
LEAFLET 11: MOD CONSERVATION GROUPS

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OVERVIEW

11-1. The aim of Joint Service Publication (JSP) 362, Volume 3, Chapter 3, Leaflet 11, is to inform all personnel, both service and civilian, of the current MOD Policy towards the establishment, use and support of MOD conservation groups on the defence estate.

11-2. MOD has statutory and non-statutory obligations for sustainable development that must be complied with in the course of delivering the defence aim¹. MOD conservation groups are one of the mechanisms which support the department in implementing sustainable development on the defence estate. This leaflet provides an overview of the policy on MOD conservation groups and should be read in conjunction with Practitioner Guidance/Chairman's Information Pack and other policy leaflets included in JSP362.

11-3. MOD conservation groups were formed to implement a recommendation of the Report of the Defence Lands Committee 1971-73 (The Nugent Report) that: *"In the field of conservation....We recommend that, where they do not already exist, liaison arrangements should be made between Service units and the civilian community to provide a forum in which matters of local concern can be aired and discussed....A regular exchange of views at the local level will make for a better mutual understanding."*

11-4. The function of a MOD conservation group is to further the aims of the natural and historic environment strategy and policy for the MOD estate and support the Head of Establishment (HoE) / Commanding Officer (CO) and Defence Estates (DE) Land Management Services Estates Surveyor (LMS ES) for the relevant site. An overview of natural and historic environment policy can be found in JSP362 Volume 3 Chapter 3 Leaflets 7 and 12 respectively. A conservation group may also consider other sustainable development themes (e.g. local community impacts) as appropriate to the site requirements and interests within the group.

11-5. Conservation groups are a valuable asset to the MOD in monitoring, maintaining and enhancing heritage and biodiversity assets and providing continuity with a breadth of expert local knowledge. These groups can also help to form vital links with the Statutory Bodies (SB) and Non-Governmental Organisations (NGO), attracting joint funding opportunities and additional expert advice.

SCOPE

11-6. This leaflet includes policy only on MOD conservation groups. It also highlights where other policies relating to the natural and historic environment can be found within JSP362 and other relevant sources of information.

WHO SHOULD READ THIS

11-7. This leaflet should be read by all personnel, both service and civilian, who have management responsibility for estate with statutory conservation designations or existing MOD conservation groups on the defence estate.

¹ To deliver security for the people of the UK and the overseas territories by defending them, including against terrorism and to act as a force for good by strengthening international peace and security (Defence Plan 2008 - 2012)

ROLES & RESPONSIBILITIES

DE Property

11-8. DE Property (DE Prop) - Sustainable Development (Sus Dev) Team² is responsible for all policy relating to MOD conservation groups.

11-9. DE Prop - Sus Dev will also:

- Assist in the establishment of, and provide coordination and support to, MOD conservation groups;

Head of Establishment

11-10. The HoE/CO is the site focal point for all conservation group issues.

Top Level Budget Holders

11-11. Top Level Budget Holders (TLB) are required to establish conservation groups wherever there is a statutorily designated site. Chairmanship may be delegated from the HoE to another member of the Site Estates Team (SET), although overall responsibility for all conservation group issues will remain with the HoE. TLB are responsible for funding the staffing of conservation groups and any activities or projects they undertake. (See Resources paragraph 11-28 for further information.)

Estates Surveyors, Facilities Managers and Environmental Advisors

11-12. The regional DE LMS ES, Facilities Manager (FM) and MOD Environmental Advisors are responsible for the day-to-day support to conservation groups and the HoE/CO. The conservation group chairman is to ensure that conservation group issues are raised at SET meetings. Day-to-day site specific issues should be raised with the appropriate site LMS ES or FM. Advice on conservation issues affecting heritage and/or the natural environment on designated sites should be raised with the appropriate team within the DE Operations (Ops) North Professional & Technical Services (PTS) Environmental Advisory Service (EAS)³.

Contracted Out Operations

11-13. On Government-Owned Contractor-Operated (GOCO) sites, MOD conservation groups are run either by MOD-nominated personnel or by contractors' staff at no additional cost to the MOD. The MOD sponsor will nominate local focal points, by agreement with the contractor, for access. The responsibilities for compliance should be outlined in the contract. As the site remains under MOD ownership, DE staff should remain actively involved in site management issues.

United States Visiting Forces (USVF) sites in the UK

11-14. The principles and guidelines of this leaflet will be followed in relation to sites used by US Visiting Forces. Detailed requirements are contained within United States Forces Division Environment Management System (EMS) supporting documentation on conservation management and related implementation procedures on biodiversity, protected species and sites, archaeology and the historic estate. The RAF Commander (RAFCC) is the appropriate person to chair conservation groups on MOD sites used by

² Hereafter referred to as DE Prop - Sus Dev

³ Hereafter referred to as DE Ops EAS.

USVF as the RAFCC is the UK HoE and has the formal interface role with UK authorities and the general public. The RAFCC is guided by DE on what is required to manage conservation issues effectively in accordance with MOD policy and departmental practice and coordinates requirements with USVF.

Overseas Estate

11-15. It is recommended that the overseas estate complies with this policy where sites carry international or host nation natural or historic environment designations or support⁴ International Union for Conservation of Nature (IUCN) rare or endangered species. Where local arrangements exist with host nation statutory and other environmental management bodies, the broad principles contained in this policy should apply.

MOD POLICY

11-16. A conservation group or focal point is mandatory wherever there is a nationally or internationally designated site on MOD land. Where there is a site with a significant biodiversity interest⁵, a MOD conservation group should be established. On other sites, where there is a presence of some Biodiversity Action Plan (BAP) habitats and/or species (priority or not), the establishment of a MOD conservation group is voluntary and down to site resources. Support⁶ to conservation groups will be prioritised in favour of those sites that have statutory designations. Non-designated sites will be supported as and when resources are available.

Membership

11-17. Conservation group membership is open to all civilian and military personnel and their families, to employees of SB, NGO and Non-Departmental Public Bodies (NDPB) and members of the public with an interest in the natural and historic environment on the MOD estate. Conservation group members will be required to comply with all site security and safety regulations. Participation in practical conservation tasks on the Defence Training Estate (DTE) can only be undertaken by persons over 18 years of age. On non-DTE sites, conservation tasks may be undertaken by persons under the age of 18 provided the activities are supervised by at least two adults, one of whom must hold a Standard Disclosure level Criminal Records Bureau check, in accordance with The Protection of Children Act (1999) and The Safeguarding Vulnerable Groups Act (2006).

11-18. For further guidance on determining whether a MOD conservation group should be established, please consult DE Prop – Sus Dev or DE Ops EAS for support.

11-19. A Chairman's Information Pack is available from DE Prop – Sus Dev that provides guidance to the MOD conservation group chairman about their responsibilities. It includes details on the composition and membership of conservation groups, the method of operation, contacts etc.

Site Management Advice

11-20. The primary function of a conservation group is to provide a forum to discuss the natural and historic environment resource on a site, so that any issues, changes, trends or

⁴ Species breed on the site or the site hosts species for a significant part of the year.

⁵ A significant biodiversity interest is one which has the presence of either an internationally and/or nationally designated site, or an internationally and/or nationally protected species, or both.

⁶ Support to conservation groups by DE Ops EAS will be prioritised to those sites with the highest designations and are therefore subject to Statutory Body scrutiny. Where flexibility exists within any programme of work, support to other sites will be provided on a case by case basis.

management requirements can be highlighted to the SET and MOD Environmental Advisors.

11-21. The SET and MOD Environmental Advisors may use conservation groups as a stakeholder consultation forum to provide information and gather comments on proposed change to site estate management and military or other activities. Such consultation should aim to complement any formal consultations required under conservation or planning legislation. There will be circumstances where time or security constraints prevent consultation via conservation groups.

11-22. Some sites have additional internal or external environmental consultation or working groups, for example Environmental Steering Groups, Rural Steering Groups, EMS Working Groups etc. Conservation group chairmen must ensure that where there is more than one such group, each is aware of their relative roles and responsibilities to avoid confusion and duplication of effort.

11-23. Survey, monitoring and management advice should be targeted to support the 'adaptive management' of any designated sites, in particular identifying and highlighting any early indications of negative impacts of military, estate management or other activities on the key features of designated sites. Advice and information from conservation group members will be considered by the SET and MOD Environmental Advisors.

Surveys, Monitoring and Practical Activities

11-24. Conservation groups may undertake surveys, monitoring and practical tasks and activities (provided risk assessment, health & safety and insurance requirements are in place). These should be prioritised and targeted to assist MOD sites in meeting the objectives set within the site management plan⁷. DE Ops EAS staff will provide guidance to all conservation group chairmen to ensure wider MOD and Government targets are included within their planning. Refer to the Chairman's Information Pack for further details regarding the tasks that conservation groups should address.

11-25. The appropriate licences or authorities issued by the relevant devolved statutory body⁸ must be held for any tasks that impact upon protected species or habitats.

11-26. The site management plan should be used as the basis for directing and identifying all projects undertaken by the conservation groups. SET staff, DE Ops EAS and conservation groups need to ensure that areas for surveys and monitoring are clearly identified in management plans and that these are undertaken using defined methodologies.

11-27. Records arising from surveys or monitoring activity undertaken by conservation group volunteers should be passed to the appropriate County Recorder or Local Records Centre. A record should also be kept on site and used to inform future site management plans.

Resources

11-28. Appropriate public funds should be allocated to support the running and administration of conservation groups by the relevant TLB and MOD Agencies as for any other MOD management activity.

⁷ Integrated Estate Management Plan (IEMP), Integrated Rural Management Plan (IRMP), or EMS

⁸ Natural England, Countryside Council for Wales or Scottish Natural Heritage

11-29. Non-public funds received as donations or generated from partnerships with external organisations must be accounted for and subject to regular audit. All funds held by conservation groups are to be managed in accordance with [JSP 462 Financial Management Policy Manual](#) and [JSP 891 Imprest Accounting, Banking and Control Accounts Manual](#).

11-30. Conservation group projects should be planned in advance and included with all other estate management projects in the appropriate site management plan. These will then be included within the appropriate site management funding process applicable to the TLB, Agency or Contract. Funding prioritisation should be appropriate to deliver the needs of the site and the Government targets.

11-31. TLBs should seek to provide support to conservation groups, such as storage facilities, secretariat functions, access to military accommodation when surveying areas, or access to Global Positioning Systems to map habitats and species.

11-32. MOD transport may only be provided for activities that support statutory requirements (e.g. SSSI improvement) or environmental legislation compliance. Conservation group members may only travel as passengers in MOD vehicles and are not permitted to drive. See [JSP 800 Volume 5](#) for further information.

Access Control and Indemnity Requirements

11-33. To carry out their work, conservation group members may request access to areas of MOD land not normally open to the public. Due consideration must be given to the restrictions imposed by [JSP 482 - MOD Explosives Regulations](#). The appropriate site authority will issue permits having been authorised by the respective TLB. Access to areas, which, in the judgement of the HoE, are dangerous as a result of defence activities, will not be allowed.

11-34. Persons and organisations not belonging to a MOD conservation group, but who may have an interest in a particular aspect of conservation may be invited to assist a MOD conservation group on an ad hoc basis. Access to sites in these circumstances may be arranged on terms to be arranged via the DE LMS ES and conservation group chair to whom they should be referred, and ensuring that any restrictions imposed by [JSP 482 - MOD Explosives Regulations](#) and [JSP 375 \(Health and Safety Handbook\), Volume 2, Leaflet 34](#) are complied with. This access must be authorised by the HoE. A specific DE licence to cover the activity will not be required.

11-35. Members of MOD conservation groups are regarded as providing a free service to the Department and are therefore not required to sign indemnities before entering MOD land. DE licences will not be required to cover activities of authorised conservation group activities. This applies to both service and civilian members of conservation groups, whether they are MOD employees or not.

11-36. The MOD pays claims for compensation where the Department or its employees have committed a negligent act as a result of which the claimant has suffered injury or damage to property. However, if the accident were the fault of someone else, then the claimant would have to sue them, not the MOD. The Third Party Accident Scheme (ToPaS) is available to provide legal advice and assistance free of charge to service and civilian personnel injured whilst undertaking a conservation group activity. Any injury or damage arising as a result of pure accident or "Act of God", that would have been no-one's fault, would not be covered by MOD insurance. Consequently, everyone involved in conservation on MOD land, whether MOD employee or volunteer, is strongly advised to

take out a robust personal accident insurance policy which will provide compensation if such an accident were to occur.

11-37. A risk assessment must be completed prior to any conservation activity in order for MOD insurance to come into effect, subject to the above provisions. The risk assessment is to be completed by the person undertaking the activity and authorised by a person who is competent/qualified to do so. Please see the Chairman's Information Pack for more information on risk assessments and insurance arrangements.

APPLICABLE LEGISLATION

11-38. Please note that this list is not exhaustive.

- Health and Safety at Work etc Act 1974;

FURTHER INFORMATION

11-39. There are a variety of documents that provide detailed information on all that is contained within this leaflet. The following list provides details of these documents:

- The MOD conservation group Chairmen's Information Pack provides detailed information about conservation groups and their membership, roles and responsibilities.
- The [Sustainable Development Portal](#) contains information on a number of Sustainable Development issues across the Defence Estate, including nature conservation and biodiversity, the historic environment and social impacts;
- The MOD [Biodiversity Strategic Statement](#) sets out the vision to conserve and, where appropriate, enhance biodiversity as part of estate stewardship, to contribute to the UK commitment to halt the loss of biodiversity by 2010 and afterwards, whilst ensuring the provision of defence capabilities;
- The MOD [Heritage Strategic Statement](#) sets out the vision to value and promote the sustainable use of its heritage assets, in recognition of the benefits they bring to the environment, the quality of life of defence communities, the nation's cultural heritage and the role it plays in supporting defence capability on the development of the moral component;
- The MOD [Access and Recreation Strategic Statement](#) details MOD's approach to access and recreation on the MOD estate. The statement applies to all branches throughout the Department involved in access and recreational activities.
- Please also consult JSP362 Volume 3 Chapter 3 Countryside and Conservation:
 - [Leaflet 5 - Deer and Boar Management](#)
 - [Leaflets 7 - Nature Conservation & Biodiversity](#)
 - Leaflet 11 - Historic Environment
- Please also consult JSP362 Volume 3 Chapter 5 Public Access & Preservation of MOD Rights and Interests:

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- Leaflet 2 - Open Access
 - Please consult Practitioner Guidance notes on Designated Sites, Protected Species and Wider Biodiversity for further detailed information on their management across the estate;

CONTACTS

Policy

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Operations

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Deer Adviser 94325 4764 / 01980 674 764
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Regional DE Estates Surveyors

For details of Regional DE ES contact the DE Operations Chief of Staff, Policy and Secretariat Team on 94421 2213.

ABBREVIATIONS

BAP	Biodiversity Action Plan
CO	Commanding Officer
DE	Defence Estates
DE Prop	Defence Estates Property
DTE	Defence Training Estate
EAS	Environmental Advisory Service
EMS	Environmental Management System
FM	Facilities Manager
GOCO	Government-Owned Contractor-Operated
HoE	Head of Establishment
IEMP	Integrated Estate Management Plan
IRMP	Integrated Rural Management Plan
IUCN	International Union for Conservation of Nature
JSP	Joint Service Publication
LMS ES	Land Management Services Estates Surveyor
MOD	Ministry of Defence
NDPB	Non-Departmental Public Body
NGO	Non-Governmental Organisations
Ops	Operations
PTS	Professional Technical Services
RAFCC	Royal Air Force Commander
SAC	Special Area of Conservation
SB	Statutory Body
SET	Site Estates Team
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
Sus Dev	Sustainable Development
TLB	Top-Level Budget
ToPaS	Third Party Accident Scheme
USVF	United States Visiting Forces