

Lapsed



**Conyer Teynham
Rifle Range
BYELAWS**

Made by the Secretary of State for Defence, under the provisions of Part II of the Military Lands Act 1892, for regulating the use of the above-mentioned range.

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STATUTORY INSTRUMENTS

1966 No. 1022

DEFENCE

The Conyer Teynham Rifle Range Byelaws 1966

Made 2nd August 1966

Coming into operation 30th December 1966

The Secretary of State for Defence in exercise of his powers under Part II of the Military Lands Act 1892 (a), Section 2 of the Military Lands Act 1900 (b), Section 2 of the Defence (Transfer of Functions) Act 1964 (c) and of all other powers enabling him in that behalf, hereby, with the consent of the Board of Trade and the consent of the Kent County Council so far as regards the interference with the highway hereinafter mentioned makes the following Byelaws:—

AREAS OF LAND AND TIDAL WATER AFFECTED

1. (1) The area to which these Byelaws apply (hereinafter referred to as "the Danger Area") consists of:—
 - (a) the land area (together with the highway thereon) of the Conyer Teynham Rifle Range at Conyer in the Parish of Teynham in the County of Kent (which land area is in these Byelaws referred to as the "Land Area") and
 - (b) the area of tidal water and shore abutting thereon (which area is in these Byelaws referred to as the "Tidal Water Area").
- (2) The limits of the Land Area and the Tidal Water Area are respectively set out in Parts I and II of the Schedule hereto and the limits of the Danger Area are, for convenience of reference, marked with a thick black line on the plan hereto annexed and identified as "Plan of the Conyer Teynham Rifle Range".

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.

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

(b) 63 & 64 Vict. c.56.

(c) 1964 c.15.

PROHIBITION OF ACCESS

3. (1) When the Danger Area is being used for any of the 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 purposes, notice of the fact shall be given by the display of the following signals, that is to say a red flag by day hoisted at the following places:—
 - (a) by the access road to the Ranges 480 yards east-south-east of a house named "The Firs";
 - (b) at a place by the sea wall 820 yards east-north-east of a house named "The Firs" and 540 yards west-south-west of the eastern extremity of Fowley Island in Latitude $51^{\circ} 21' 13''$ North, Longitude $00^{\circ} 49' 48''$ East;
 - (c) at a place by the sea wall 65 yards north-west of the north-west end of the butts and 400 yards south-west of the eastern extremity of Fowley Island in Latitude $51^{\circ} 21' 13''$ North, Longitude $00^{\circ} 49' 59''$ East;
 - (d) at a place by the sea wall 1,040 yards east-north-east of the south-east end of the butts and 900 yards east-south-east of the eastern extremity of Fowley Island in Latitude $51^{\circ} 21' 14''$ North, Longitude $00^{\circ} 50' 53''$ East.

PROJECTILES

4. No person shall dig, trawl, dredge 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 or under the care or control of the Ministry of Defence or otherwise the property of the Crown.

OFFENCES

6. Subject to the provisions of Byelaw No. 8—
- (1) 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;
 - (2) the master of every vessel shall observe and cause to be observed the said Byelaws so far as they relate to his vessel, and any master who contravenes any of the said Byelaws or who fails to cause the same to be observed 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 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 Conyer Teynham Rifle Range;
- (c) any officer, any warrant officer, non-commissioned officer or rating of corresponding rank, or any service policeman, 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 Conyer Teynham Rifle Range;
- (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 Conyer Teynham Rifle Range; and
- (e) any member of a police force or any special constable under the control of the Ministry of Defence.

EXEMPTIONS

8. (1) Nothing done by a person using the Danger Area in pursuance of Byelaw No. 2 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 Conyer Teynham Rifle Range 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 by that person against that Byelaw.
- (3) These Byelaws shall not apply to—
- (a) any vessel passing through the Tidal Water Area in the ordinary course of navigation and taking no longer than is reasonably necessary for that purpose;
 - (b) any vessel employed in tending, placing, replacing or removing any buoys or other aids to navigation within the Tidal Water Area;
 - (c) any wreck-marking vessels, hoppers and vessels carrying out trials or compass adjustments;
 - (d) any vessel belonging to the Corporation of Trinity House whilst employed on any Trinity House duty or service.

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;
 - “master” includes the person having command or charge of a vessel for the time being;
 - “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 30th day of December 1966, and may be cited as the Conyer Teynham Rifle Range Byelaws 1966.

(a) 52 & 53 Vict. c.63.

THE SCHEDULE

PART I

The limits of the Land Area are as follows:—

On the West

Commencing at a point on Teynham Level 1,020 yards south-west of the easternmost extremity of Fowley Island 565 yards east-south-east of a house named "The Firs" and 815 yards east-north-east of the Ship Inn, thence for a distance of 40 yards NORTH-WEST to a point 530 yards east-south-east of a house named "The Firs"; thence

On the North-West

From the last mentioned point in a NORTH-EASTERLY direction for a distance of 620 yards to a point on the High Water Mark of Medium Tides, 980 yards east-north-east of a house named "The Firs" and immediately north-west of the old target site; thence

On the North

From the last mentioned point in an EASTERLY direction along the said High Water Mark of Medium Tides for a distance of 1,200 yards to a point on the High Water Mark of Medium Tides 880 yards east-south-east of the easternmost extremity of Fowley Island; thence

On the South-East

From the last mentioned point for a distance of 1,000 yards in a direction WEST-SOUTH-WEST to a point 560 yards due south of the easternmost extremity of Fowley Island, thence for a distance of 680 yards in a direction WEST BY SOUTH to the point of commencement.

PART II

The limits of the Tidal Water Area are as follows:—

On the North-West

Commencing at a point on the High Water Mark of Medium Tides on the south side of South Deep of the Swale in Latitude $51^{\circ} 21' 13''$ North, Longitude $00^{\circ} 49' 57''$ East, thence in a straight line on a true bearing of $47\frac{3}{4}^{\circ}$ for a distance of 0.52 nautical miles to a point in the Swale in Latitude $51^{\circ} 21' 34''$ North, Longitude $00^{\circ} 50' 34''$ East. Thence in a straight line on a true bearing of $60\frac{1}{4}^{\circ}$ for a distance of 0.47 nautical miles to a point east of Spitend Point, in Latitude $51^{\circ} 21' 48''$ North, Longitude $00^{\circ} 51' 13''$ East; thence

On the North-East

From the last mentioned point in a straight line on a true bearing of 148° for a distance of 0.39 nautical miles to a point in the Swale in Latitude $51^{\circ} 21' 28''$ North, Longitude $00^{\circ} 51' 33''$ East; thence

On the South-East

From the last mentioned point in a straight line on a true bearing of $240\frac{3}{4}^{\circ}$ for a distance of 0.48 nautical miles to a point on the High Water Mark of Medium Tides in Latitude $51^{\circ} 21' 14''$ North, Longitude $00^{\circ} 50' 53''$ East; thence

On the South

From the last mentioned point in a general WESTERLY direction along the High Water Mark of Medium Tides for a distance of 0.58 nautical miles to the point of commencement in Latitude $51^{\circ} 21' 13''$ North, Longitude $00^{\circ} 49' 57''$ East.

Dated this 7th day of April 1966.

(Signed) J. H. THOMAS

By order of the Secretary of State for Defence

The Board of Trade hereby consent to the making of these Byelaws.

Dated this 2nd day of August 1966.

(Signed) B. E. BELLAMY

An Under Secretary of the Board of Trade

The consent of the Kent County Council to the making of these Byelaws, so far as regards the restriction of the use of the highway mentioned therein, was given by a resolution of its Road Committee, pursuant to delegated powers, on the 19th day of January 1961.

(Signed) G. T. HECKELS

Clerk of the Kent County Council

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.

WARNING TO VESSELS IN DANGER AREA

2. When any vessel is within the Danger Area when it is being used for any of the purposes specified in Byelaw No. 2 an additional red flag by day may be hoisted below the flags described in Byelaw 3(2)(b), (c) and (d) in order to notify the master of the vessel that his vessel is within the Danger Area.

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, Faversham, and at the Office of the Commander, Canterbury Garrison. They may also be inspected at the Office of the Defence Land Agent (Army), Ministry of Defence, Chaucer Barracks, Canterbury, 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 Land Area, or within that part of the Tidal Water Area which is for the time being uncovered by the tide, must not disturb it but should report the finding of it to the Officer in charge of the Conyer Teynham Rifle Range to the police or to a coastguard at the first opportunity. Any person who, when trawling or dredging in the Tidal Water Area, comes into possession of a projectile found within the Tidal Water Area must not retain it but should immediately and without tampering with it return it in its then condition into the water and report to the Officer in charge of the Conyer Teynham Rifle Range or the police or to a coast guard the position where the projectile was returned into the water.

PUBLIC NOTIFICATION OF FIRING

5. Public Notification that firing will take place will be given by sending notices, not less than three clear days before the day of firing giving particulars of the intended date, time and duration of the firing to the owners and tenant farmers of land in and adjoining the Danger Area and to the persons and authorities listed in the Appendix hereto.

APPENDIX

The Inspector, Police Station, Faversham, Kent.

The Harbour Master, Faversham, Kent.

The Harbour Master, Milton Creek, Sittingbourne, Kent.

The Harbour Master, Queenborough, Kent.

The Marine Superintendent, Bowaters Ltd., Ridham Dock, Sittingbourne, Kent.

The Medway Pilots, Garrison Point, Sheerness, Kent.

The District Inspector of Fisheries, South East Area, Fish Market, Hastings, Sussex.

The Superintendent, Trinity House Depot, Harwich, Essex.

The District Officer, H.M. Coastguard, Deal, Kent.

Divisional Engineer, Kent River Authority, Pier Approach Road, Gillingham, Kent.

The Manager, Redland Bricks Ltd., Halstow Works, Lower Halstow, Nr. Sittingbourne, Kent.

The Proprietor, Conyer Marine, Conyer Quay, Teynham, Nr. Sittingbourne, Kent.

PLAN OF THE CONYER TEYNHAM RIFLE RANGE

