

# THE CONSERVATION SITES AGREEMENT

## INTRODUCTION

This document sets out the roles and responsibilities of Basingstoke and Deane Borough Council (BDBC) and the relevant Members of Natural Basingstoke in relation to the maintenance and voluntary conservation activities on the Designated Sites.

## DEFINITIONS USED IN THE AGREEMENT

**Designated Sites** - green spaces and local nature reserves owned or managed by BDBC on which a voluntary conservation group conducts nature conservation management activities.

**Relevant Members of Natural Basingstoke**— the voluntary conservation groups which operate on Designated Sites and are members of Natural Basingstoke (Appendix 1).

## THE AGREEMENT

1. By signing this Agreement Natural Basingstoke's Member organisations will be responsible for complying with the conditions set out below and accept all legal responsibilities associated with the use of the land for the group/organisation's activities.
- 2(a) BDBC will consult with Relevant Members of Natural Basingstoke on routine environmental maintenance regimes and other periodic environmental maintenance activities authorised or carried out by BDBC departments or third parties which affect Designated Sites including their internal or external boundaries. These include grass cutting, hedge trimming, weed control regimes and surveys. In relation to tree maintenance, BDBC will inform Relevant Members of Natural Basingstoke where and when tree work is intended to take place and agree the manner in which such work is to be undertaken, unless such work is of an emergency nature<sup>i</sup>.
- 2(b) Those BDBC departments concerned with environmental care and Relevant Members of Natural Basingstoke will co-ordinate their respective activities on designated sites to achieve optimum conservation outcomes.
3. BDBC will consult with Relevant Members of Natural Basingstoke on the technical input required to carry out surveys on Designated Sites<sup>ii</sup>.
4. Relevant members of Natural Basingstoke have the facility to check the planning register for planning applications affecting Designated Sites and sites immediately adjacent to these. <sup>iii</sup> (Appendix 2). Where BDBC Biodiversity Officers are consulted on planning applications that are relevant to Natural Basingstoke members, the relevant Natural Basingstoke member will be alerted to this through the BDBC Biodiversity Officers directly or via the Community Development Officer - Green Spaces. Where sites managed by members of Natural Basingstoke fall within the purlieu of a Parish Council, this should be the most efficient communication channel to follow. Where a Biodiversity Officer is aware of pre application discussions relating to a designated site they will encourage the developer/owner to consult with the relevant BCN member as early as possible.
5. BDBC officers will maintain conservation site management plans developed and updated in collaboration with relevant members of Natural Basingstoke. Site management plans will be reviewed jointly on an appropriate/agreed timescale.

6. Members of Natural Basingstoke will supply BDBC with annual accounts and minutes of annual general meetings.
7. Members of Natural Basingstoke will supply BDBC with quarterly statistics of their volunteer hours.
8. Wherever possible, members of Natural Basingstoke will support BDBC efforts in promoting and publicising nature conservation and voluntary conservation activities within the Borough
9. Natural Basingstoke is the channel of communication, funding and co-ordination of resources. It is, therefore, preferable that conservation groups operating on Designated Sites are represented on the Natural Basingstoke.
10. Relevant Members of Natural Basingstoke will provide BDBC's Community Development Officer-Green Spaces annually with details of their planned programme of work and other activities on Designated Sites (with updates where necessary) and confirm group officers, relevant qualified members and current communication channels.
11. Relevant Members of Natural Basingstoke will comply with all statutory and BDBC health and safety requirements as detailed in Appendix 3.
12. Where it is considered necessary for monitoring the well-being of the Designated Site and/or specific species within the site, Relevant Members of Natural Basingstoke will conduct surveys of the fauna and/or flora on Designated Sites and provide BDBC with survey data when it is compiled. BDBC will provide any survey data on Designated Sites resulting from surveys undertaken by others, such as HBIC.
13. Natural Basingstoke will provide BDBC with nature conservation input on relevant operational, strategic and policy issues. BDBC will notify Natural Basingstoke when relevant key policy documents are open for public consultation and welcome their input, and where appropriate will seek their informal input to emerging documents.
14. BDBC will support Natural Basingstoke in promoting and publicising voluntary nature conservation activities within the borough wherever possible.
15. Subject to any financial constraints, BDBC will provide annual financial support to Natural Basingstoke members, in particular for the purposes of insurance, training and health and safety compliance (Appendix 4).
16. BDBC will support members of Natural Basingstoke with technical advice and services (Appendix 4).
17. BDBC reserve the right to refuse or modify access to a site in whole or in part where it is required for alternative use.
18. BDBC reserve the right to revise these conditions at any time. The council will endeavour to give a reasonable period of notice whenever it is possible and any changes will be confirmed in writing.

The Agreement is signed on behalf of Basingstoke and Deane Borough Council by:

Name.....

Position.....

Signature.....Date .....

And on behalf of Natural Basingstoke by:

Name .....

Position.....

Signature.....Date .....

## **APPENDICES**

### **Appendix 1: List of Relevant Members of Natural Basingstoke party to this agreement and their Designated Sites**

#### **Relevant members of Natural Basingstoke.**

Chineham Conservation Group – Chineham Woods & Tollhouse Meadow

Friends of Stratton Park – Stratton Park

Kempshott Conservation Group – Down Grange Meadow; the Old Hedgerow by Down Grange Park; the Old Orchard, Kendal Gardens

Mill Field Conservation Group – Mill Field LNR

Oakley Woodlands Group – St John's Copse & Cowdown Copse, Oakley

Old Down & Beggarwood Wildlife Group – Old Down Woodland Park & Beggarwood Park

Popley Conservation Volunteers – Popley Ponds LNR

South View Conservation Group – The Holy Ghost Chapel Cemetery

Friends of Loddon Vale Parks – Victory Park, Glebe Gardens and King George V Park

#### **Other members of Natural Basingstoke (not operating on Designated Sites).**

Overton Biodiversity Society

Cliddesden Community Conservation Group (3CG)

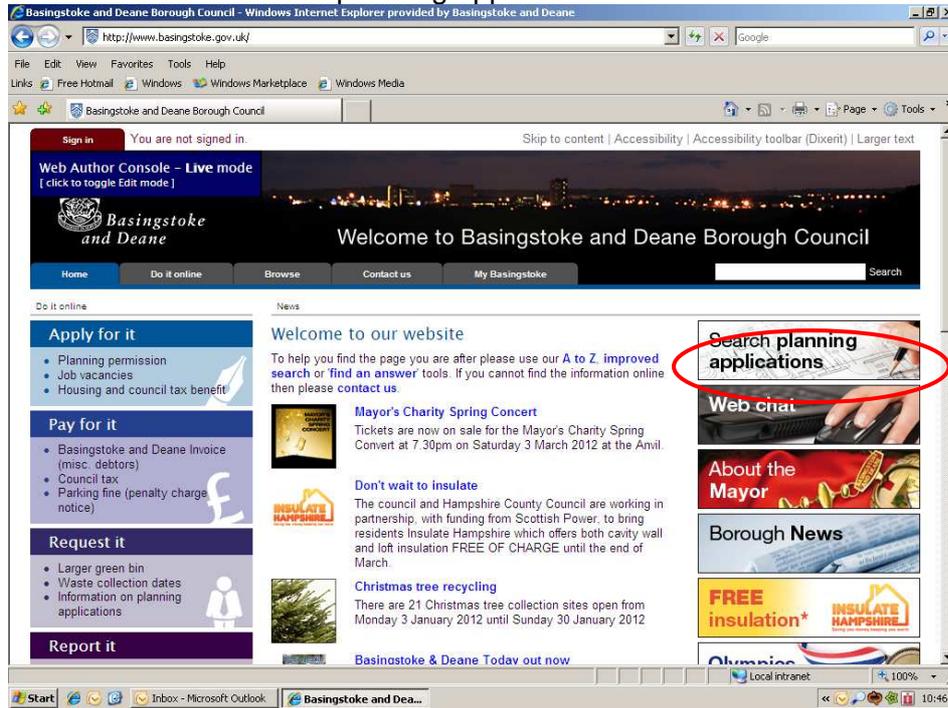
Dummer Nature Group (DuNG)

Fuzzy Drove Conservation Group

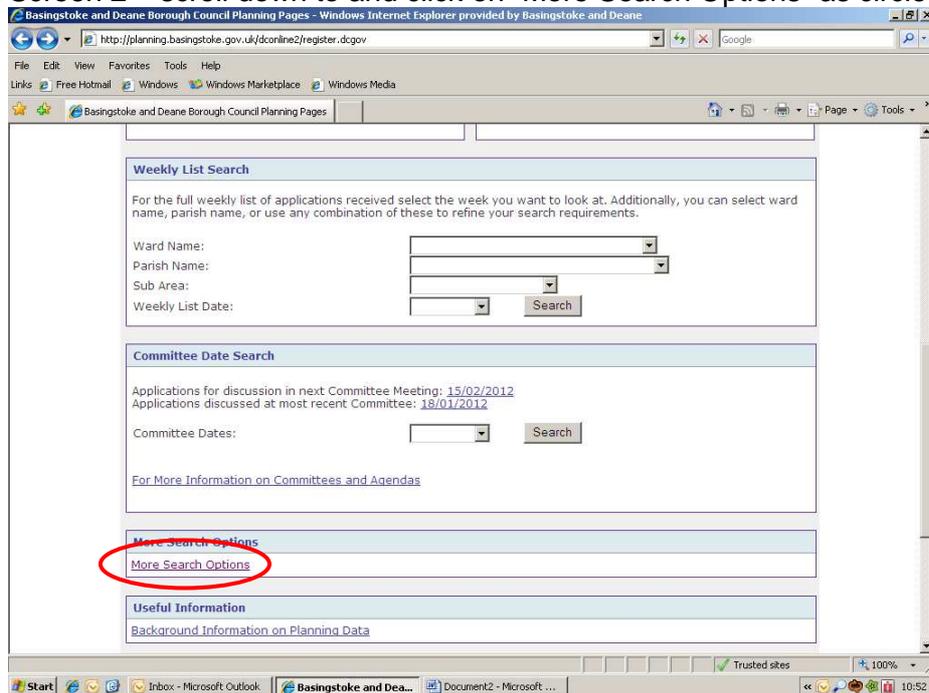
## Appendix 2: Planning Application Search

Planning applications can be searched as follows:

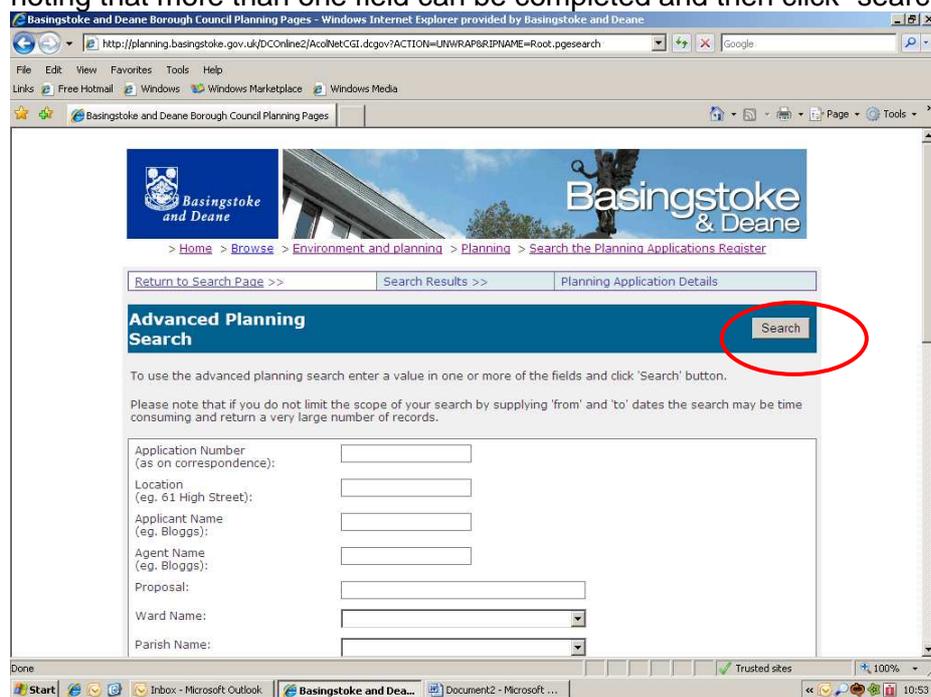
Screen 1 – click “Search planning applications” as circled in red.



Screen 2 – scroll down to and click on “More Search Options” as circled in red.



Screen 3 – Enter information into the various fields to identify planning applications of interest - noting that more than one field can be completed and then click “search”



### Appendix 3: Health and Safety Requirements

- Relevant **M**embers of Natural Basingstoke must have a Public Liability Insurance policy, for a sum of not less than £5 million (five million pounds), that is to be maintained at all material times that permission is granted to use BDBC Land. It is the group's responsibility to ensure that insurance is kept up to date. ~~Please obtain and forward~~ Copies of all **c**urrent insurance certificate(s) (or confirmatory letters from the insurers/brokers) **s**hould be **f**orwarded to BDBC.
- Relevant **M**embers of Natural Basingstoke must undertake and document risk assessments suitable and sufficient for all activities and sites on which the group operates. Separate fire risk assessments must also be undertaken for each site. These risk assessments must be reviewed and updated if necessary at regular intervals and in the event of any change to site or activities. All work party leaders should be provided with the current range of risk assessments. Copies to be lodged with BDBC.
- If Relevant **M**embers of Natural Basingstoke engage the services of contractors or suppliers, evidence must be secured that relevant Employers, Public and Product Liability insurance is in place to the minimum sum of £5 million (five million pounds). Copies should be forwarded to BDBC.
- Any contractor or supplier must also undertake and document risk assessments and fire risk assessments which are suitable and sufficient for their own activities. All work party leaders, and BDBC should be provided with copies of these documents.
- Relevant **M**embers of Natural Basingstoke must provide an appropriate level of supervision, stewarding and security on site at all times while activity is taking place.
- Relevant **M**embers of Natural Basingstoke must provide an appropriate level of first aid cover on site at all times while activity is taking place.
- Relevant **M**embers of Natural Basingstoke must ensure sufficient tool handling experience within the group and appropriate equipment certification.
- Where Relevant **M**embers of Natural Basingstoke expect to be working with unaccompanied children or vulnerable adults a current CRB will be required.
- BDBC does not give any guarantee or warranty with regard to suitability of the site, ground conditions or length of the grass. It is the work party leader's responsibility to ensure the site is suitable for use prior to undertaking any activity.
- BDBC will not accept liability for death, injury, loss or damage suffered by any persons (or to their property) arising out of Relevant **M**embers of Natural Basingstoke use of the land, except to the extent that the same is due to any act of neglect by BDBC.
- No equipment is to be left on site overnight at any point unless a suitable level of security is provided. If professional security is required at any time, all personnel must carry appropriate qualification for their activity. Please see [www.the-sia.org.uk](http://www.the-sia.org.uk) for further details of Security Industry Authority regulations.
- The site must be cleared of any rubbish immediately after any activity.
- ~~BDBC reserves the right to refuse or modify access to a site in whole or in part where it is required for alternative use. [ see clause 17 in Min body of agreement]~~

- BDBC reserves the right to revise these conditions at any time during the period of agreement. BDBC will endeavour to give a reasonable period of notice whenever it is possible and any changes will be confirmed in writing.

#### **Appendix 4: Funding and technical service provision to BCN Members.**

For conservation groups managing **council owned land** and subject to any financial constraints BDBC will provide Relevant Members of Natural Basingstoke with:

- Funding for the provision of statutory training, health and safety and insurance cover.
- Support from the Wildlife Trust
- Use of council owned and operated machinery where the intentions of use are mutually agreed.

For conservation groups belonging to the BCN that manage **non council owned land**, BDBC may provide financial and technical support where possible (subject to any financial constraints).

## EXPLANATORY NOTES

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<sup>i</sup> The Owners and Occupiers Act requires all land owners to keep their trees in a safe condition. To meet its legal duty of care BDBC inspects its trees approximately every 5 years. A rolling programme of pro-active inspections takes place across the Borough. A record is made of the trees' health and structure and any work that is required to make the tree safe is recommended.

A programme of tree safety work follows the inspections. The work is carried out by Gristwood and Toms who are the council's main tree contractor. There is a 7 year contract in place which runs until October 2017. Gristwood and Toms are paid only for the work we order from them and they are unable to take instruction from a third party.

### List of Relevant members of Natural Basingstoke and their Designated Sites and when they were last inspected

Chineham Conservation Group – Chineham Woods & Tollhouse Meadow, it is anticipated that Little Bakers Copse, Long Copse and Toll house Copse will all be inspected and worked on 2011 and 2012.

Friends of Stratton Park – part of Stratton Park was included in the Buckskin Ward inspection and part in the Kempshott Ward inspections. Some work is being carried out in 2012 as part of the Kempshott Ward work.

Kempshott Conservation Group – Down Grange Meadow; the Old Hedgerow by Down Grange Park; the Old Orchard, Kendal Gardens – inspected in 2011, safety work is being carried out in 2012 as part of the Kempshott Ward safety work.

Mill Field Conservation Group – Mill Field LNR – inspected as part of the Basing and Lychpit ward inspections in 2008

Oakley Woodlands Group – St John's Copse & Cowdown Copse, Oakley, both are inspected as part of the woodland programme and were last inspected April 2008

Old Down & Beggarwood Wildlife Group – Old Down Woodland Park - inspected in 2012.

Popley Conservation Volunteers – Popley Ponds LNR – last inspected 2010

South View Conservation Group – The Holy Ghost Chapel Cemetery – last inspected 2006

<sup>ii</sup> Hampshire Biological Information Centre (HBIC) routinely undertakes monitoring surveys of sites designated as SINCs so as to keep their records up to date (not annually, but up to a 5 year cycle). Where a Designated Site includes a SINC, the relevant BCN member will be informed prior to the survey taking place.

<sup>iii</sup> BDBC already consults officers and external groups in accordance with our consultation procedure note below:

<http://www.basingstoke.gov.uk/NR/ronlyres/5D5F7AAC-667B-475D-B9BB-2C3F736332AC/0/BDBCConsultationsMay2011.pdf>

Carrying out additional consultations has an implication on resources within the planning team. The BCN or any other external group such as The Heritage Society has the option to consider

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and comment on planning applications which may affect Designated Sites or sites immediately adjacent to these by searching the planning register for new applications.

All planning applications and their supporting information can be viewed on line using the link below:

<http://www.basingstoke.gov.uk/browse/environment-and-planning/planning/applications>

(Appendix 3)

The suggested time frame for checking planning applications is once every 2-3 weeks. If there are any initial queries regarding an application then contact should be made with the Case Officer. If having viewed the application the BCN has any comments it wishes to be taken into account on a specific application then these will need to be submitted in writing (letter or email) within the consultation period.