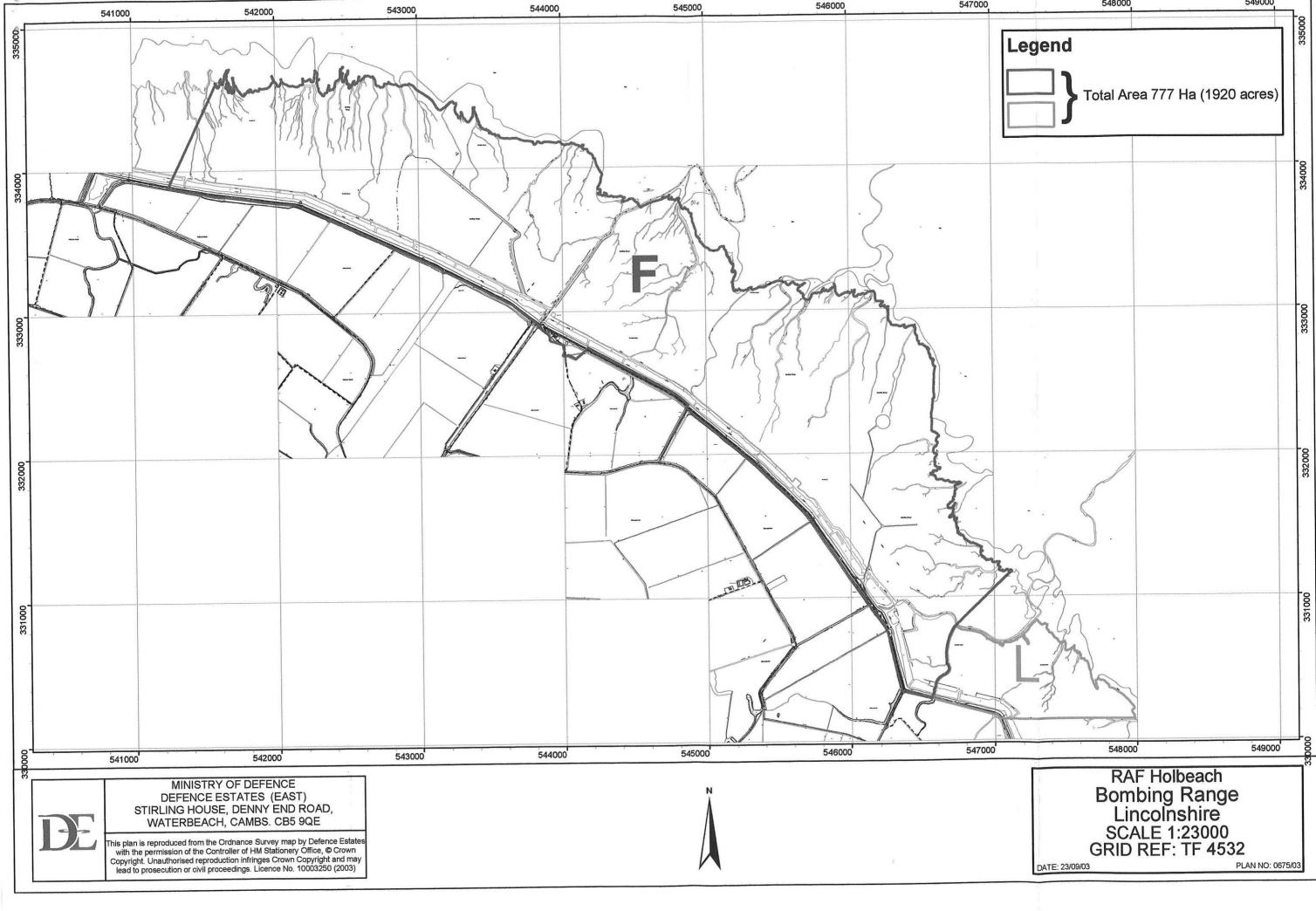
H.M. Customs Offices at Boston, King's Lynn and

The Police Stations at Holbeach and Long Sutton.

# PLAN OF THE RANGE

(6) A plan of the Range to which these Bye-laws apply is annexed hereto.





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.