

MOD has also arranged two local meetings to outline their proposals. Dates and venues of these meetings are as follows:

- Warcop Methodist Church (School Room):
31 May 2012 at 7pm
- Hilton/Murton Village Hall: 12 June 2012 at 7pm

Anyone can submit written comments on the proposals and can ask for a copy of MOD's decision. These should be addressed to RPS, P O Box 607, Abingdon, Oxon OX14 9GR – marked "Warcop Consultation" or emailed to Warcopconsultation@rpsgroup.com.

All comments and requests must be received by 31 July 2012.

SUMMARY OF UNDERTAKINGS

Existing undertakings

A Following the extinguishment of Rights of Common affecting the land at Warcop Training Area the MoD will not apply to Cumbria County Council, the registration authority for the purposes of the Commons Registration Act 1965, to de-register that land as common land.

B The MoD will create a small number of limited Common Rights.

Proposed undertakings

A The undertaking not to de-register the land as common land will be cancelled.

B New Undertaking to Grant New Rights If WTA becomes surplus, the MoD will, immediately prior to disposal of the land, create a small number of limited Common Rights. One of the new rights would be granted to a national amenity society, which would be most unlikely ever to agree to sell it.

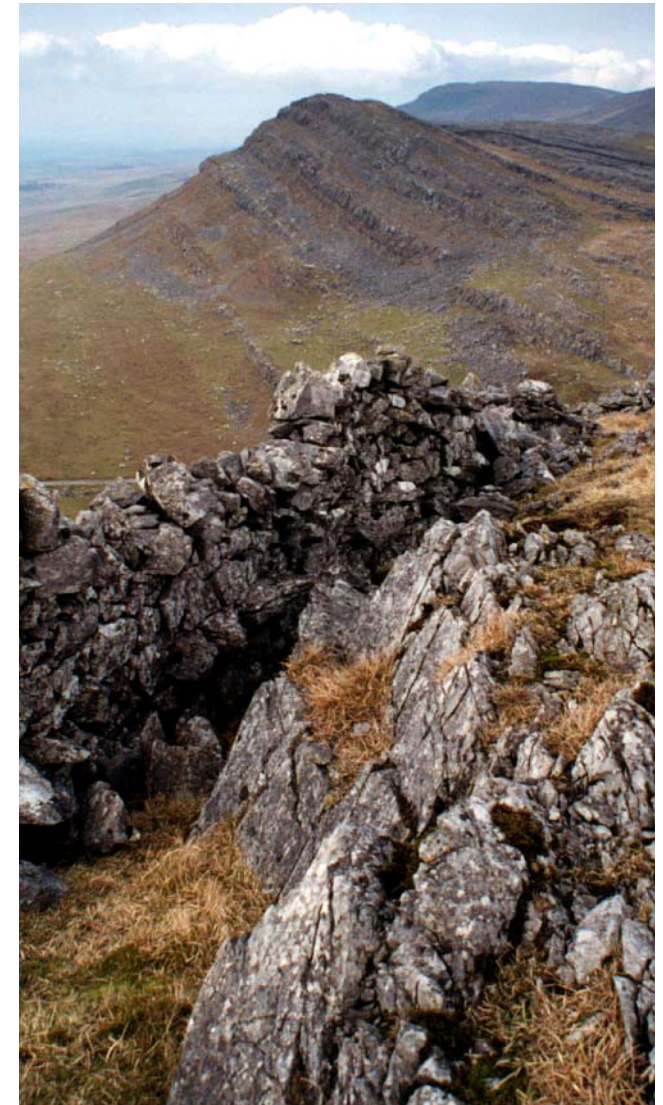
Full details of the proposed new undertaking are contained in the Consultation Report and in the Summary Document.



**Defence
Infrastructure
Organisation**

PUBLIC INFORMATION LEAFLET

Re-structuring MOD's Undertakings at Warcop



DEFENCE INFRASTRUCTURE ORGANISATION
Defence Training Estate

INTRODUCTION

In 2001 a public inquiry was held on the question of whether the MOD should compulsorily extinguish the rights of common on Warcop Training Area (WTA). At the inquiry the MOD agreed that the land at Hilton, Murton and Warcop Commons would be re-instated as a common if WTA ever ceased to be used for military training. A mechanism was put in place to facilitate this through two undertakings. This leaflet is about MOD's proposals to restructure those undertakings as a result of changes in the law brought about by the Commons Act 2006.

The outcome of the public inquiry permitted MOD to extinguish the commons rights at Warcop. As a result the land was no longer common land within the definition of the Commons Act 1965. However, we are now faced with the situation that if the land at WTA is left on the commons register after Part 1 of the Commons Act 2006 is fully implemented then, although it is not common land, nor subject to any rights of common, under the new law it will again become land registered as common land. MOD needs to resolve this situation to safeguard the ability to train on WTA, as well as the taxpayers' investment.

PROPOSED REVISIONS

MOD needs to revise the two undertakings (please see overleaf) relating to the long term re-instatement of common land at WTA (i.e. Hilton, Murton and Warcop Commons). As stated above, the MOD has extinguished all rights of common and these rights have been removed from the commons registers **but in accordance with the first undertaking, no application has been made to de-register the land.** In addition, although progress had been made over the new rights under the second undertaking, this process has been put on hold because of the changes in law contained in the Commons Act 2006.

The common land undertakings made in 2001 would not, and could not, have been offered in their current form, as they could not have been fulfilled had the new legislation been in place at the time of the inquiry.

EXISTING UNDERTAKINGS

In addition to the two undertakings mentioned above, the MOD agreed to implement over one hundred undertakings on a range of issues, including live firing times, public access, integrated land management, the establishment of an Environmental Steering Group (ESG), estate management, nature conservation and environmental protection. The MOD has made significant progress in delivering them.

For example, the Integrated Land Management Plan (ILMP) was launched in 2003. The new live firing programme is in place and several public access initiatives have been implemented including waymarking, guided walks, a car park at Murton and guaranteed access days to public routes in the Danger Area. A number of projects have been implemented through the ILMP including the black grouse habitat scheme, a new range and moorland grazing regime, and most recently, tree planting.

CONSULTATION

The MOD is now consulting widely to make sure that interested parties are aware of their proposals to revise the two undertakings. In addition to this leaflet, a Consultation Report and a Summary Document are available, with details of the legal situation and the revised undertakings. The MOD will also present its proposals at two local public meetings.

Once comments have been received and considered, a decision will be made by the MOD on whether to proceed with removing the land from the commons register and also the giving of the restructured undertakings set out overleaf. The MOD's decision including the final terms of any revised undertakings taking account of the representations made during the public consultation will then be published.

The revised undertakings will, so far as is possible, give effect to the purpose of the original undertakings and will ensure that rights of common will be re-instated if WTA ever ceases to be used for military training in the future.

MOD has no proposals to alter any of the other remaining undertakings.

The re-structuring of the undertakings will not affect public access opportunities on WTA, including access under the Countryside & Rights of Way Act 2000. Access is permitted on the public rights of way in the danger area when the red flags are not flown. Access rights along the public rights of way across WTA outside the danger area will not be affected. The public access undertakings set out at the inquiry, including new permissive routes, guided walks and a waymarking programme are being implemented and will continue as agreed.

WHAT WILL HAPPEN NEXT?

The MOD has sent this leaflet to everyone who participated in the public inquiry in 2001 (as far as is possible). In addition, copies are available at local libraries and at Warcop Camp (please telephone 017683 43229). Further details of the revised undertakings and the legal process are contained in the Consultation Report and in the Consultation Proposal Summary, which are also available to view at the above venues, and online at:

<http://www.mod.uk/DefenceInternet/AboutDefence/CorporatePublications/ConsultationsandCommunications/PublicConsultations/>