

A CONCORDAT

BETWEEN THE SCOTTISH MINISTERS

AND THE SECRETARY OF STATE FOR DEFENCE

Context

1. The way in which the UK is governed has changed in a major way through the devolution settlements to Scotland, Wales and Northern Ireland. Devolution to Scotland, effected by the Scotland Act 1998, has changed the way in which Scotland is governed by creating a Scottish Parliament with devolved powers within the United Kingdom. Executive power in devolved areas is exercised by the Scottish Ministers, while the UK Government at Westminster has retained direct responsibility for reserved matters, including defence and foreign affairs.

2. A central Memorandum of Understanding (MOU) sets out common provisions for the working relationships between the UK Government and the devolved administrations and, therefore, provides a foundation for this concordat. The principles underlying the MOU are:

- bi-lateral agreements, known as concordats, set out the working practices between individual UK departments and the devolved administrations
- the vast majority of matters which require communication between administrations should be capable of being handled routinely by officials or Ministers

- where a matter is not capable of being handled bi-laterally, the matter will be referred to the Joint Ministerial Committee (JMC), as described in the MOU.

Aim

3. This concordat covers the general principles of the Scottish devolution settlement as they affect defence, and sets out arrangements for consultation, exchange of information, confidentiality and security, access to services, resolution of disputes, and review of relations. The aim of this concordat is to help ensure that the business of Government in Scotland and across the United Kingdom continues to be conducted smoothly and efficiently. Among other things, this concordat seeks to ensure that:

- the Scottish Ministers take into account the need for the unimpeded conduct of the defence of the UK, and the interests and responsibilities of the Secretary of State for Defence and the Armed Forces, when framing and implementing Scottish legislation or otherwise undertaking actions and functions within their competence;
- the interests, rights and responsibilities of the Scottish Ministers are recognised and taken into account by the Secretary of State for Defence in framing and implementing UK defence policy and activities likely to have an impact in Scotland.

4. This concordat does not apply to the systems of criminal prosecution and investigation of deaths in Scotland or the exercise by the Lord Advocate of his functions as head of those systems.

General principles

5. This concordat is not intended to constitute a legally enforceable contract or to create any rights or obligations which are legally enforceable. It is intended to be a guide to normal working practices between the two administrations. However the Secretary of State for Defence and the Scottish Ministers agree to abide by the provisions and obligations set out in it wherever practicable. Good working relationships between officials of the Scottish Executive and Whitehall departments serving the UK Government are vital to the public interest and the effectiveness of Government across the United Kingdom. The Secretary of State for Defence and the Scottish Ministers will thus co-operate to the fullest possible extent to achieve the aims set out above.

6. All matters relating to the defence of the United Kingdom remain the direct responsibility of the UK Government. This is to provide for a strong integral defence policy and a seamless and effective defence capability for the UK as a whole, and has been achieved by the reservation of defence matters to Westminster in the Scotland Act 1998. Section 1 of the Annex gives details about the devolution settlement as it relates to defence.

7. In view of the special circumstances of defence, legislation has conferred a large number of exemptions, privileges and powers on the Secretary of State for Defence, the Ministry of Defence, the Armed Forces or other defence organisations. It is recognised that there will be cases where legislation enacted in the Scottish Parliament will also need to take similar account of these special circumstances. Many of these are in fields of responsibility devolved to the Scottish Parliament (for example, environmental law, building and fire regulations, land use and access and road safety). In addition, the Ministry of Defence as a Crown body enjoys exemptions etc. conferred on the Crown in legislation (for example in planning law and for the purposes of national security) and enjoys freedom from legislation which does not bind the Crown.

8. The use of these exemptions varies case-by-case. Some exemptions are invoked on a day-to-day basis as part of the UK's defence capability; in other cases, the Secretary of State for Defence complies with the relevant legislation using exemptions

only in exceptional circumstances. It is the policy of the Secretary of State for Defence to comply with Scottish law in all areas, reserved and devolved, and only to make use of any exemptions or privileges where these are necessary to enhance or protect defence capabilities.

Contingency Planning

9. Where relevant, the Secretary of State for Defence and the Scottish Ministers will co-ordinate plans for contingencies such as civil emergencies, crises or war.

Consultation arrangements

10. Consultation between departments is a feature of UK Government and it is intended that this should be a feature of the relationship between the Secretary of State for Defence and the Scottish Ministers. The MOU and other guidance on common working arrangements set out common provisions for consultation arrangements and advance notification and for liaison between the administrations in respect of correspondence, legislation, Parliamentary Questions, Debates, Committees and other issues.

11. The Secretary of State for Defence will need to consider any proposals for Scottish legislation and the exercise of powers by the Scottish Ministers which may directly or indirectly affect defence matters as they have been reserved to the UK Parliament (see the Annex). Similarly the Scottish Ministers will need to consider any proposals for legislation in the UK Parliament on defence matters and the exercise of powers by the UK Government that may have an impact on devolved matters in Scotland.

12. The Scottish Ministers undertake to inform the Secretary of State for Defence of all relevant draft legislation, executive functions they propose to exercise, and policy developments in sufficient time for the policy and practical implications for defence to

be examined and representations made as appropriate. This includes notifying the Secretary of State for Defence of any Member's Bill which may have such implications. The Secretary of State for Defence undertakes to inform the Scottish Ministers of all relevant draft legislation, executive functions he proposes to exercise, and policy developments in sufficient time for the policy and practical implications for devolved matters to be examined and representations made as appropriate. Likewise, this includes notifying the Scottish Ministers of any private member's Bill relating to defence which may have such implications. The nature for such consultation will be in line with the provisions set out in the MOU. Section 2 of the Annex provides an illustrative list of areas of mutual interest where consultation is envisaged.

13. It is a general principle that relevant officials serving the Secretary of State for Defence and officials serving the Scottish Ministers should take responsibility for complying with the provisions of this concordat in respect of their areas of responsibility. As such it is expected that lead officials in both administrations will ensure that they maintain regular contact with opposite numbers in respect of matters within their responsibilities. The administrations recognise that in some instances there may not be an obvious point of contact. In such circumstances, the initial point of contact in the Ministry of Defence will be the Regional Policy Unit for general issues and the Directorate of Claims and Legal (Finance and Secretariat) for matters relating to legislation. The initial point of contact in the Scottish Executive will be the Industrial Policy Division. The Industrial Policy Division and the Regional Policy Unit will also act as the contact point within each administration dealing with queries about any aspect or operation of this concordat.

14. Discussion between the Scottish Ministers and Secretary of State for Defence (and other Defence Ministers) on any matters of mutual interest may take place as and when those Ministers agree that it is appropriate.

15. In order to facilitate this co-operation and the smooth working relationship between the Secretary of State for Defence and the Scottish Ministers, officials may:

- establish working groups, committees or other regular or ad hoc meetings as necessary;
- seek to be represented if required on statutory bodies or on regional interest groups where appropriate;
- invite representatives of the Secretary of State for Defence or the Scottish Ministers to attend each other's internal meetings.

Exchange of information

16. The MOU and other common working arrangements set out the principles for sharing information. The Secretary of State for Defence and the Scottish Ministers undertake to comply with these principles in order to ensure that each is aware and takes account of the interests of the other. This may include policy papers, analysis and statistics, and other factual information relating to topics such as those listed at Section 2 of the Annex. Should any doubts be raised about whether such information should be provided, the matter will be referred in the first instance to officials of Industrial Policy Division and the Regional Policy Unit (see paragraph 13 above) for consideration.

17. This exchange of information will of necessity be subject to the constraints of confidentiality and security set out in the MOU and at paragraphs 18 to 20 below, and by the need to observe any limitations and constraints imposed by the laws applying in England and Wales, Scotland and Northern Ireland.

Confidentiality and security

18. Given the sensitivity of much information about defence matters, particular measures on confidentiality and security are appropriate for this concordat. For the purposes of the Official Secrets Act, members of the Scottish Executive and junior

Scottish Ministers are considered to be Crown servants¹ and, therefore, like UK Ministers, are bound by its terms. Similarly, officials serving the Scottish Ministers and the Secretary of State for Defence are members of Her Majesty's Home Civil Service and are subject to the standards of conduct laid down in the Civil Service Management Code and by the UK Government. They will respect the confidentiality of all discussions, documents and protectively marked material. The dissemination of protectively marked information by either party will be subject to regulations in force at the time as laid down by the UK Government, or the Scottish Ministers (as in The Civil Service Management Code, The Manual of Protective Security, the Code of Practice on Access to Government Information the Code of Practice on Access to Scottish Executive Information (and any future Freedom of Information legislation which replaces these codes) and JSP440 the Defence Manual of Security). Protectively marked material will be handled and protected at all times at least according to security standards and procedures approved by the UK Government and set out in The Manual of Protective Security, and where necessary to any additional standards requested by the Secretary of State for Defence or the Scottish Ministers. Officials serving the Scottish Ministers needing access to Ministry of Defence protectively marked material will be required to have the appropriate UK Government security clearance.

19. Information belonging to international defence organisations will be handled and protected according to the regulations of those organisations (e.g. for NATO, CM(55)(15) Final, and for the Western European Union, WEU RS100). Similarly information belonging to other Governments, received under international defence treaties or other agreements between nations, will be subject to any arrangements on security and confidentiality made under those agreements.

20. Where appropriate, the dissemination of material to the Scottish Ministers and Members of the Scottish Parliament will be subject to the approval of the Secretary of State for Defence.

¹ See the definition of "Crown servant" in section 12 of the Official Secrets Act 1989, as amended by paragraph 26 of Schedule 8 to the Scotland Act 1998.

Agency Arrangements

21. The Secretary of State for Defence and the Scottish Ministers may provide each other with administrative, professional or technical services where appropriate to ensure that the defence responsibilities of the UK Government and the responsibilities of the Scottish Ministers may be discharged: every effort will be made by both parties to provide such assistance. Charges for advice, assistance, goods or services may be raised by either the Secretary of State for Defence or the Scottish Ministers, their agencies, trading funds or other associated bodies at the discretion of the bodies or agencies concerned and in accordance with normal practice and the law. Where agreements currently exist specifying customer-supplier relationships between Ministry of Defence trading funds or agencies and Scottish bodies these will continue.

Resolution of disputes

22. The MOU sets out arrangements for the work of the JMC which will inter alia be concerned with the resolution of disputes. In the normal course of events matters of dispute, including all procedural disputes, should be able to be resolved by officials and Ministers bi-laterally without the need for reference to the JMC.

23. Where this is not possible and a mutually agreeable solution to a dispute is being sought within the JMC, neither party will proceed with the action in dispute if it is reasonable for such action to be delayed until a solution is found. However, if it is imperative that the action is undertaken or function exercised within a specified timescale, or where there are other reasonable grounds for undertaking the action before agreement has been reached, the other party will be informed of this as soon as practicable together with the grounds on which this decision has been based. As much warning as is practicable will be given, before the action is then taken. The action should nevertheless be undertaken with as full regard as possible to any concerns which have been expressed.

24. Nothing in this concordat prevents the Secretary of State for Defence from exercising the powers of intervention conferred by section 35 or 58 of the Scotland Act 1998, or from requesting the institution of devolution proceedings under Schedule 6 to that Act. The Secretary of State will give the Scottish Ministers notice of any intended use of these powers where it is practicable to do so and the grounds on which he or she will invoke them.

Disputes involving policing

25. Disputes involving Ministry of Defence Police will be referred to the Ministry of Defence Police Committee for resolution, with the aid of the Committee's Police Adviser for Scotland.

Review

26. Officials of both parties will hold an annual Liaison Meeting to review the concordat. The review may be referred to Ministers if requested. Any alterations to this concordat will not take effect unless agreed in writing between both parties. The Liaison Meeting will also review relations between the administrations, address any particular points at issue and take a forward look at their respective legislative and executive programmes.

The Defence Reservation in the Scotland Act

The Scotland Act 1998, Schedule 5, Part 1, Paragraph 9 gives the following details on the reservation of defence to the UK Government:

- (1) The following are reserved matters-
 - (a) the defence of the realm,
 - (b) the naval, military or air forces of the Crown, including reserve forces,
 - (c) visiting forces,
 - (d) international headquarters and defence organisations,
 - (e) trading with the enemy and enemy property.

- (2) Sub-paragraph (1) does not reserve-
 - (a) the exercise of civil defence functions by any person otherwise than as a member of any force or organisation referred to in sub-paragraph (1)(b) to (d) or any other force or organisation reserved by virtue of sub-paragraph (1)(a)

 - (b) the conferral of enforcement powers in relation to sea fishing.

The effect of reservation in relation to the legislative competence of the Scottish Parliament is determined by section 29 of the Scotland Act 1998

The following is simply an illustrative list of matters thought likely to be included within the reservation. It is not intended to be a comprehensive

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or definitive list of matters covered, or to preclude the parties from questioning whether any matter falls within the reservation. The parties have no power to agree the scope of the reservation: that scope can only be determined authoritatively, in case of dispute, by the courts.

(a) the supreme government, command, establishment, maintenance, regulation of membership, organisation, control, staffing, funding etc. of the armed forces of the Crown and their civilian components;

(b) the activities of the Secretary of State for Defence and the Ministry of Defence for the purposes of the armed forces and the defence of the realm;

(c) the enlistment, call-up, re-engagement, recall, transfer, training, discharge, disciplining etc. of members and the civilian component of the armed forces of the Crown;

(d) the establishment, constitution and jurisdiction of military courts; the creation of offences to be triable by such courts, and the investigation, trial and punishment of those offences;

(e) the creation of offences concerning the armed forces (e.g. unauthorised wearing of military uniforms, personating the holder of a certificate of service or discharge) to be triable by military or civilian courts;

(f) the establishment, constitution, powers, duties, maintenance, regulation of membership, organisation, control, staffing, funding etc. of associations having close connections with any of the armed forces of the Crown; in particular, the territorial, auxiliary and volunteer reserve associations and cadet forces

(g) the remuneration, allowances, pensions, benefits etc. paid or to be paid to (i) members or former members of the armed forces in connection with their service and

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- (ii) dependants of such persons (including widows, widowers, children and other near relations);

- (h) the protection of interests of members of the reserve forces of the Crown who were or are liable to be called into the armed forces;

- (i) making special provision in law for members of the armed forces of the Crown on account of their status as such members, e.g. disqualifying them from membership of the House of Commons;

- (j) the disclosure of information regarding military activities;

- (k) the remains of military aircraft and vessels that have crashed, sunk or been stranded, and associated human remains;

- (l) the armed forces of other countries where visiting or based in the UK, and the members and civilian components of those forces when in the UK (including dealing with deserters from such forces);

- (m) international headquarters and defence organisations;

- (n) special provision as to the acquisition, retention, use, disposal etc. of land and other property for the purposes of the armed forces of the Crown or the Ministry of Defence;

- (o) the making of byelaws and regulations in respect of land used for the purposes of the armed services of the Crown or of other countries visiting or based in the UK;

- (p) property, rights or liabilities (howsoever described) vested in or held by the Secretary of State for Defence or another (whether or not jointly and whether or not in trust for Her Majesty) for the benefit of members or former members of the armed forces

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of the Crown or for the benefit of their dependants (including their widows, widowers, children and other near relations) or for the benefit of institutions or associations having connections with the armed forces of the Crown;

(q) war graves;

(r) the deployment of the armed forces of the Crown anywhere and in any circumstances;

(s) the powers which may need to be vested in members of the armed forces of the Crown to enable them to discharge their duties;

(t) the carrying out of military exercises or operations (whether or not in conjunction with the armed forces of other countries);

(u) the use of civilian installations, e.g.. airports, by the armed forces of the Crown;

(v) the power to requisition property in emergencies;

(w) the Ministry of Defence police;

(x) research into, and the manufacture, testing, storage, use, transport etc. of, equipment (including clothing), weapons systems, nuclear installations, devices and material, explosives etc. for the purposes of the armed forces of the Crown, and the sites at which such research and testing is carried on;

(y) the installation, operation and decommissioning of any nuclear installation or device for the purposes of the armed forces of the Crown;

(z) the government's pipeline and storage system managed by the Oil and Pipelines Agency;

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- (aa) the power to make a dockyard port Order in respect of dockyard ports;

- (ab) the activities of private contractors and defence establishments for the purposes of the armed forces of the Crown or the Ministry of Defence.

Areas of co-operation between the MoD and the Scottish Executive

Section 2 provides an illustrative list of areas where consultation between MOD and other authorities in Scotland occurs at present. It is not intended to be comprehensive or to constitute any undertaking by the parties to carry out similar consultations in the future.

A Activities

matters affecting defence activities, including training, operations, logistics, and defence administration and research

1. Radioactivity, explosives and other dangerous materials (use, storage, carriage, disposal)

- *explosives and chemical weapons disposal sites (marine)*
- *explosive trials*
- *the enforcement of Danger Areas by MOD Police*
- *forensic explosives work by DERA for Scottish police forces*
- *expenditure on ordnance disposal and specialist equipment*
- *indemnities (e.g. from MOD for Rosyth Royal Dockyard granted under the Nuclear Installations Act 1965)*
- *the authorisation of the disposal and accumulation of radioactive waste*

2. Nuclear accident response & other emergency planning

- *food emergency orders required to deal with contamination of food following a toxic/nuclear emission*
- *advice on toxic contamination of fish and food bans*
- *advice on radioactive contamination of fish and food bans*
- *involvement in emergency planning exercises*
- *health aspects (e.g. advice to citizens on radiological health matters and hospital services, advice on potassium tablets)*
- *liaison with the Regional Chief Constable as the Accident co-ordinating authority*
- *nuclear accidents: emergency planning and exercising (including liaison with local authorities)*
- *nuclear accidents: emergency response (including liaison with local authorities)*
- *Crash and Disaster / Major Incident Plans (ensuring MoD can meet "Duty of Care" responsibilities and recover aircraft and wreckage for investigation)*
- *Integrated Contingency Planning liaison on communications with Army HQ Scotland*
- *Defence Medical Emergency Steering Committee*
- *Joint Logistic Plans for the US/UK Lines of Communication Arrangement*
- *NHS contingency planning for large-scale incidents at MoD bases or major military conflict, and evacuation of casualties back to UK during crisis and war*

3. Matters affecting training (including training on private land, and land clearance for adventurous training)

- *land/water clearance for exercise and training activities*

- *target shooting (liaison with Army HQ Scotland)*

4. General policing & security matters

- *counter-terrorism*
- *Police/Military Joint Tactical Doctrine liaison on policy guidance for the police and military for the protection of Key Points and preparations and activation of Government Defence Agreement plans*
- *arms control (including liaison on receiving arms control inspections)*
- *security issues (inc. Special Branch; liaison with Army HQ Scotland)*
- *Firearms Act (liaison with Army HQ Scotland)*
- *vetting investigations undertaken by Defence Vetting Agency for Scottish Police*
- *defence courier services (occasional assistance)*
- *general liaison with Ministry of Defence Police and RAF Police, as police forces with authority and operating in Scotland, on all police matters*
- *general liaison between Procurator Fiscal and RAF Police*
- *radio site clearance and control of jamming*

5. Shipping (including dockyards, harbour regulations, powers of port authorities)

- *High seas firing exercises*
- *Decommissioned placement for diving trials (e.g. in Loch Fyne)*
- *MoD use of platforms (e.g. in the Beatrice Fields)*
- *Equipment disposals (e.g. Deadlight Fleet)*
- *Wrecks (e.g. The Royal Oak)*
- *Hydrography (e.g. the Charts Section of the Hydrographic Office)*
- *Dredging Operations*

6. Aviation (largely reserved, but including MoD use of airports etc.)

- *air traffic control, co-ordination with Scottish Air Traffic Control Centre (Military)*
- *liaison re MOD involvement (maintenance and other services) in Highlands and Islands Airport Limited)*
- *Air Traffic Control-related matters*

7. Search & rescue and Mountain rescue

- *civil land Search and Rescue (assistance to the police provided by MoD units, co-ordination with Distress & Diversion cell at the Scottish Air Traffic Control Centre (Military))*
- *search and rescue (e.g. RAF aircraft and mountain rescue teams; Aeronautical Rescue and Co-ordination Centre at RAF Kinloss)*

8. Fishery protection

- *SFPA Western Area - Fishing Industry Safety Group, Clyde Fisheries Liaison Committee, Fishing Industry Liaison Meetings, Clyde Local Liaison Committee*
- *SFPA Eastern Area - Rosyth Local Liaison Committee*
- *SFPA Headquarters - Tapestry Meetings*
- *Damage to fishing gear claims*

9. Meteorology, including weather radar

- *Weather information*
- *provision of meteorological information to Scottish Air Traffic Control Centre (Military)*
- *co-ordination on weather information re Scottish Civil Airfields*

10. Military aid to the civil authorities (MACA). This includes:

MACP (to the Civil Power, e.g. aid to the police);

- *general*

MACM (to the Civil Ministries, e.g. maintenance of essential services during industrial dispute)

- *general*

MACC (to the Civil Community)

- *(charged) assistance to get fodder to farmers in bad weather*
- *military support in other cases of civil emergency*
- *military support to the NHS (e.g. transport of patients, utilisation of military decompression facilities)*
- *general*

11. Procurement Issues

- *use of MoD contracts (e.g. car hire and some types of vehicle purchase)*
- *defence industry and research generally, including financial assistance to industry and defence diversification*

12. General defence activities

- *State ceremonial liaison with Protocol Dept.*
- *appointment of Governor of Edinburgh Castle*

B Organisations and Personnel

including the Armed Forces, the Ministry of Defence's police forces, the cadet forces, employees of MoD, contractors working for MoD, visiting forces, international headquarters and other organisations associated with defence or the armed forces

1. Re-organisation of defence establishments

- *MOD site closures or changes in staffing levels*

2. Taxation issues

3. Health issues which may affect the Armed Forces (NHS support to the military, care of Service personnel, Service medical officers)

- *treatment and care of individual Service personnel (e.g. primary health care for Service personnel in Scotland, NHS emergency secondary care and elective treatment for MoD personnel)*
- *arrangements with the NHS in Scotland (e.g. training of medical officers, nurses and cadets, indemnification of defence medical personnel working within NHS by MoD)*
- *MOD/DOH Medical Liaison Group (biannual forum at working level)*

4. Exemptions granted to Service personnel and organisations (e.g. in charities law, trust law, medical service)

- *legal aspects*

5. Exemptions and privileges granted to members of the reserve and cadet forces

6. Personnel & employment initiatives

- *Memorandum of Understanding on co-ordination of individual careers services and Armed Forces recruitment (Scottish Career Service and Armed Forces Career Offices)*

7. Justice issues which may affect Service personnel

- *Courts Martial (e.g. Sections 1-3 of the Crime and Punishment (Scotland) Act 1997 and Schedule 4 of the Crime (Sentences) Act 1997)*

8. Matters which may incidentally affect defence establishments and contractors working for MoD (otherwise reserved - e.g. the Royal Ordnance factories, the Royal Dockyard at Rosyth, the Atomic Weapons Establishment)

- *general*
- *defence industries - general policy*

9. Electoral issues affecting Service personnel

- *local government elections - legal aspects*

10. Issues affecting Service education (e.g. Queen Victoria School, Dunblane)

- *Army education matters (including funding)*
- *qualifications (e.g. the accreditation of certain Defence Medical Training Centre courses to the equivalent of NVQ)*

11. General

- *child care issues (e.g. provisions in the Armed Forces Act 1991 and the Children (Scotland) Act 1995)*

C Information

its use and disclosure, particularly on issues of national security

1. Freedom of Information legislation
2. Exemptions from the provision of information or powers of entry on grounds of national security
3. General liaison between MOD and Scottish Executive Information Directorates

D Ownership of Land and Property

its use and disclosure, particularly on issues of national security

1. MoD as agricultural land-owners:

- *returns for census, land and field register*
- *shared maintenance agreements (e.g. for Benbecula main drain on the Benbecula Estate in South Uist)*

2. Environmental issues (including control of pollution, regulation of water and sewerage, nature conservation)

- *Environmental clear-up (e.g. Holy Loch)*
- *Food and Environment Protection Act 1985, Part II (Deposits in the Sea)*
- *Water policy (e.g. re the removal of Crown Exemption for the Control of Pollution Act 1974 in terms of Schedule 21 of the Environment Act 1995, or enforcement assistance by the Ministry of Defence Police)*
- *Environmental noise*
- *Remediation of contaminated land*
- *nature conservation (e.g. Declaration of Intent with SNH on areas of high nature conservation owned or occupied by MoD, e.g. Benbecula, Cape Wrath; MOD/SNH liaison committee)*
- *EC Habitats Directive and Directive on the Conservation of Wild Birds*
- *UK Biodiversity Action Plan (e.g. delivery of the Action Plan in Scotland through Scottish Biodiversity Group)*
- *Coastal zone management*

3. Land use planning (including the need for safeguarding areas around military establishments, land access, acquisition of land)

- *Access*
- *Civilian ranges (liaison with Army HQ Scotland)*
- *major land disposals (e.g. application of "Crichel Down rules")*
- *links with Defence Estates Organisation (on all matters of common interest, e.g. on the disposal of Edzell)*
- *Circular DH566/59 (transfer of properties between Government Departments)*
- *land and property development (e.g. under administrative arrangements set out in Part IV of the Memorandum attached to SDD Circular No 21/1984)*
- *contact with planning authorities*
- *safeguarded areas surrounding military establishments (e.g. military aerodromes, technical sites and explosive storage areas covered by the Town and Country Planning (Aerodromes) (Scotland) Direction 1982)*

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- *area protection and enforcement e.g. approval needed from HQ MATO before buildings, aerials and masts are erected in protected areas*

4. Building control & safety (including fire safety, heritage)

- *built heritage matters, including historic buildings and ancient monuments*
- *vehicle servicing, inspection and repair - Army Base Repair Organisation, Stirling*
- *effects of the Building (Scotland) Act and Building Standards (Scotland) Regulations and control of the Regulations on MoD Works Projects and Property Maintenance*
- *project-specific issues (e.g. submission for relaxation of the Building Standards to the Secretary of State for Scotland under the Building (Scotland) Act)*
- *Fire safety (application of fire safety legislation and standards)*

5. Local taxation on MoD properties

- *general matters*

6. Issues affecting Service housing

- *disposal of Service housing*

7. Area regeneration initiatives

- *general matters*

8. Interests in specific properties

- *e.g. Edinburgh Castle, Fort George, Stirling Castle, Fort Charlotte, Dumbarton Castle, etc.*