

## **HEADS OF TERMS**

MICT is exploring options to allow a community purchase of Ardura Forest from the Forest Enterprise Scotland, with the financial support of the Scottish Land Fund. MICT's objective in purchasing the forest is to provide a source of income to support non-income generating activities of the charity. Torosay Hill Estate is keen to include Ardura Forest in its vision of ecological restoration of the estate. MICT shares this vision for Ardura.

The favoured approach is for MICT to work with Torosay Hill Estate to deliver the joint objectives. In the first instance, MICT would purchase the Ardura Forest through the Scottish Land Fund.

In conjunction with Torosay Hill Estate, a Felling Licence and Forest Design Plan will be drawn up consistent with the above objectives of both organisations. The plan would clearly state priorities for how the forest would be harvested, the preferred standard that the land would be left in after harvest, the species to be planted, the agreed policy that no neonicotinoid will be used and herbicides only as a last resort, and the fact that both parties must agree to any subsequent changes.

A lease based on this document will be drawn up between the parties. The term of the lease would be at least 99 years, longer if Scottish Law allows. Under the lease, Torosay Hill Estate will be responsible for managing the Forest in accordance with the felling licence and Forest Design Plan, previously been agreed with MICT and approved by Forestry Commission Scotland. The Forest Design Plan could be based around restructuring the woodland with native species working towards the restoration of Atlantic Oakwood Habitat.

MICT would be responsible for all costs associated with harvesting (including responsibility for site management), construction of any access roads and landing stages and re-instatement of the site to a standard agreed by Torosay Hill Estate. MICT would take all the revenue arising from the harvesting.

Torosay would carry all the financial responsibilities of;

- All costs for restocking and ensuring that the felling licence requirement to replant the woodland is met.
- Maintaining boundary fences to protect trees from deer grazing.
- Deer management
- Ongoing maintenance and upkeep of the forest.

The lease will provide MICT, on behalf of the wider community, full access to develop woodland based activities such as, but not limited to, Forest School, ranger led educational walks, wildlife or dark-sky viewing hides and use of the "old road" between the River Lussa and the A849 to develop a proposed long distance route between Craignure and Fionnphort. Other similar activities may also be requested but the direction of woodland management lies with Torosay Hill Estate. MICT would bear the cost, maintenance responsibility and public liability associated with such developments which would be implemented in agreement with Torosay Hill Estate.

If the exact terms of a lease agreement can be worked out, this represents a real 'win-win' situation for both parties and will be of great benefit to the wider community, visitors and the restoration of internationally scarce habitats. In order to satisfy funders, it is important that

MICT is seen to have overall control and authority to ensure that the essence of the agreement is maintained during the term of the lease and not changed without MICT's express approval.

Torosay Hill Estate will have complete control of the management of the site to perform innovative restoration of Atlantic Oakwood habitat, in a location that is strategically pivotal to connecting the existing Mull Oakwoods to wider woodland restoration proposals. It also provides an open dialogue between the estate and the community and an opportunity for the estate to bring the community alongside the ecological restoration process. The direct benefits to the community, include the improved ecological habitat, access for the activities mentioned above and the indirect benefit that MICT receive a predictable profit from the harvest, to be invested as income source over decades.

### **Additional Relevant Information**

To assist in the preparation of a quotation the following information is included:

- Articles of Mull and Iona Community Trust

### **Key skills**

- Charity Law
- Scottish Law

### **Management and Outputs**

The successful applicant will report to the board throughout the contract on a regular basis to be agreed with the board. Reporting can take the form of bullet points relating to progress achieved, however any slippage to planned timescales must be highlighted with corrective action outlined.

Outputs required are

- Lease documents as described

The commission will be managed by Mull and Iona Community Trust and all outputs described above shall be submitted to Moray Finch, General Manager, as follows:

- One hard copy of the final documents and
- Fully editable electronic version of all the documents

The information gathered and prepared during this commission, including draft and final reports, shall remain the sole property of Mull and Iona Community Trust.

Remuneration and conditions

- The work is offered as a fixed-term contract, dependent on securing funding to carry out the work.
- The successful candidate will be self-employed and responsible for his/her own tax and personal insurance
- Payments will be made as follows:
  - 100% on receipt and acceptance of the final documents

### **Procedures for tendering**

**Submissions should include:**

- Name, contact details and background of the lead consultant
- Breakdown of costs for conducting this study, including number of days allocated per task, all fees, expenses, charges, meetings, presentations and interviews, including VAT.
- A timetable showing the various milestones including the anticipated dates of submission of draft and final reports.
- Examples of similar tasks/studies undertaken recently
- The skills and knowledge of the members of the team
- Two names of contacts from two separate organisations for whom similar studies have been undertaken, one to be within the past year.

If you wish to discuss this opportunity before tendering please contact Moray Finch.

Submissions will be evaluated on a quality/price basis (40:60) and will include the following:

- (i) Understanding of the brief;
- (ii) Methodology and approach;
- (iii) Skills and experience of the team;
- (iv) Price

**Timeline**

The anticipated timetable for the work is:

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|-----------------------------|------------------|
| • Appointment of consultant | 12 February 2018 |
| • Submission of draft lease | 26 February 2018 |
| • Submission of final Lease | 12 March 2018    |

Details of actual timescales will be agreed with the selected Consultant before the Contract is issued.