



## LAND PROTECTION MECHANISMS

An allocation of funds to your project may require some form of land protection to be put in place. The following brief information is provided as background on land protection mechanisms. If your application is successful and formal land protection is a condition of the grant, this information will form the basis of an initial discussion with you.

Security of the Crown's funding for successful projects on land not currently protected is required to be provided either through the conditions set out in the Deeds of Grant (which are entered into for all projects) or other mechanisms such as covenants or land management agreements as appropriate. The nature and the extent of this negotiated security is influenced by the size of the funds that have been allocated. Where significant funds are involved a registered covenant is seen as appropriate.

If a registered covenant is required the biodiversity values present in the project area will determine whether this will be a covenant under the Reserves Act or the Conservation Act or a Protected Private land agreement under the Reserves Act. These are all registered against the title of the property and require survey definition. The form of the agreement will be determined by the values present on the area and purpose for protection

Land Management Agreements under the Conservation Act allow for agreements to be entered into on the management of areas of private land to allow for the conservation of natural values. These can be in perpetuity but tend to be for set terms and are not registered against the title. The conditions of the agreements are negotiated but usually impose similar requirements to a covenant. The agreements are recorded against the Department's Land Register at conservancies.

Having some form of legal protection of the natural values on your property will enable future applications to the Fund to be made and such applications will be considered in the light of this protection. In considering applications a bias towards lands already under protection is in place.

A Land Management Agreement with the Department also creates a relationship between the landowner and the Department should advice on management of the natural area be desired. A similar relationship is formed with the Regional Representatives of the QEII National Trust when covenanting with the Trust.

Many applicants have entered into negotiations with the Queen Elizabeth the Second National Trust to establish open space covenant protection over their property prior to applying to the Fund. This is recognised as suitable protection. Other applicants whose project necessitates covenant protection are welcome to approach the QEII National Trust as an alternative protection mechanism to the covenants described above.

There are costs associated with establishing covenants and while this is a matter for negotiation it is usually expected the landowner will contribute to these.

You can discuss these options with the Fund Manager by calling him on the toll free number 0800 86 2020.