



FALMOUTH DEFENCES.

ARTILLERY RANGES.

BYE-LAWS

To be 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 and of the Corporation of Falmouth, in respect of Artillery practice from Pendennis Castle and St. Anthony Batteries, Falmouth.

L O N D O N :

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GENERAL PROHIBITION.

1. During such time as notice is given by the hoisting or displaying of the appropriate signals in manner hereinafter provided that firing is taking place from the Pendennis Castle Battery, and/or from St. Anthony Battery, all intrusion on the War Department property at the Pendennis Castle Battery, including property over which the War Department possess firing rights (hereinafter called Land Area No. 1) and/or at St. Anthony Battery (hereinafter called Land Area No. 2) and all intrusion on such areas of foreshore and sea as are affected by such Notice as aforesaid (hereinafter called respectively The Day Sea Area and The Night Sea Area) extending generally eastward and southward of such Batteries (within the limits set out in the Schedule hereto) and all obstruction of the use thereof is prohibited.

2. The limits of the above-mentioned Land Areas and areas of foreshore and sea are set out in the Schedule hereto. Day firing from the Batteries above-mentioned will take place over The Day Sea Area and night firing will take place over The Night Sea Area.

OFFENCES DURING FIRING.

3. While notice that day or night firing is taking place over the areas mentioned in Bye-laws No. 1 and No. 2 is given by the hoisting or displaying of signals as provided in Bye-law No. 4, then in respect of the Land Area or Areas and Sea Area or Areas affected :—

- (i) Such parts of Castle Drive and any other roads and footpaths that may fall within the Land areas, i.e. Nos. 1 or 2, whichever the case may be, shall be closed and no person shall enter or remain within the affected Land area or sea area, nor bring, take or suffer to remain therein any vehicle, animal, vessel, aircraft or thing except as provided in Bye-law No. 3.

- (iii) No pleasure boat shall cruise in any part of the sea area.
- (iv) No vessel shall anchor or remain anchored in or ground in 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.

4. Notice that firing is to take place, or is taking place, is given by the hoisting or displaying of the following signals :—

I.—*In respect of Day Firing.*

(A) On the day previous to the firing :—

- (i) A Red Flag at Pendennis Castle, when firing is to take place from that Battery.
- (ii) A Red Flag at St. Anthony Battery when firing is to take place from that Battery.
- (iii) "H" Flag of the International Code of Signals at the following Coastguard Stations :—
 St. Anthony, Coverack, Port Scatho, Port-houstock and Lizard.
 At Flagstaff at Pendennis Point.

(B) On the day of firing :—

- (i) A Red Flag at each flank of the Battery from which firing will take place.
- (ii) A Red Flag on the Sea Mark at Zoze Point.
- (iii) A Red Flag at the Coastguard Stations referred to in (A) (iii) above.

II.—*In respect of Night Firing.*

(A) During the day previous to the night of firing :—

- (i) A Red Flag over a blue pennant at Pendennis Castle when firing is to take place from that Battery.
- (ii) A Red Flag over a blue pennant at St. Anthony Battery when firing is to take place from that Battery.

- (iii) "H" Flag of the International Code of Signals over a blue pennant at the Coastguard Stations referred to in I (A) (iii) above. ✓

These signals will be hoisted at 8 a.m. or immediately day firing has ceased for that day.

(B) On the night of firing :—

A Red Light at each flank of the Battery from which firing will take place.

III. In addition to the signals referred to in II above, piquet boats will be stationed round the area affected and, in the event of any vessel approaching or entering the area during night firing, will signal for firing to cease, to the Battery from which firing is being carried out.

DURATION OF SIGNALS.

IV. The signals referred to in I (B) and II (B) of this Bye-law will be hoisted or displayed half-an-hour before firing begins and will remain hoisted or displayed until firing has ceased.

RECOVERY OF SHELL, ETC.

5. No person shall trawl, dredge or search for, or otherwise interfere with any shot, shell, or other projectile or portions thereof 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 them, but shall immediately return them in their then condition, and without tampering with them, into the water.

Provided nevertheless that the provisions of this Bye-law shall not apply in case of persons who recover projectiles under written instructions from the local Naval or Military Authorities.

OFFICERS AUTHORISED.

6. Any person doing anything prohibited by or otherwise contravening any of the preceding Bye-laws numbered 1, 3 or 5 shall be deemed to commit an offence against the Bye-laws so contravened.

The persons hereby authorised to remove or take into custody without warrant any person committing an offence against Bye-laws numbered 1, 3 or 5, or to remove any vehicle, animal, vessel, aircraft or thing found in the land area or in the sea area in contravention of any of the said Bye-laws are :—

- (1) The Officer in Charge of the Battery or Batteries from which firing is to take place.

- (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.

7. While any vessel or aircraft is within the sea area all firing will cease and at the Battery in action the International Code Flag " X " will be flown below the red flags referred to in Bye-law No. 4 I (B) (i), or a second red light will be displayed below the red lights referred to in Bye-law No. 4 II (B) to notify the Master or Pilot or other person in charge of the vessel or aircraft that he is within the sea area.

EXEMPTIONS.

- 8. 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 fixtures has been given, not less than forty-eight hours previously to the Officer Commanding the Defences, Plymouth and Falmouth, 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.
 - (e) Any vessel belonging to the Corporation of Trinity House, London, whilst employed on any Trinity House duty or service.
 - (f) H.M. Ships of War, H.M. Aircraft, or any vessel or aircraft employed under Admiralty, War Department or Air Council Authority.
 - (g) Any aircraft compelled to alight on or unable to quit the land area or sea area.
 - (h) Any foreign vessel or foreign aircraft when outside territorial waters.

INTERPRETATION.

9.—(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 Byelaws includes all balloons whether fixed or free, kites, airships, aeroplanes, seaplanes, flying boats or other flying machines.

DATE OF OPERATION OF BYE-LAWS.

10. These Bye-laws shall come into force at the date hereof, on and after which date the Bye-laws in respect of Falmouth Defences, dated 11th January, 1932, shall be revoked.

SCHEDULE.

DESCRIPTION OF LAND AREAS.

The areas of War Department land affected by these Bye-laws form part of the War Department lands surrounding Pendennis Castle and St. Anthony Batteries and are more particularly described as follows :—

LAND AREA No. 1.

Land at Pendennis Castle.

An area of land lying between Pendennis Castle and Pendennis Point on the West Side of the entrance to Falmouth Harbour, partly enclosed within a fence, the unfenced portion being bounded as follows :—

On the North.

By a line drawn from the Flagstaff on the Round Keep of Pendennis Castle in a direction 105° True to High Water Mark.

On the West.

By a line along the boundary of War Department land from Pendennis Castle to High Water Mark.

On the South and East.

By the line of High Water round Pendennis Point between the points thereon where it is cut by the Northern and Western boundaries above described.

LAND AREA No. 2.

Land at St. Anthony Battery.

An area of land forming part of the War Department lands surrounding St. Anthony Battery lying between Zoze Point and St. Anthony Head on the East side of the entrance to Falmouth Harbour, bounded as follows :—

On the North.

By a line joining the gun emplacements in St. Anthony Battery.

On the West.

By a line drawn from the West gun emplacement in a direction 235° True to High Water Mark.

On the East.

By a line drawn from the East gun emplacement in a direction $139^{\circ} 30'$ True to High Water Mark.

On the South.

By the line of High Water between the points thereon where it is cut by the Western and Eastern boundaries, above described.

DESCRIPTION OF SEA AREAS.

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

DAY SEA AREA.

On the West.

By a line commencing at a point at High Water Mark in Latitude $50^{\circ} 8' 37''$, Longitude $5^{\circ} 2' 47''$ and drawn in a direction 185° for about $8\frac{3}{4}$ nautical miles to a point in Latitude $50^{\circ} 0' 2''$, Longitude $5^{\circ} 3' 52''$, thence

On the South.

By a line commencing at the last-mentioned point and drawn in a direction 93° for about $3\frac{1}{2}$ nautical miles to a point in Latitude $49^{\circ} 59' 52''$; Longitude $4^{\circ} 58' 24''$, thence continuing in a direction 53° for about $3\frac{3}{4}$ nautical miles to a point in Latitude $50^{\circ} 2' 3''$, Longitude $4^{\circ} 53' 58''$, thence

On the East.

By a line commencing at the last-mentioned point and drawn in the direction 358° for about $5\frac{1}{8}$ nautical miles to a point in Latitude $50^{\circ} 7' 10''$, Longitude $4^{\circ} 54' 11''$, thence

On the North.

By a line commencing at the last-mentioned point and drawn in the direction 286° for about $5\frac{3}{4}$ nautical miles to a point on High Water Mark East of Pendennis Castle in Latitude $50^{\circ} 8' 41''$, Longitude $5^{\circ} 2' 36''$, thence along the line of High Water Mark of Pendennis Castle to the starting point in Latitude $50^{\circ} 8' 37''$, Longitude $5^{\circ} 2' 47''$.

NIGHT SEA AREA.

On the West.

By a line commencing at a point on High Water Mark in Latitude $50^{\circ} 8' 37''$, Longitude $5^{\circ} 2' 47''$ and drawn in the direction 185° for about $3\frac{3}{4}$ nautical miles to a point in Latitude $50^{\circ} 4' 49''$, Longitude $5^{\circ} 3' 17''$, thence

On the South and East.

By a line commencing at the last-mentioned point, being the Arc of a Circle with a radius of 8,000 yards from the West Gun Emplacement of St. Anthony Battery until a point is reached in Latitude $50^{\circ} 7' 20''$, Longitude $4^{\circ} 55' 2''$, thence

On the North.

By a line commencing at the last-mentioned point and drawn in the direction 286° for about $5\frac{1}{2}$ nautical miles to a point on High Water Mark East of Pendennis Castle in Latitude $50^{\circ} 8' 41''$, Longitude $5^{\circ} 2' 36''$, thence along the line of High Water Mark of Pendennis Castle to the starting point in Latitude $50^{\circ} 8' 37''$, Longitude $5^{\circ} 2' 47''$.

Dated this day of One thousand nine hundred
and

(Signed)

*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)

President of the Board of Trade.

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

(Signed)

Mayor.

(Signed)

Town Clerk.

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.

PROCEDURE FOR CLEARING SEA AREA.

(3)—(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 by reason of the exigencies of navigation and/exempt from the operation of the Bye-laws under Bye-law 8 (b) are requested to assist the carrying out of artillery practice by consenting to be towed out of the area, if necessary, by any vessel acting under the orders of the local Military Authorities.

FIRING PROGRAMME.

(4) Firing from the Batteries may take place on all days. Night firing will take place at any time between sunset and sunrise, but generally between the hours of 10 p.m. and midnight. Firing usually takes place on about 14 days annually, mostly during the months of June to August, but occasionally during other months. Night firing will usually take place on two or more nights during that period. The above programme is subject to alteration if necessitated by Military requirements.

NOTICES OF FIRING.

(5) Notice that firing will take place will be given as follows :—

(a) The Naval Commander-in-Chief, Plymouth, will be informed and Notices will be issued forty-eight hours previously to the Officer Commanding No. 10 Group, Royal Air Force, Lee-on-Solent, to the Town Clerk, Falmouth, to the Town Clerk, Plymouth City Council, Municipal Buildings, Plymouth, to the Harbour Masters at Falmouth, Truro and Penryn, to the Post Offices at Falmouth, Penryn, Portloe, St. Mawes and Flushing, to the Custom House at Falmouth, to the office of the Falmouth District Pilot Boat Association, to the District Officer of Coastguard, Cadgwith, to the Coastguard Stations at Falmouth, St. Anthony, Coverack, Port Scatho, Porthoustock and Lizard, to the Trinity House District Superintendent at Trinity Store, Penzance, to Messrs. Chard & Son, Fishmongers, Falmouth, or their successors in business, if any, and to the Secretary, Royal Cornwall Yacht Club, Greenbank, Falmouth.

(b) By notices sent to the Secretaries of the Passenger Steamship Companies and the Pier Authorities at Falmouth. Notices will also be distributed amongst the pilots, fishermen and boatmen of Falmouth.

WHERE BYE-LAWS CAN BE INSPECTED.

(6) Copies of these Bye-laws can be obtained, and a plan showing the danger area of the range can be inspected at the Office of the Commander, Royal Engineers, Wessex Area (West), Devonport, and at the Office of the Officer Commanding Royal Artillery, Falmouth Sub-District, Pendennis Castle, Falmouth.

AIRCRAFT WARNING.

(7) 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 range can be admitted.