

RPS

## Dartmoor Training Area

Paper Informing Potential Future Military Options



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# 1 Introduction & Background

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## Aim

- 1.1 The aim of this paper is to inform on the potential options capable of meeting future military requirements on Dartmoor Training Area (DTA) and to recommend a “preferred” option, against the background of the external audit of DTA’s Environmental Management System (EMS) which has aided the development of sustainable options.
- 1.2 The “preferred” option will represent the reconciliation of MoD’s requirements for future sustainable military training on DTA and National Park purposes. It will have been reached through a consideration of social, economic and environmental issues (including public access) and thereby demonstrate MoD’s commitment to its primary responsibility of providing sustainable military training, with due regard to its environmental policy objectives, including the revised Estate Strategy which is due to be published in 2006.
- 1.3 The “preferred” option will also reflect MoD’s commitments with regard to the Environment Act 1995 and Circular 12/96, the recent Declaration of Intent between MoD and the Association of National Park Authorities (ANPA) and Dartmoor National Park Authority’s (DNPA’s) Management Plan. Following MoD’s consideration and agreement of the key elements of the preferred option, it will also form the basis for re-negotiation of licences for future military training on DTA and will be delivered through the Management Plan and under the umbrella of the EMS, to ensure MoD complies with its corporate social and environmental responsibilities.

## Approach

- 1.4 The consideration of future options for DTA was taken forward against the background of the Military Needs Report prepared by RPS in June 2005, which concluded that *“there is a continuing need to retain DTA to meet a significant proportion of the increasing light force<sup>1</sup> training demand”*. The subsequent options process has been undertaken in two stages as follows, and is primarily concerned with future options for the operation of the live firing ranges on the north moor:

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<sup>1</sup> Light force training was defined as dismounted training by 3 Royal Marine Commando units; 36 Infantry Battalions; infantry skills training for combat arms, combat support & combat service support units; Commando Training Centre Royal Marines (CTCRM) & the RAF Regiment.

- i. **Stage 1** : An assessment of all options capable of meeting the future light force training requirements on DTA, including time, space and intensity considerations, and associated risks or hurdles;
  - ii. **Stage 2** : The identification of the key elements of a “preferred” option.
- 1.5 At both stages of the process, legal opinion has been sought and this has influenced options.

## Background

- 1.6 The assessment of options for continued sustainable military training on DTA has been influenced by the future requirements for light force training identified in the Military Needs Report and by the way in which DTA presently operates.
- 1.7 DTA covers 13,198 hectares of moorland. There are three individual training areas on the north moor – Okehampton, Merrivale and Willsworthy. Okehampton is the largest of the training areas, covering 6336 hectares and is used under licence from the Duchy of Cornwall. Merrivale Training Area, comprising 3756 hectares, lies to the south of Okehampton Training Area and is also used under licence from the Duchy of Cornwall, the Maristow Estate and others. Willsworthy Training Area, situated on the north-west side of Dartmoor, comprises 1533 hectares and is the only area over which the MoD holds the majority of the land under freehold. In addition dry tactical training is undertaken on all three ranges when live firing is not taking place, as well as at Cramber and Ringmoor, to the south of Princetown. The spread of the training areas, combined with the use of the surrounding Training on Private Land (TOPL) for non-tactical activities, allows users to conduct realistic insertion and exfiltration, and advance to contact against an opposing force. Most exercises take place on a north-south axis because of the lack of depth east-west.
- 1.8 These training areas provide the facilities required to carry out training for all phases of war for light forces from initial fire team practices up to the most advanced forms of live and dry battalion exercise. Battalion support weapons can be used together with artillery<sup>2</sup> up to 155mm calibre, other than high explosive filled rounds. Light force live fire tactical training up to company level is possible on Okehampton and Merrivale and platoon level

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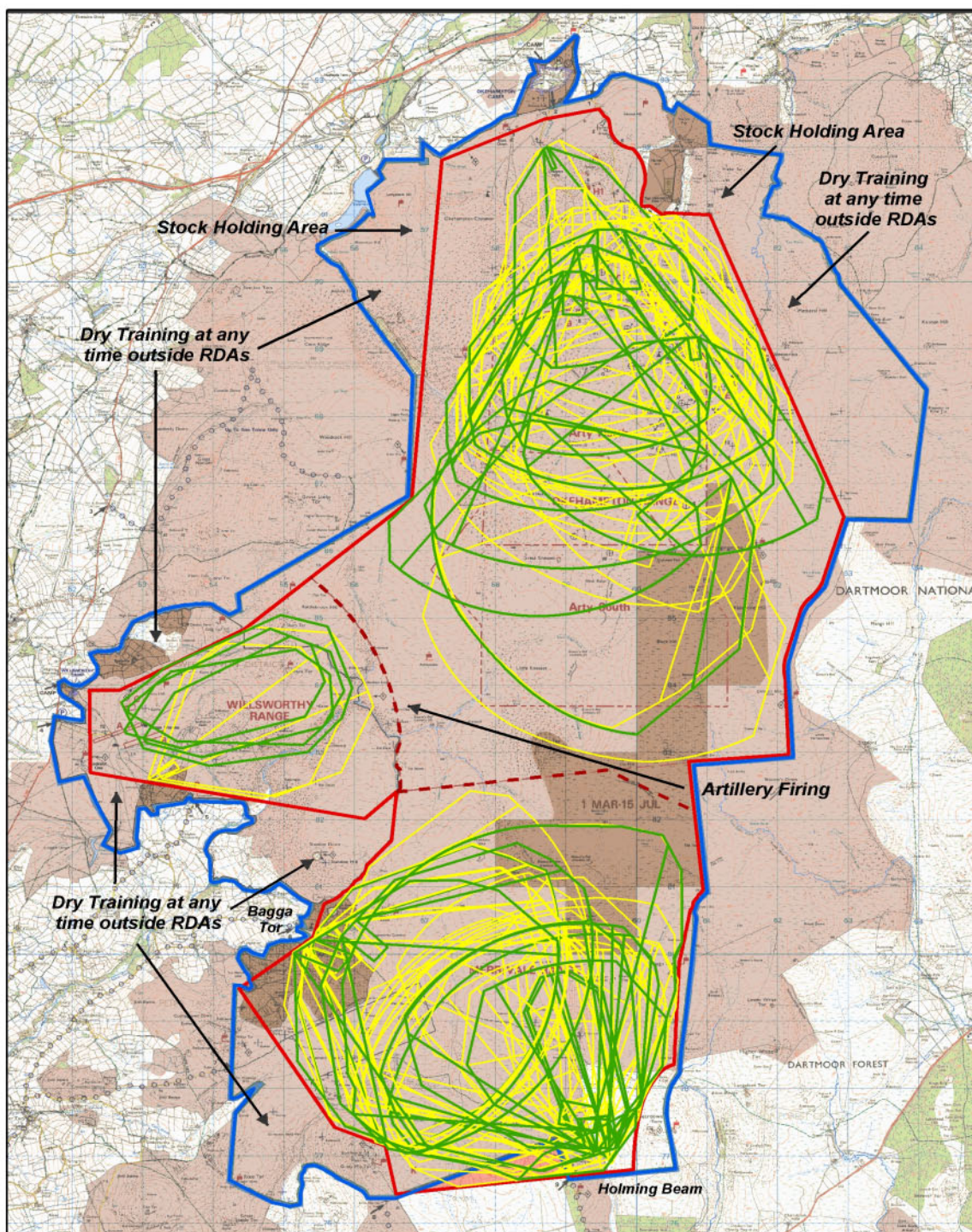
<sup>2</sup> “A general term applied to weapons which fire explosive projectiles exceeding small arms calibre (20mm), rockets & short range ballistic missiles” Brassey’s Companion to the British Army 1998

on Willsworthy. Company level and battalion level live fire tactical training can be achieved using all 3 range danger areas concurrently.

- 1.9 The backbone of the annual training programme on DTA is the 2 weekly throughput of Commando Training Centre Royal Marines (CTCRM) recruit troops completing their live fire and dry tactical training packages, together with Priorities 2 to 9 (most directed training) which are allocated 12 months in advance of the training calendar year. Typically, there will be 10 units or sub units using DTA at a time, with deconfliction being carried out by HQ DTA to enable users to achieve their respective training objectives.
- 1.10 The Military Needs Report identified Willsworthy as being used close to its effective live-firing capacity (82%), with Merrivale and Okehampton presently used to 63% and 48% of their effective capacity respectively. To assist in the consideration of land options to accommodate these live firing requirements in the future, weapons templates for exercises undertaken over a eighteen month period were captured to provide a baseline picture, although these necessarily demonstrate the use of DTA at a time of high operational activity overseas and reduced use of home training areas. The resultant template plan showing use over this period is shown at Figure 1.
- 1.11 Figure 1 demonstrates the land requirements associated with the present military training activities. The three templates at Willsworthy are associated with the fixed ranges used for Stages 1 to 3 of Training the Battle Shot; the templates on Merrivale radiating from either Bagga Tor or Holming Beam are used for fire and movement exercises in open country for team, troop or section attacks on single or double objectives; the templates on Okehampton allow the progression of field firing to section or troop attacks on multiple objectives.
- 1.12 The fixed range templates on Willsworthy will only change if weapons require a different safety template. The templates on both Okehampton and Merrivale are prepared for each individual exercise and can therefore change in location, although some are used regularly by CTCRM for their training courses and are consequently shown in bold on Figure 1.
- 1.13 Figure 1 represents a snapshot of live firing activities in time, logging template use over the period April 2004 to October 2005. At other times additional templates may be used within any of the RDAs and may be accompanied by artillery fire over these templates between the ranges. Soldiers may also approach these templates with their weapons loaded, within the RDA boundaries. However, it does demonstrate that, even at a time of high operational activity by troops overseas and a consequent relative low usage of home

training areas, the land within the range danger areas (“red lines”) at DTA is used very effectively with little spare land capacity. This is partly the result of the “red lines” being regularly reviewed and re-aligned in the past to provide additional public access to particular land features.

- 1.14 Most recently this has resulted in the release of land to the south-west of the Merrivale range danger area including Great Mis Tor, Roos Tor and White Tor, and land to the north-east of Okehampton range danger area including Metheral Hill and Hound Tor. The range danger areas, together with all other land within the DTA boundary (the “blue line”), are also used extensively for dry training activities, although the number and complexity of routes used and activities undertaken make it impractical to record geographically.



#### Legend

Location and Frequency of use of Templates

— Frequently Used

— Most Frequently Used

— DTA Boundary

— Range Danger Area (RDA) Boundaries

- - - Internal RDA Boundaries

These templates record live firing activity over an 18 month period (April 2004 - October 2005) during a period of high operational activity overseas. Additional templates may be used within RDAs and troops may approach templates with weapons loaded within RDAs.

RPS



Project  
Dartmoor Training Areas

Title  
Template Plan

Project Number  
4805

Figure  
1

Scale  
A4 @ 1:75,000

Date  
February 2006

5113D0602117 AP Templates V2.mxd

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- 1.15 Military training activities on DTA are kept continually under review and consequently the consideration of future military options has also been informed by management changes that have been instigated since licences with local landowners were last renegotiated, most notably since 1991. At that time MoD, in liaison with the Dartmoor Steering Group (DSG), agreed to examine certain areas of conservation/recreational benefits that might accrue from military activity on Dartmoor. These have been developed and implemented and resultant improvements to management procedures, mitigation measures and environmental enhancements can be grouped into five main categories; conservation, access, communication of access, community assistance and management. A comprehensive list of these improvements is included at Annex 1 but some key examples are listed below.

### **Conservation**

- Firing of artillery high explosive rounds ceased (1998)
- Redundant observation posts and other military artefacts removed (1992-1998)
- Ground nesting bird protection zones initiated
- Tree planting undertaken at Doe Tor, Standon, Yellowmead and Bearwalls Farms (2003)
- Historical appraisal of Okehampton Camp and Okehampton Training Area undertaken (2003)
- Achievement of commoners' ESA Management Plans supported by changing stock movement (2004)

### **Public Access**

- Changes to Merrivale & Okehampton RDAs implemented to provide unrestricted public access to 4 additional tors (1993-1998)
- Public access agreement with DNPA for Willsworthy
- Kitty Tor footpath built in association with DNPA (2003)
- Cowsic Bridge relocated and rebuilt to assist access between Holming Beam and Beardown
- Changes to Merrivale & Okehampton RDAs implemented to improve public access to Cut Hill and Fur Tor (2005)
- Assistance provided to DNPA on control of vehicles on the moor by creating car parking constraints around the Loop Track (2005)

### **Communication of Public Access Arrangements/Opportunities**

- Display and video set up at High Moorland Visitor Centre (1993)
- Firing notice information phone commenced (1994), replaced by freephone (1999) and updated daily from 2005
- Walks and Rides on Dartmoor information leaflet introduced (1995)
- Notice boards erected in 14 car parks around northern Dartmoor (1998)
- Dartmoor Ranges website developed (2002)
- Dartmoor Heritage Weekend at Okehampton Camp (2004 and 2005)

### **Community Assistance**

- Briefing of walk leaders and rangers commenced (1996)
- Organisation of Ten Tors Expedition
- Assistance provided to DNPA rangers during Foot and Mouth Disease outbreak
- Assistance to commoners of fire foggers to support swaling
- Hosted West Devon Borough Council Junior Life Skills
- Support provided to DNPA Fire Liaison Group including swaling demonstrations (2005)

### **Management**

- Willsworthy Integrated Land Management Plan (ILMP) produced through DWP (1999)
- Okehampton Camp Establishment Development Plan produced (2000)
- Environmental Management System introduced (2000) and externally audited (2005)
- Surveys and data collection (ongoing)
- Co-operation with DNPA, statutory bodies (SBs), parish councils, the Commoners Council and associations (ongoing)
- Management through DSG and DWP (ongoing)

## 2 Stage 1 : Assessment of Options

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### **Methodology**

- 2.1 As continuing military training on DTA will be delivered under the umbrella of the EMS, the assessment of options to meet future military requirements for sustainable light force training was undertaken against the background of the external audit of DTA's EMS.
- 2.2 Future military options were considered in terms of time, space and quantity. Time being the number of live firing days on each of the three ranges; space being the alternative arrangements for the land areas falling within both the "blue line" which forms the boundary to the whole training area and the "red lines" which form the boundaries to the three range danger areas; and quantity being a consideration of whether more troops can train within these parameters.
- 2.3 These options were considered against the background of existing relevant policy and then assessed against a number of agreed parameters (the "hurdles") to identify any unacceptable risks using a hurdles risk matrix. This assessment provided a set of conclusions to be taken forward as assumptions for developing the preferred option in Stage 2.

### **Military Options**

#### ***Time***

- 2.4 The number of days on which the Okehampton and Merrivale range danger areas on the north moor can be used for live firing is currently subject to the terms of MoD's licences with local landowners, most notably the Duchy of Cornwall. Willsworthy Range Danger Area (RDA), which is held by MoD on a freehold basis, is not subject to restrictions on use for live firing exercises per se, although guaranteed public access to Willsworthy on 120 days per year has been agreed with the Dartmoor Steering Group (DSG).
- 2.5 The terms of current licences restrict the use of the Okehampton RDA for live firing to 120 days per year and a maximum 180 days per year on Merrivale. As a consequence of these restrictions there is guaranteed public access of 245 days on Okehampton and 185 days at Merrivale, although dry training exercises may be undertaken during these times.

Some of the licences with the landowners also impose additional constraints on the types of weapon that are allowed. These constraints limit the freedom to train but are a statement of an agreed and accepted position by the MoD and the landowner. In most cases the constraints have also been agreed by MoD with the DSG, which reports to the Secretaries of State for Defence and the Environment. This existing framework has been in existence for the last 25 years.

- 2.6 Time management options are therefore limited to either a consideration of an increase in the number of days of live firing on Okehampton or Merrivale with the resultant balancing of guaranteed public access days and licence terms, or conversely, a decrease in the number of live firing days with the resultant problems of failing to meet mandated training requirements. This should be balanced against the historic reduction in live firing, the current level of guaranteed public access of 245 days per year on the northern moor with other days available on short notice and the number of additional walkers any changes may attract. This latter aspect will be informed by the visitor study being undertaken by Tourism Associates.

### **Space**

- 2.7 The land management options follow a similar scenario being limited to either an extension or reduction to either or both of the “blue” or “red” lines. Topography dictates the location and orientation of the live firing templates to a large degree and Figure 1 demonstrates that at present live firing templates are physically able of being accommodated within the existing “red” lines. These templates have developed over time to fit these topographical constraints, to provide a consistent level of military utility and to allow for more flexibility in the provision of public access opportunities. The current templates therefore fit tightly within the existing range danger areas (RDAs), many running right up to the “red” lines associated with both Okehampton and Merrivale RDAs. Consequently there are very limited opportunities for radical realignment of the “red” lines without serious repercussions for training objectives.
- 2.8 It is technically possible to extend both the training area itself (the “blue line”) or the range danger areas (the “red lines”), however the assessment of options below will highlight the various “hurdles” that are associated with any enlargement of either. For example, any increase in the area of land used for military activities (or change of use of existing dry training areas to use for live firing) would require, post the loss of Crown immunity, the MoD to submit a planning application for change of use, with no guarantee of success. The risks associated with such a strategy must be viewed against current training methods. Historically, both the “red” and “blue” lines have been adapted to a smaller

rather than a larger training area and on DTA the alignment of existing live firing templates would not significantly benefit from additional land due to the local topography with high points already constraining the arcs on either side. Indeed, the most likely areas for possible expansion are those which have been previously relinquished.

- 2.9 Okehampton is the largest of the training areas and can accommodate company level exercises. These may be constrained by the pinch point between Okehampton and Merrivale, although the weapons templates on Figure 1 indicate that these are located to offset this particular difficulty. The templates on the northern part of Okehampton are most regularly used since safety and administrative support is eased by use of the Loop Track. Consequently, only those troops undertaking arduous tactical training use the weapons templates on the southern part of Okehampton, which is only accessible on foot. Clearers cannot use their horses on southern Okehampton and stock must be cleared on foot. This demonstrates that in order to expand training facilities on the northern moor additional access tracks would be required, permission for which would be extremely difficult to achieve.
- 2.10 On occasions artillery and mortars fire from Okehampton onto Merrivale and whilst not a regular occurrence must be taken into consideration when assessing future “red” line boundaries. In addition, field firing is also sometimes undertaken outside the weapon templates between these two ranges. Accordingly, there is little opportunity to separate them along their east-west axis, although some minor adjustment has been made to the boundary along the North West Passage to facilitate improvements to public access when one RDA is not in use. Other minor changes to the red line on Okehampton to allow additional public access, including the impact on stock clearance are discussed in more detail during Stage 2. Prior to live firing exercises stock is cleared to either the east beyond Steeperton Tor or the west between Yes Tor and Meldon Reservoir.
- 2.11 Lower level exercises are undertaken on Merrivale, mainly comprising close quarter battle and section attacks. Accordingly, whilst smaller template arcs can be used these are tightly constrained and therefore not ideal. Whilst it would be preferable to have more space around the templates this would require planning consent and the reinstatement of land previously released from live firing activities. Firing is mainly undertaken from either Holming Beam (south-east) or Bagga Tor (north-east).
- 2.12 The land at Willsworthy is held by MoD on a freehold basis and is therefore not subject to the same contractual arrangements as the licensed land on Okehampton and Merrivale. The weapons templates are used regularly and there is no indication that these need to be adjusted in the near future.

- 2.13 Any increase in the size of the training area or to the RDAs therefore carry associated risks and hurdles. Most notably, the need to apply for planning permission (post loss of Crown immunity) to DNPA, with no assurance of success, and the associated statutory requirements for an Environmental Impact Assessment and probably an Appropriate Assessment. It also increases the possibility of a public inquiry.

### ***Quantity***

- 2.14 Any potential increase in the quantity of live firing exercises (i.e. more troops taking part) needs to be viewed against the ability of additional troops to be incorporated into live firing exercises and the possible impact this increase would have upon the environment. On some training areas it is possible to undertake a number of live firing exercises simultaneously but given the shape and size of DTA and the alignment of live firing templates it would be difficult to accommodate more than 2 live firing exercise on each of Okehampton or Merrivale at any one time, because the quality of the exercise would be reduced due to the need to impose safety constraints and limits to the arcs of fire. In addition, any such increase could pose difficulties with stock clearance and holding.

### **Relevant Policy**

- 2.15 Present military training and any future military option is constrained by a number of inter-related factors pursuant to DTA being located wholly within Dartmoor National Park. The most relevant of these relate to the following:
- i. National Park Purposes as revised by the Environment Act 1995;
  - ii. The requirements of Department of the Environment Circular 12/96;
  - iii. The Declaration of Intent between the MoD and ANPA;
  - iv. DNPA Management Plan;
  - v. Current MoD policy.

### **National Park Purposes**

- 2.16 National Park Purposes were first defined in the National Parks & Access to the Countryside Act 1949, but have subsequently been revised by the Environment Act 1995, which also provided for the setting up of National Park Authorities. Section 61(1)(1) of the 1995 Act states that:

*“In section 5 of the National Parks and Access to the Countryside Act 1949 (National Parks) for subsection (1) (which provides that part II of the Act has effect for the purpose of preserving and enhancing the natural beauty of areas specified in subsection (2) of that section and for the purpose of promoting their enjoyment by the public) there shall be substituted-*

*“(1) The provisions of this Part of this Act shall have effect for the purpose-*

*(a) of conserving and enhancing the natural beauty, wildlife and cultural heritage of the areas specified in the next following subsection; and*

*(b) of promoting opportunities for the understanding and enjoyment of the special qualities of those areas by the public”.*

- 2.17 In addition, section 62 amends the previous provisions under section 11 of the 1949 Act with regard to the duties of certain bodies to have regard to the purposes for which National Parks are designated. With reference to the requirements upon relevant authorities (which includes any Minister of the Crown) it states under amended section 11A(2):

*“In exercising or performing any functions in relation to, or so as to affect, land in a National Park, any relevant authority shall have regard to the purposes specified in subsection (1) of section five of this Act and, if it appears that there is a conflict between those purposes, shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park”.*

- 2.18 The meaning of this amended section was highlighted by the MoD during the Otterburn inquiry, where the provisions of both sections 61 and 62 were considered together, as follows:

*“We see that it is not the duty of the Ministry of Defence to “conserve or enhance etc.”, nor to “promote opportunities for understanding and enjoyment etc.”. The statutory duty is to have regard, that is, the Ministry must look closely at the effect, beneficial, adverse or neutral, which the performance of its duty will have, and take that into account when carrying out its functions”. [MoD Closing Submissions paragraph 10.3]*

### **Circular 12/96**

- 2.19 Following on from the Environment Act 1995, the Department of the Environment published Circular 12/96, which provides guidance on the statutory revisions and specifically addresses defence use of National Parks (paras 56 & 57). Whilst Circular 12/96 acknowledges that use of the National Parks for military training is important to the

country's defence capability, it also considers that this use must satisfy planning and environmental standards. At paragraph 56 it states:

*"Parts of some of the National Parks have a long tradition of defence use, which pre-dates the designation of the Parks by many years. While the Government accepts these existing uses will continue into the foreseeable future, it is nevertheless committed to ensuring that new, renewed or intensified use of land in the National Parks for defence purposes should be subject to formal consultation with the National Park Authorities and the Countryside Commission and to an environmental impact assessment, and should be tested against any provisions set out in planning policy guidance. It acknowledges however, that there can be conflicts between defence use and Park purposes, but believes these will be best resolved through co-operation with the National Park Authorities. The Ministry of Defence will continue to give a high priority to conservation."*

- 2.20 The Circular also recognises the contribution military training activities can make to Park communities, stating at para 57:

*"Defence use of National Parks makes a major contribution to the country's defence capability, and provides essential facilities which could not be easily replicated elsewhere. It can also be an important factor in contributing to the local economic and social well-being of Park communities."*

- 2.21 The Government's vision for National Parks is being set out in new wider guidance, which is presently being prepared by DEFRA to replace Circular 12/96. The content of a new circular has already been consulted on at official level and plans for a full public consultation are in progress <sup>3</sup>.

### **Declaration of Intent between MoD and ANPA**

- 2.22 The MoD and ANPA signed a joint declaration of intent in 2005, which *"aims to set a framework for maintaining and enhancing working relationships between the MoD and NPAs"*. It is intended to encourage consultation and co-operation to *"achieve the best practicable integration of military requirements and the conservation of natural beauty, wildlife and cultural heritage of National Parks and their understanding and enjoyment by the public"*. On Dartmoor these commitments will continue to be delivered through the existing forums of the Dartmoor Steering Group and Working Party.

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<sup>3</sup>

[www.Defra.gov.uk/wildlife-countryside/issues/landscap/authorities/review.htm](http://www.Defra.gov.uk/wildlife-countryside/issues/landscap/authorities/review.htm)

## **Dartmoor National Park Authority (DNPA) Policy**

- 2.23 The DNPA Management Plan of May 2001 retains an overall objective of ultimate military withdrawal from the national park as soon as this is consistent with national defence needs but recognises that potential conflicts between military use and National Park purposes are best resolved through liaison and joint working with MoD through the existing structure provided by the Dartmoor Steering Group and Working Party, as stated at MA2:

*“Through the work of the Dartmoor Steering Group and Working Party current training will be harmonised with the needs of conservation and public access, military infrastructure will be sympathetically related to the landscape, untoward impact or damage will be restored, and the parties will work to secure other objectives of this Management Plan on military training land”.*

- 2.24 The benefits of such a collaborative approach are reflected in the preface to the 2004-05 ATE Annual Report by Graham Taylor, Chief Executive of the Northumberland National Park Authority, who considers that structures are now in place for MoD and NPAs to work in partnership without *“unnecessary protracted delay and quite futile conflict”*.
- 2.25 Subsequent policy is emerging through DNPA's Local Development Framework. The Core Strategy Development Document on Issues and Options was published in October 2005. Military activity features in relation to tranquillity and issues for consideration include *“What principle should apply in considering the effects of military training on the tranquillity of Dartmoor?”*.

## **MoD Policy**

- 2.26 A policy statement by the Secretary of State for Defence in April 2005 committed the MoD to ensuring that *“its safety and environmental performance is consistent with and supports wider government initiatives including those on Sustainable Development”*. Strategic principles are set out, including environmental protection, and measures laid out by which such principles should be delivered, including consistent policies, standards, guidance and best practice and through a corporate Environmental Management System.
- 2.27 Strategic policy and thinking with regard to the rural defence estate is currently set out in *“In Trust and On Trust”*. This will be supplemented by a refreshed Defence Estate Strategy due to be published in 2006 but the vision for the defence estate will remain constant, namely:

*“To have an estate of the right size and quality to support the delivery of defence capability, that is managed and developed effectively and efficiently in line with acknowledged best practice, and is sensitive to social and environmental considerations”.*

### **“Hurdles”**

2.28 In connection with the above considerations there are a number of associated key hurdles against which all future military options have been assessed in order to identify those options which pose unacceptable risks. These comprise:

- i. Planning application;
- ii. Environmental Impact Assessment;
- iii. Appropriate Assessment;
- iv. Presenting the military and environmental case, if required, at Public Inquiry;
- v. Public safety;
- vi. Defending a Judicial Review application.

### **Planning Application**

2.29 When the Crown Application provisions of the Planning and Compulsory Purchase Act 2004 are brought into force and Crown Immunity is removed, the MoD will need to submit a statutory application under the Town and Country Planning Act 1990 for any development or change of use of land.

2.30 Whilst a planning application will be required, in due course, for the renewal of consent to train on Cramber, the renegotiation of licences with the Duchy of Cornwall and other landowners on the north moor (Okehampton & Merrivale) will not in themselves trigger a planning application because use predates the Town and Country Planning Act 1947. However, changes in the use of the training areas may lead to the requirement for MoD to submit a planning application for determination by DNPA. For example, for an extension to the blue line boundary; for an expansion of the present range danger areas red lines; or an intensification of training (in time or numbers) over and above that permitted under the terms of the existing licences.

- 2.31 Leaving aside Cramber, the possibility of a refusal of planning consent for an extension to the training area boundary elsewhere, either by the DNPA or at Inquiry, presents the most obvious risk.

### **Environmental Impact Assessment**

- 2.32 The term Environmental Impact Assessment (EIA) refers to the procedure that must be followed for considering the potential environmental effects of land use change and certain types of development projects. It enables environmental, social and economic factors to be fully assessed when planning applications are being considered.
- 2.33 EIA applies to major developments for which planning permission is required under the Town and Country Planning Act 1990. EIA procedures are set out in the Town & Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, which implement EC Directive 85/337/EEC as amended by 97/11/EC.
- 2.34 The submission of a planning application, post the loss of Crown immunity, for any extension to the Okehampton or Merrivale Training Areas, the enlargement of the range danger areas or any intensification of their use will trigger the requirement for a statutory EIA.

### **Appropriate Assessment**

- 2.35 Parts of DTA are within, or adjoin, the Dartmoor Special Area of Conservation (SAC). Where a plan or project is considered likely to have a significant effect on such a site the Habitat Regulations set out the requirements for an Appropriate Assessment of the implications.
- 2.36 The need for an Appropriate Assessment arises if the project is likely to have a significant effect on the habitat types and species for which the site is selected. The relevant habitats include wet heaths, dry heaths and blanket bog, which cover large parts of DTA. Active blanket bog is a 'priority habitat'. Factors which may be judged as likely to have a significant effect may include:
- changes in the nature or intensity of military training;
  - changes in land management;
  - increased public access.

- 2.37 Whilst it is not necessary for significant effects to be *certain*, there must be a *likelihood* of such effects in order for an Appropriate Assessment to be necessary. However, the precautionary principle must be applied, and it is unacceptable to fail to undertake an assessment on the basis that significant effects are not certain.
- 2.38 A judgement of no likely significant effect would be the case only when it was beyond doubt that the interest features would not be directly or indirectly affected. It is unlikely that English Nature would agree that there is no likelihood of a significant effect, and thus no requirement for an Appropriate Assessment, unless there were to be no change at all in military training, land management, or access. Therefore a reduction in the training area or in the range danger areas to increase the opportunities for public access where live firing military utility or public safety is not compromised, could lead to the need for an Appropriate Assessment.

### **Public Inquiry**

- 2.39 A public local inquiry is a process by which complex proposals can be examined in public. It may generate substantial third party representations and allows evidence presented to be cross-examined in detail. The inquiry must be public and anyone is entitled to attend.
- 2.40 Objectors are likely to continue to call for a public inquiry to decide the MoD's future use of Dartmoor and the Secretary of State could call a non-statutory public inquiry on MOD's intent to continue to use Dartmoor for military training. In addition, a public inquiry might arise for the renewal of planning permission for military training on Cramber on a refusal or non-determination of planning consent by DNPA, or by the Deputy Prime Minister calling in the planning application.
- 2.41 As indicated at para 2.12 above the MoD must have regard to National Park purposes under amended section 11A(2) of the National Parks and Access to the Countryside Act 1949. Objectors will make much of this and at an inquiry will try to turn the issues into a contest of principle: National Park v. the MoD. However it should be stressed (as it was by the MoD at Otterburn) that the function being exercised (in this case, training on Dartmoor) is the primary function, with the duty to have regard to National Park purposes being a secondary duty. Even at the Warcop Inquiry the Inspector in his report accepted at para 5.4 that *"The MoD occupies land and other property solely to support the delivery of defence capability.....The other aspirations of the SDE [Strategy for the Defence Estate], for example, nature conservation, safe public access, and landscape enhancement, are all subject to this overriding military purpose"*.

- 2.42 The inquiry process will not in itself impact upon training operations but any adverse decision on either the nature or scale of training will have obvious implications. Any future options, which would lead to a public inquiry, should therefore be viewed as presenting an unacceptable risk to continued military training on DTA. However, it must be appreciated as stated above, that the Secretary of State could in any event call a non-statutory public inquiry into continuing military training on Dartmoor.

### **Public access**

- 2.43 Intensive tactical exercises with live ammunition have taken place on Dartmoor for over 130 years. An assessment of the liabilities to MOD of unexploded ordnance (UXO) and any other contaminants is part of the normal management regime for all training areas, particularly those where there is widespread, unrestricted public access. This includes public safety across existing live firing ranges.
- 2.44 Whilst clean-up operations are a normal part of training exercises, a long-term strategy would be required should public access be significantly intensified as a result of future live firing being restricted to smaller range danger areas on the DTA estate. This may be particularly relevant to the high moorland in the north, should Yes Tor and High Willhays become an unrestricted area for the public at all times and is dealt with in Stage 2.

### **Judicial Review**

- 2.45 Judicial Review is a challenge to process (i.e. the reasons behind a decision) rather than a challenge to the substantive decision. A successful challenge can make the Secretary of State decide again but the Courts cannot substitute their own decision. There is likely to be close scrutiny of everything the MoD does, or does not do, in relation to the use of Dartmoor for training. Anything done, or not done, which makes it less likely that the MoD will stop training on Dartmoor is likely to be scrutinised by objectors to see if there is any ground for such a legal challenge.
- 2.46 Every process resulting in a decision is potentially at risk from Judicial Review. The process for renegotiation of the licences to train on DTA is essentially non-statutory and the fundamental decision is that of the Secretary of State for Defence whether to continue training on Dartmoor. Nevertheless, the MoD must take careful note of its legal duties and policy commitments concerning the environment since failure to comply with these might result in a Judicial Review requiring that the decision making process be reviewed.

2.47 Provided the MoD has followed the right process, has taken account of the factors that ought to be considered, and disregarded those factors which ought not to be taken into account, MOD's decision making process should be safe against a Judicial Review. To assist in this respect, legal opinion has been sought during this Options Study and has influenced the outcome of the process.

### **Assessment**

2.48 To assist in the discussion of future military options, the space and time alternatives outlined earlier in this chapter were cross referenced to the key "hurdles" in an assessment matrix, in order to examine which options posed unacceptable risks to continued military training on DTA. The outcome of this examination is illustrated in Table 1 below.

**Table 1 : Potential Impacts of Hurdles on Options**

<b>Options/ hurdles</b>	<b>Extend blue line</b>	<b>Reduce blue line</b>	<b>Extend red line</b>	<b>Reduce red line</b>	<b>Increase live firing days</b>	<b>Decrease live firing days</b>
<b>Planning Application</b>	XXX	O	XXX	O	X(X)	O
<b>Environmental Impact Assessment</b>	XXX	O	XXX	O	X(X)	O
<b>Appropriate Assessment</b>	XXX	X	XXX	X	X(X)	X
<b>Public Inquiry</b>	XXX	O	XXX	O	XX	O
<b>Public access</b>	O	O	XXX	✓✓	XXX	✓✓✓
<b>Judicial Review</b>	XXX	X	XXX	X	XXX	X
<b>Training Objectives</b>	✓	XX	✓	XXX	✓✓(✓)	XXX

<b>Key</b>	<b>Beneficial Effect</b>	<b>Adverse Impact</b>
Neutral	O	O
Minor	✓	X
Moderate	✓✓	XX
Major	✓✓✓	XXX

2.49 Table 1 indicates the following:

- i. **Any extension of the blue line**, which marks the boundary of the training area, has a number of advantages to military utility. For example, it would provide the scope to conduct large multi asset exercises, allow for the possibility of live firing for one or more arms, allow for use by numbers of smaller units concurrently and give MoD the flexibility to “rest” areas. However, it would also result in the need for MoD to overcome major “hurdles”, particularly with regard to the statutory planning system and its associated environmental requirements. A larger training area may increase conservation and environmental concerns and suitable areas may be too remote to access. There is also a high risk that such applications and submissions would be discussed in the forum of a local public inquiry and there is no compelling evidence that training objectives would benefit significantly from such an approach.
- ii. **A reduction in the area within the blue line** may, depending on the size of the reduction, limit the ability of MoD to meet its training objectives on DTA. Given the significant shortfall in the supply of light force training across the defence estate as demonstrated in the Needs Report, this may be problematical. It may also mean that any reduction in space needs to be matched by a corresponding increase in time available for training, with consequent potential adverse impacts on land erosion, habitats and grazing levels. Impacts on other hurdles are either neutral or minor adverse, mostly as a result of the possible impact of increased public access on habitats of international importance. Since some areas of the moor are more attractive to walkers and riders than others, the net benefit to public access, should there be a reduction in the blue line, would be dependent on the specific areas affected.
- iii. **An extension to the red line(s)** has similar major repercussions as those associated with an extension to the training area (i.e. blue line) itself, although would probably be more controversial. The impact on public access would also pose greater concerns and should be considered against only minor benefits to military utility.
- iv. **A reduction to the red line(s)** may compromise MoD’s ability to satisfy light force training requirements and, dependent on the level of reduction, could have a major adverse impact on military training on DTA. As with any reduction in the blue line, any reduction in space within the red line may need to be compensated for by an increase in time available for live firing. This would have potential

impacts on clearance operations, which would take longer as much of the area would only be accessible on foot; additional tracks to and through the reduced RDA would be required for safety and administrative support during exercises; and compulsory purchase of commoners rights may be required to facilitate the practical operation of training activities. Conversely, additional areas of the moor would be available for unrestricted public access and it may be possible to re-organise or reduce observation of the RDA boundary. The effect on other “hurdles” is generally neutral.

- v. **An increase in the number of live firing days** is likely to have moderate to major benefits to the quantity of live tactical training that can be accommodated on DTA but, dependent on the scale of increase, has consequent moderate to major impacts on planning and associated environmental hurdles, public access considerations and the aspirations of relevant focus groups.
  - vi. **A reduction in the number of live firing days** has similar impacts on military utility as a reduction in the red lines, although the scale may be slightly different. Any reduction will reduce the flexibility of programming live firing exercises and restrict the achievement of training objectives. The Military Needs paper considered the possibility of replacing some live firing activity with simulation. Although this would allow training to be undertaken concurrently with public access, the Needs Report concluded that whilst there were advantages in using simulators for armoured training, light forces would still require live firing exercises to build confidence in both their weapons and their colleagues.
- 2.50 This assessment concludes that military options which required an increase in either the blue or red line areas, the number of days live firing or an increase in the nature or quantity of training would lead to unacceptable risks to MoD, outweighing any potential benefits to military training objectives. This is supported by the analysis of the current live firing templates on Okehampton and Merrivale. Whilst these fit tightly within the existing red lines, giving little space for troops to undertake concurrent dry training moving north-south, the current and anticipated future levels of both live fire and dry tactical training on DTA cannot support the requirement for additional land. Furthermore, there is no evidence to demonstrate that the templates may not be suitable to accommodate future developments in the range and power of weapons or that training methods will materially alter in the foreseeable future.

2.51 Accordingly, the consideration of possible future military options under Stage 1 has identified a number of important assumptions which underpin the development of a “preferred” option. These assumptions have been taken forward to Stage 2 of the process and comprise the following:

- i. Training methods and requirements will remain the same for the foreseeable future i.e. live fire and dry tactical training exercises will be similar to those presently undertaken.
- ii. The effective range of weapons and danger templates will remain consistent with those currently in use;
- iii. The area of DTA (the blue line) and the range danger areas (red lines) will not be extended;
- iv. The number of days of live firing on Okehampton and Merrivale will not exceed that allowed under the current licences.

2.52 In conclusion, the preferred option will be developed on the assumption that the level of military training will not change significantly from that already permitted, with future training being accommodated within the existing training area boundary (the blue line) and tactical live firing exercises restricted to the current extent of the 3 range danger areas (the red lines) at Okehampton, Merrivale and Willsworthy.

### 3 Stage 2 : The “Preferred” Option

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3.1 The development of a “preferred” option for the continuation of sustainable military training on DTA is based upon the assumptions identified in the previous chapter and informed by the following:

- i. The external audit of the EMS which, in consultation with local statutory bodies, concluded that the existing structure was working effectively to ensure MoD was complying with its corporate social and environmental responsibilities;
- ii. The emerging conclusions of the socio-cultural research being undertaken by Tourism Associates for the MoD;
- iii. The environmental reviews for ecology and landscape;
- iv. Ongoing surveys (NVC, historic environment) and studies (agriculture and land use);
- v. Legal opinion.

3.2 The preferred option is not a static plan but represents a series of opportunities that can be developed within existing time and space parameters and explores improvements that can be made to increase the efficiency of training operations on DTA. The implementation of these improvements is of course dependent upon long term continued military use, delivered through re-negotiated licences.

3.3 Such adjustments will form part of the ongoing review of training activities and programme of improvements that take place on DTA, seeking to balance military utility, and socio-economic and environmental objectives. They will follow on from the other initiatives that have been implemented in liaison with the DSG and DWP as summarised in Chapter 1 and detailed in Annex 1. Most recently, there have been positive benefits to both conservation and/or public access through initiatives such as:

- Improved communication of public access opportunities by creating DTA’s web site;
- Enhanced public safety by erecting warning and caution signs and better information notices in car parks;

- Support to commoners/DEFRA ESA management plans by reducing clearance of stock from the higher risk impact area only;
- Improved public access to Cut Hill and Fur Tor by adjustment of the range danger area boundary between Okehampton and Merrivale;
- Improved information on public access opportunities by increasing the notice of live firing from 2 to 6 weeks in order to facilitate planning of walks and other activities;
- Replacement of visually intrusive “portalos”.

3.4 Further improvements have been considered which balance benefits to military efficiency with reciprocal benefits to conservation and/or public access. These primarily deal with the following:

- i. Configuration of range danger areas;
- ii. The firing programme;
- iii. Range clearance;
- iv. Public access;
- v. Visual impacts.

3.5 As already indicated, continued military training on DTA will be taken forward under the umbrella of DTA’s EMS. The recent external audit of the EMS recommended that the specific details of how this training will operate and be balanced against the MoD’s corporate social and environmental responsibilities will be set out in a Management Plan for the whole of DTA. The preparation of this Plan has now been commenced. Future improvements identified in this report will be set within this structure and taken forward in association with and informed by other environmental and socio-economic studies being undertaken or planned by MoD.

### **Range Danger Areas (RDAs)**

3.6 Alterations to the RDA boundaries (the red lines) have been undertaken at regular intervals over the past 50 years to facilitate environmental and public access improvements. These have generally resulted in overall reductions in the land areas within the red lines and it is within these resultant constraints that any improvements to military utility must be considered.

- 3.7 The examination of how live firing templates are accommodated within the RDAs and the frequency of their use, described in Chapter 1 and shown on Figure 1, has also been used to assess possible boundary amendments. However, since this information refers to template use during a period of high commitment to overseas operations and consequently low demand on home training facilities, data will continue to be collected to provide a comprehensive record of use of the RDAs over a longer time frame.
- 3.8 It is evident from Stage 1 and the analysis of present live firing exercises that improvements to templates cannot be readily facilitated within the existing RDA boundaries. Figure 1 also demonstrates that the delineated RDA for Merrivale is close to full utility, whilst those around Okehampton and Willsworthy provide limited scope for adjustment.
- 3.9 As indicated in 3.3 above, the internal RDA boundary between Okehampton and Merrivale has already been slightly re-aligned to benefit public access. Further amendments of internal range boundaries to facilitate additional public access are discussed below.
- 3.10 With regard to external boundaries, one possibility may be to fine tune the existing procedures in the area around Yes Tor and High Willhays, the two highest points in South West England and therefore key features to walkers on the northern moor. This could be facilitated by either a minor re-alignment of the RDA boundary to release the summits of Yes Tor and High Willhays or amendment to the Okehampton Range Byelaws to enable these high points to be excluded from the RDA when templates did not encroach upon them or when troops were not approaching from the north or west with loaded weapons.
- 3.11 A permanent re-alignment of the RDA to allow unrestricted public access at all times to the two high points, would provide an improvement in the quantity of public access. However, this needs to be viewed in relation to existing access opportunities in this area. At present the public have unrestricted access to Yes Tor and High Willhays on a guaranteed 245 days per year, with a further 60 days usually available at a minimum of 6 weeks notice. This totals 305 days during the year including all weekends, bank holidays and the peak summer months. Unrestricted public access would therefore increase existing provision by around 20% and mainly during the winter months when there are most restrictions for live firing.
- 3.12 Set against this modest benefit to public access are a number of disadvantages to military utility. For example, it would result in a reduction of the Okehampton live firing

area, limiting flexibility for exercise planning, particularly the advance to contact where troops approach templates within the RDA from the west with loaded weapons. The additional safety provided by protective high ground would also be lost, as would the buffer zone around the live firing templates.

- 3.13 Given the existing levels of unrestricted public access, the more flexible military option would therefore be to amend the range byelaws to ensure that the RDA is capable of accommodating any future developments in the range or scope of weapons used during live fire exercises. In this event the byelaws would need to be drafted so as to be severable and therefore imposed more selectively, allowing public access to that part of the Okehampton RDA where it is not impinged upon by the weapon safety templates or required for troops carrying loaded weapons.
- 3.14 Consideration was also given to the re-alignment of the Merrivale RDA boundary to exclude the Bagga Tor new take. However, this would have serious adverse implications to the military utility of an area which is well suited to fire and manoeuvre. For example, it would result in the targets becoming very constrained, it would require the use of land to the east where the terrain is not so well suited for purpose, and would require additional access tracks for safety support and targetry.

### **The firing programme**

- 3.15 At present around 30% of programmed days are lost, mostly due to poor visibility preventing public safety and intentional overbooking of the ranges to counter the closure of the range due to bad weather. Efficiencies in the operation of this live firing programme are possible but will to a large part be dependant on issues associated with range clearance and public safety discussed below.
- 3.16 At present live firing is permitted on Okehampton on a maximum of 120 days per year and on Merrivale for a maximum of 180 days. In theory it is possible to balance live firing exercises more evenly between these two ranges, but this would have significant impacts on public access opportunities on Okehampton, which covers the high moorland. Live firing was decreased on Okehampton in 1991 to satisfy public access requirements and therefore any measures which sought to now decrease guaranteed public access days would carry significant planning and environmental risks.

## **Range clearance**

- 3.17 Recent measures have seen a reduction in stock clearance from the range danger areas prior to live firing exercises but these areas are still “swept” to ensure no members of the public are present. Experience on DTA demonstrates that these “sweeps” rarely find members of the public within the red line areas. No other training area in the UK undertakes clearance in this way, with members of the public familiar with and abiding by the red flag/red light warning signals. Whilst safety considerations are paramount in decisions to alter this practice on DTA, considerable benefits to military training may accrue should risk assessments demonstrate such clearance to be unnecessary. This would allow:
- i. Live firing exercises to start earlier;
  - ii. Live firing exercises to take place when observers cannot see their section of the RDA boundary. This would decrease the disparity between programmed and actual firing days and improve public access;
  - iii. Reduction in the costs associated with clearance activities.
- 3.18 Such measures should be considered against the existing practice for night-time live firing activities where no clearance is undertaken or observation is made of the range danger area or its boundary. Likewise, the existing byelaws allow for live firing to take place on the dates specified in the Firing Notice, regardless of weather conditions and specifically during conditions of low visibility.
- 3.19 The economic impact of both decreased clearance activities and decreased observation requirements presents potential economic benefit in the form of reduced costs to the MoD and consequent disbenefit to those employed to undertake these activities through loss of income. The MoD would also benefit from the certainty of being able to live fire and reduce the need to overbook to take account of days lost to bad visibility, thereby increasing overall efficiency.
- 3.20 Such improvements would also have consequential benefits to both landscape conservation and public access. Firstly, it would enable look-out huts to be reduced in number and/or relocated to less visually intrusive positions. Secondly it would improve the quantity and certainty of public access by reducing those occasions where live firing is planned but cannot take place because of bad visibility.

- 3.21 The main concern of such changes to the existing clearance regime would be on the grounds of public safety through incursions during live firing exercises and the risk of stock re-entering the RDA unobserved with the increased chance of injury.

### Public Access

- 3.22 Restrictions to public access as a result of live firing exercises are the main cause of concern amongst local stakeholders. Nevertheless, this concern must be viewed against MoD's primary aim of occupying land **solely** for the purpose of delivering military capability. This key objective of government policy is supported by the secondary aim of providing public access to MoD land "*wherever this is compatible with operational and military training uses, public safety, security, conservation and the interests of its tenants*".<sup>4</sup> These must be balanced taking account of the relatively large number of guaranteed public access days on DTA (particularly on Okehampton – 245 days) that presently exist and the actual level of public usage, which will be informed by the ongoing Tourism Associates study. Consequently, the test of whether or not the MoD is fulfilling its policy objectives in this regard on Dartmoor can be summarised as follows: assuming that the need on military grounds is established, are public access opportunities as full as is consistent with operational and safety considerations? The MoD recognises that the high moor areas within DTA are important for public access and recreation and it seeks to reserve use of DTA to itself only so far as it is necessary to achieve its training objectives. Consequently, many initiatives have been implemented in recent years to improve the quantity and certainty of access to the RDAs and future improvements to military efficiency could result in further improvements.
- 3.23 For example, positive benefits on public access to the RDAs would ensue from the decreased clearance measures outlined above. This would result in a significant reduction in the disparity between days programmed and days used for live firing exercises, increasing both the quantity and certainty of public access to the RDAs. Safety considerations would obviously need to be carefully balanced against these benefits and it would be prudent to undertake a pilot scheme on Okehampton in the first instance to monitor the effects prior to wider application.
- 3.24 Figure 1 illustrates that over the past fifteen months there have been no weapons templates which overlie the internal boundary between Okehampton and Merrivale, which might indicate a potential east-west route for walkers. This would satisfy the need to walk from Cut Hill and Fur Tor westwards on those days on which there is live firing on both

<sup>4</sup>

MoD "*In Trust & On Trust : The Strategy for the Defence Estate*" 2000

Okehampton and Merrivale. However there are significant disadvantages to military utility and public safety. Primarily it would prevent the flexible use of Okehampton and Merrivale together and the ability to fire between RDAs when required. It would also prevent field firing outside the weapons templates and the ability to set up a large template over all 3 ranges (from Willsworthy over the Okehampton/Merrivale boundary) to facilitate larger live fire tactical training exercises. On the issue of public safety, there are no observation points along this internal boundary and therefore public safety could not be guaranteed should access be allowed between the ranges. This issue has previously been debated with the DNPA who would not support future look-outs in the heart of the moor due to the detrimental impact of such structures on the character of the landscape.

- 3.25 One measure that should be considered is an amendment to the Okehampton Range Byelaws to increase public access to Yes Tor and High Willhays, as outlined in 3.11 above. At present the byelaws apply to the whole RDA and it is not possible to sever them so as to allow public access to those parts of the RDA which are outside the safety templates at any given time. If they were re-drafted to facilitate severance of those areas not covered by specific firing templates on an exercise specific basis there would be a resultant improvement in the quantity and certainty of access to these two highest points on the north moor. This would provide benefits to both walkers and horse riders. Such “short-notice access” could be guaranteed on a specific number of days and published in the usual manner i.e. on the Dartmoor Ranges website, by calling the freefone number and via the local press and radio. Communication of the extent of such access opportunities (and associated dangers) would be paramount and require careful planning, as would on-site visitor management. It is suggested that the practicality of such a measure could be monitored through a pilot scheme in the first instance, once safety considerations had been fully assessed to ensure public safety could be guaranteed.
- 3.26 Specific measures designed to improve public access across the existing RDAs will be informed by the visitor research currently being undertaken by Tourism Associates, which will highlight visitor preferences and be included within the Management Plan.

### **Visual impacts**

- 3.27 The location of DTA within a National Park inevitably influences any consideration of potential visual impacts that result from military activity. The external audit of the EMS was an important vehicle by which local statutory bodies could identify such potential impacts and for them to be assessed against existing control measures. Visual impact

was categorised under the heading of “Landscape” and the most significant impacts or concerns related to the following:

- i. **Military debris**, including flare cases, cartridge cases, survival equipment, kit and tin boxes. Military users of the training area are already required to remove military debris and any civilian litter from the area used for training but recommendations for more rigorous supervision by DTA staff have been implemented to ensure a thorough clearance of both military debris and civilian litter.
- ii. **Military infrastructure**, including look-out shelters, stables and flag poles. Many of the traditional structures built into the tors were removed and modern structures erected in the 1980s and 90s at the request of local statutory bodies. The potential reduction in clearance operations may result in the subsequent reduction in the number of these shelters and look-outs. However, the older, traditional stone structures are now valued for the contribution they make to the cultural heritage of Dartmoor and consequently any reduction in these would be resisted by stakeholders such as English Heritage. A reduction in the number of modern structures would therefore be most acceptable and result in positive visual benefits. Detailed proposals on this issue will only be possible once the relevant risk assessments associated with the clearing activities have been undertaken and should be informed by a landscape character assessment and visual impact analysis.

The economic impact of a reduction and/or re-location of look-out posts has potential benefits and associated costs. A reduction in the need for observation of RDA's may take away the need for most, if not all, look-out posts should it be demonstrated that the ranges can operate safely without manned look-outs. This would have a long term economic benefit with regards maintenance costs but may have short term costs associated with their removal and disposal. Should look-outs be relocated there will be costs associated with new building or re-building existing structures.

- iii. **Loop Track, tracks and military vehicles**: whilst statutory bodies such as the Countryside Agency consider that the Loop Track and other tracks cause visual intrusion and a loss of landscape character, the local community and visitors to Dartmoor value these facilities since they aid access to the moor, particularly by the less able. Regarding military vehicles, landscape studies would assist in providing an analysis of the potential visual impact of erosion where these

vehicles are driven off-track. Whilst the Loop Track is accessible to non-military vehicles when live firing is not taking place, initiatives have already been put in place to prevent these vehicles being driven onto the open moor. These measures appear to be fairly successful and are well policed by the DNPA wardens and assisted by DTA.

- iv. **“Portaloos”**: whilst the visual intrusion caused by “portaloos” has been recognised the MoD is already taking forward initiatives to reduce this impact significantly. Plans are in hand to utilise a new style of field latrine with a small visual signature that can be positioned by military units close to their camp and be removed by these units after use.

### **Key Elements of “Preferred” Option**

- 3.28 The potential improvements to military utility and existing control procedures identified in this chapter provide the framework for a “preferred” option for continuing sustainable military training on DTA. This option will be developed, delivered and monitored through a Management Plan, under the umbrella of the recently audited EMS. The option assumes continuity in the both the spatial framework of DTA and the level of training undertaken under the terms of current licences.
- 3.29 The MoD will now need to consider and agree the following elements to determine whether they are practical. :
  - i. Amendments to procedures to reduce the number of training days lost due to live firing being prohibited when bad visibility precludes observation of the range danger area boundary. This would provide benefits to both military utility and potentially increase the number of days available for the public to access DTA;
  - ii. Amendments and improvements to the range booking process to take account of these changes to procedures;
  - iii. A reduction of and/or re-location of look-out shelters should risk assessments demonstrate that this is consistent with public and stock safety responsibilities and taking account of associated socio-economic issues. This would benefit the integration of military structures within the National Park;

- iv. Amendments to or fine tuning of existing procedures or RDA boundaries to provide enhanced public access opportunities to key high points on the northern moor.

## 4 Conclusions

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- 4.1 The “preferred” option represents a dynamic set of opportunities for continuing sustainable military training, which will be taken forward through the Management Plan for the whole of DTA. This Plan is being developed by MoD through the existing Dartmoor Working Party (DWP), which will enable improvements to management procedures to continue to be agreed through consultation with local statutory bodies and informal discussions with NGOs. The agreed Plan will then be endorsed by the Dartmoor Steering Group (DSG), which provides the forum for reconciling military activities with social and environmental factors.
- 4.2 The key elements of the “preferred” option can be summarised as follows:
- i. A reduction of and/or re-location of look-out shelters consistent with public and stock safety responsibilities, and economic issues to improve the integration of military structures within the National Park;
  - ii. A reduction in the number of days wasted due to live fire being forbidden when bad visibility precludes observation of the range danger area boundary, in order to increase the days available for the public to access Dartmoor;
  - iii. Resultant improvements to the range booking process and beneficial enhancements to the quantity and certainty of both military training and public access;
  - iv. Enhanced public access opportunities through fine tuning of existing procedures or RDA boundaries.
- 4.3 These key elements do not, at the present time, trigger any “show stopping” risks to MoD and minimise likely unacceptable risks which may compromise military capability. They are set against a strong set of assumptions that recognise that the future level of training on DTA will not change significantly from that already allowed under current licences.

## **Annexes**

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### **Annex 1 : Management Improvements**

# Annex 1 : Management Improvements

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- 1.1 A wide raft of management initiatives has been instigated by MoD as part of their ongoing review of military training activities on DTA. The following list of improvements has been implemented since licences with local landowners were last renegotiated in the early 1990s. These have been taken forward in consultation with local statutory bodies through the Dartmoor Steering Group (DSG). They are grouped into five main categories; conservation, access, communication of access, community assistance and management, although inevitably some improvements offer benefits to more than one of these categories.

## Conservation

- Nattor area damaged by stock repaired 1992 – 93
- Redundant observation posts and other artefacts removed 1992 – 98
- Restoration of tracks and bouldering off of other routes 1993
- Training ceased on Roborough Down 1994
- Snap Lane repairs to area churned up by horse riders 1995
- Training video produced 1996
- ATE SW Standing Orders rewritten in consultation with DNPA 1996
- Light pollution from Okehampton Camp reduced 1997
- Investigation and trial of methods of reducing lookout shelter visual intrusion 1996 – 98
- Bridge built at Moorgate to replace hazardous ford 1998
- Tracks blocked off 1998
- Historic Okehampton Camp structures identified with DNPA with commitment from MOD to maintain them 1998
- Firing of artillery high explosive rounds ceased 1998
- Old RDA signs removed (approx. 42) to reduce visual intrusion 1998
- Okehampton Camp landscaping including demolition of superfluous buildings 1998 - 02
- Reduced cross country movement and new control measures 2000
- East Okement Farm barn built to take stock removed from moor during winter 2000
- Obsolete buildings replaced at Okehampton Camp 2000
- Stocking on Willsworthy reduced to encourage heather and whortleberry regrowth 2001
- Tree planting undertaken at Bearwalls Farm 2001
- East Okement Farm woods planted 2002
- Holming Beam Strip Wood wall repaired 2002
- Posters produced and displayed in camps providing information on ecology and cultural heritage 2002
- Doe Tor and Bearwalls Farms' boundaries repaired under ESA agreement 2002/03
- Partner in Waders Restoration Project 2003
- Forest Fire Project partnership to prevent and be prepared to fight uncontrolled fires 2003 - ongoing

- Reddaford Farm field boundaries rebuilt and repaired, and pasture being restored 2003
- Historical appraisal of Okehampton Camp and Okehampton Training Area 2003
- Removal of gorse from medieval farmstead at Willsworthy 2003
- Tree planting at Doe Tor, Standon, Yellowmead and Bearwalls Farm 2003
- Support provided to commoners ESA Management Plans by changing stock movement 2004
- Yellowmead Farm track repaired 2004
- Assistance to DNPA with controlling vehicles by creating car parking constraints around the Loop Track 2005
- Okehampton Camp oil interceptor constructed 2005
- Wickham Railway shed re-granited 2005
- Willsworthy SSSI condition upgraded to unfavourable improving 2005
- Tracks provided for farmers to access and manage stock
- Birds protection zones implemented
- Brisworthy Wood car park constructed to reduce damage to surrounding moor
- Contribution provided to Great Mis Tor track barrier
- Bird and bat boxes erected at Willsworthy and Okehampton Camp
- Beardown and Great Mis Tor stables relocated in less visually intrusive locations

### **Public Access**

- Popular honey pot sites avoided 1993
- SW corner Merrivale and Okehampton boundary changes to give access to 4 more tors agreed in 1993 and implemented in 1996
- Old Camp at Willsworthy demolished and area restored to moorland 1995
- Willsworthy : one weekend per month for live firing and stock clearance week in November fixed 1997
- Willsworthy firing points rounded off and firing point built to resemble stone wall 1997
- Vehicle signs removed and replaced with small wooden signs 1998
- Movement box markers removed 1998
- Improved use of RDAs to reduce difference between booked and used training days 2001
- Kitty Tor footpath built with DNPA 2003
- Kitty Tor Peat railway track repaired 2003
- Willsworthy boundary amended 2004
- Amendment to Merrivale/Okehampton RDA boundary to improve access to Cut Hill and Fur Tor 2005
- Land made available to DNPA for car parks at Willsworthy and Lane End
- Road and track access maintained
- Civilian litter collection from areas where military train including airlifting abandoned vehicles from inaccessible areas - ongoing
- Willsworthy public access agreement with DNPA
- Cowsic bridge relocated and rebuilt to assist movement between Holming Beam and Beardown

### **Communication of public access arrangements/opportunities**

- MoD advertisement in Dartmoor Visitor 1993
- MoD display and video in High Moorland Visitor Centre, Princetown 1993
- MoD briefing days for members of public 1993, 1996, 2000
- Firing notice phone introduced 1994
- DNPA advised of live firing cancellations and information relayed to National Park information centres 1995

- MoD leaflet “Walks and Rides on Dartmoor” first published 1995
- MoD display at Postbridge Information Centre 1996
- Ordnance Survey maps introduced to include danger area warning symbols and RDA boundaries 1996
- Radio Devon commenced announcement of firing programme daily 1996
- MoD noticeboards displayed in 14 car parks around northern Dartmoor 1998
- Signs introduced on poles around RDAs 1998
- Free information phone introduced to replace 4 payphones 1999
- Dartmoor-ranges website taken in house 2002
- MoD display during Plymouth Armed Forces Day 2002, 2004; at Bath & West Show and Okehampton Show 2002;
- Information Centre set up at Okehampton Camp 2004
- Dartmoor Heritage Weekend 2004 & 2005
- Freephone updated daily in event of changes to live firing programme 2005

### **Community Assistance**

- Briefing of walk leaders and rangers commenced 1996
- Accommodation provided for CFAR 2000
- Peat samples extracted at Cut Hill and Hangingstone 2005
- Assistance provided to DNPA in writing Military Fact Sheet 2005
- Support given to DNPA Fire Liaison Group including swaling demonstrations 2005
- Policing provided to assist DNPA Rangers during Foot and Mouth Disease outbreak
- Annual running of Ten Tors expedition
- Hosting West Devon Borough Council Junior Life Skills
- Assistance to commoners by provision of fire foggers to support swaling

### **Management**

- Surveys and data collection including Archaeological Ground Condition Survey 1993; survey of tracks and military artefacts 1993; NVC of Willsworthy 2003; base line crater survey 1998; catalysed English Heritage historic environment surveys of Okehampton 2004, Merrivale 2005, Ringmoor 2006; other vegetation surveys; DEFRA's cross compliance measurement surveys
- New camp at Willsworthy opened 1995
- Willsworthy Integrated Land Management Plan produced through DWP 1999
- MoD Rural Estate Strategy “In Trust and On Trust” published 2000
- Okehampton Camp Establishment Development Plan produced 2000
- Environmental Management System introduced 2003
- ATE Public Access Study 2003
- Okehampton Camp Landscape Plan compiled after Phase 1 Landscape Survey 2004
- Declaration of Understanding between ANPA & MOD signed 2005
- Ongoing co-operation with DNPA, statutory bodies, parish councils, the Commoners Council and other associations and liaison with DSG and DWP