



**A380 South Devon Link Road (Kingskerswell Bypass)**

**Public Inquiry**

**Note by Devon County Council**

**Land Management Agreements**

**Provision for Monitoring**

## **1.0 Introduction**

- 1.1 Formal Environmental Land Management Agreements are being used to secure the off site parts of the mitigation programme for the Scheme.

## **2.0 The Agreements**

- 2.1 The agreements contain the following clauses regarding the provision for monitoring and review:

*The Council and representatives of any organisation properly authorised by the Council shall be entitled at any time during the operational period of this Agreement to enter the Land to:-*

*Ensure that the Management Prescriptions and all other terms of this Agreement are being followed and*

*To monitor the effectiveness of the Management Prescriptions*

*If following the monitoring and review process the Council and the Owners agree that the Management Prescriptions or any provision of them are not achieving the desired objectives then the parties can vary the Management Prescriptions to include additional provisions or remove existing provisions with a view to achieving the desired objectives. Any such variation shall be made in writing and signed by or on behalf of both parties.*

## **3.0 Monitoring**

- 3.1 The first element of monitoring will be to ensure compliance by the agreement holder with the terms of the agreement. A programme of such compliance checking will be undertaken by the County Ecologist, with the timing for this shown in the Mitigation and Monitoring Scheme, which is currently in preparation. Such monitoring will need to be undertaken on an annual basis for the first few years of the agreement; thereafter, if there are no problems, the frequency may be reduced, provided that the agreement holder confirms that all of the necessary works have been undertaken.
- 3.2 The second and more substantial element of the monitoring will be to confirm the conservation outcomes of the agreements, to verify that they are delivering the anticipated ecological enhancement. This work is likely to be undertaken through an ecologist consultant or, in the case of Labrador Bay, with the direct involvement of the RSPB. Once again, the programme for this monitoring will be developed through the Mitigation and Monitoring Scheme.