

# SCOTLAND'S NATIONAL FOREST ESTATE - COMMUNITY ASSET TRANSFER SCHEME (CATS)

## Introduction

Please read the relevant parts of the [Community Asset Transfer Scheme Guidance](#) before completing this form. You may also wish to refer to the Scottish Government's [Asset Transfer Guidance for Community Bodies](#).

The Request must be submitted in writing, either as a hard copy or by email. Please answer all the questions. You can attach additional information as extra sheets or electronic documents. Please be specific. When answering the questions do not repeat any information you have already given, simply refer to an earlier answer or attached document.

Please return the completed form and supporting documentation to:

Community Asset Transfer Scheme Team  
Forest Enterprise Scotland  
231 Corstorphine Road  
Edinburgh  
EH12 7AT

E-mail: [communities@forestry.gsi.gov.uk](mailto:communities@forestry.gsi.gov.uk)

We will confirm receipt of your Request within 5 working days and you will receive a formal acknowledgement letter within 15 working days to confirm whether your Request is valid or requesting further information. We may need to ask you for more information during the assessment and evaluation process.

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**This is an asset transfer request made under Part 5 of the Community Empowerment (Scotland) Act 2015.**

**Information about the community transfer body making the request**

1.1 Name of the community transfer body making the asset transfer request

Carsphairn Community Woodland Limited

1.2 Community transfer body address. This should be the registered address, if you have one.

Postal address: 13A Alva Street, Edinburgh

Postcode: EH2 4PH

1.3 Contact details. Please provide the name and contact address to which correspondence in relation to this asset transfer request should be sent.

Contact name: Wendy Fenton

Postal address

Postcode

Email: carsphairncw@gmail.com

Telephone:

✓ We agree that correspondence in relation to this asset transfer request may be sent by email to the email address given above. *(Please tick to indicate agreement)*

You can ask the Forest Enterprise Scotland to stop sending correspondence by email, or change the email address, by telling them at any time, as long as 5 working days' notice is given.

1.4 Please mark an "X" in the relevant box to confirm the type of community transfer body and its official number, if it has one.

Company, and its company number is .....	✓	SC591976
Scottish Charitable Incorporated Organisation (SCIO), and its charity number is .....		
Community Benefit Society (BenCom), and its registered number is .....		
Unincorporated organisation (no number)		

**Please attach a copy of the community transfer body’s constitution, articles of association or registered rules.**

1.5 If the organisation is **not** an eligible community transfer body under the Community Empowerment (Scotland) Act 2015:

a) Has the organisation been individually designated as a community transfer body by the Scottish Ministers?

**No**  **Yes**

Please give the title and date of the designation order:

N/A

or b) Does the organisation fall within a class of bodies which has been designated as community transfer bodies by the Scottish Ministers?

**No**  **Yes**

If yes what class of bodies does it fall within?

N/A

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## Section 2: Information about the land and rights requested

(see CATS Guidance Section 1.2)

2.1 Please identify the land to which this asset transfer request relates.

*You should provide a grid reference and attach a map clearly showing the boundaries of the land to which this asset transfer request. You should also provide any name by which the land is known, and you may also wish to provide additional description. You can contact your local [Forest District](#) office for assistance in providing a copy of the map.*

*If you request it for a building, you should provide a street address and the Unique Property Reference Number if known. If you have identified the land on Forest Enterprise Scotland's [Register of Land](#), please enter the details listed there.*

Carsphairn Community Woodland Ltd is seeking to acquire part of Muirdrochwood, which is part of the Castlemaddy Forest design plan area, in Forestry and Land Scotland's South Scotland Region.

The proposed area for acquisition comprises 4 adjacent blocks alongside the B729, with a total area of 48.7ha, approximately 5km SE of Carsphairn village.

The OS grid reference of the main entrance is NX 614903.

A full description of the forest is provided in Section 3 of the revised CCW Muirdrochwood Business Plan.

Map attached: (Map 1: Revised area)

UPRN (if known):

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### Section 3: Type of request, payment and conditions

(see CATS Guidance Section 1.4)

3.1 Please tick what type of request is being made:

for ownership (under section 79(2)(a))– **go to section 3A**

for lease (under section 79(2)(b)(i)) – **go to section 3B**

for other rights (section 79(2)(b)(ii)) – **go to section 3C**

#### 3A – Request for ownership

What price are you prepared to pay for the land requested (see CATS Guidance Section 2.2)?

£280,000

As detailed in section 5.1 of the Business Plan, this is based on a maximum estimate of £360,000 for the valuation (which is not yet available) and a requested discount of £80,000.

Please attach a note setting out any other terms and conditions you wish to apply to the request.

#### 3B – request for lease

What is the length of lease you are requesting?

How much rent are you prepared to pay (see CATS Guidance Section 2.2)? Please make clear whether this is per year or per month.

Proposed rent: £                      per

Please attach a note setting out any other terms and conditions you wish to be included in the lease, or to apply to the request in any other way.

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### 3C – request for other rights

What are the rights you are requesting?

Riparian rights etc alongside the Water of Ken

Do you propose to make any payment for these rights?

**Yes**     **No**

If yes, how much are you prepared to pay? Please make clear what period this would cover, for example per week, per month, per day?

Proposed payment: £                      per

Please attach a note setting out any other terms and conditions you wish to apply to the request.

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## Section 4: Community Proposal

4.1 Please set out the reasons for making the request and how the land or building will be used.

*This should explain the objectives of your project, why there is a need for it, any development or changes you plan to make to the land or building, and any activities that will take place there.*

### **Key objectives of the project:**

- To create local employment opportunities
- To create local economic benefit from the forest
- To improve the amenity and environmental value of the forest
- To deliver products and services to the local community
- To create opportunities for activities that support community cohesion, health and well-being
- To develop a forest-based tourism business to generate jobs and income for the community

### **The need for the project:**

Our community faces a range of challenges, including lack of local employment opportunities, limited community infrastructure and an absence of initiatives to reverse the decline or help develop a sustainable future for the community.

In many respects Carsphairn's challenges mirror those of an island community: we are cut off by mountainous geography rather than water, and suffer from a perception of remoteness. Carsphairn is part of a large, rural data zone just below mid-ranking in Scottish index of Multiple Deprivation but in the lowest 1% (61st of 6976 zones) for geographic access.

Employment patterns have changed significantly: Hill farming employed 26 shepherds locally in the 1970s and by the 1980's over 40 people were employed locally in forestry: the figures now are one and two respectively. The expansion of windfarms locally - there are now 3 operational and three more approved - has not provided jobs: there are currently no locals employed in the renewables sector.

Community activity has saved some small-scale community infrastructure, but the lack of local employment opportunities has resulted in an ageing population and threatens the sustainability of the village: the primary school has now been mothballed, with no sign of pupil numbers increasing without intervention. There is no outdoor community space apart from the small Community Garden. Whilst the natural beauty of the area is widely recognised, local tourist provision is sparse and tourist traffic brings little benefit to the local community.

CCW wish to acquire these areas of woodland to create a rural hub: a centre of activity which will contribute to the regeneration of the community and to deliver a broad range of economic, social

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and environmental benefits. Community ownership provides the opportunity to unlock the potential of the site, creating new business and employment opportunities to facilitate rural regeneration and help build a more resilient community.

### **Main activities after acquisition:**

CCW will deliver its objectives through a number of projects:

- **Forest management:** the Larch stands are infected with *Phytophthora ramorum* and are dying; they will be harvested in the the first 5 years, providing significant income during this period. The Sitka spruce stands will be thinned and felled over the next 30 years to provide income from timber sales and material for a woodfuel business. A sensitive and realistic restocking plan will significantly improve the environmental (and amenity) value of the woodland by increasing species diversity, moving from Sitka and Larch monocultures to a mix of productive conifers and broadleaves, with more open spaces
- **Recreation infrastructure:** creating facilities to encourage community access and welcome visitors to Muirdrochwood, including a carpark, toilet facilities and new paths around the woodland, giving access to the loch and the river frontage.
- **Community involvement:** developing facilities and acquiring equipment to provide opportunities for community involvement through volunteering and skills training.
- **Woodfuel and wood products:** A community woodfuel business will provide employment, income and contribute to tackling climate change.
- **Provision of tourist accommodation:** creating jobs, income and encouraging an increased number of visitors to stay (and spend) in the area

### **Key outputs:**

- Creation of 4 part time posts equating to ~2 FTE
- Creation of approximately 1,400m of new trails,
- Development of community volunteering infrastructure and delivery of at least 100 volunteer days per annum by year 5
- Sale of 300m<sup>3</sup> of woodfuel annually for local markets (equivalent to 151t CO<sub>2</sub> savings annually if substituting for domestic heating oil)

### **Forest design proposals:**

CCW is seeking to create a forest with significant structural and species diversity that contributes positively to biodiversity and is of high amenity value. CCW's aspiration is to manage the forest under a continuous cover system, where possible. The proposed forest design is intended to meet community objectives for sustainable forest management. It will feature:

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- Increased area of broadleaves to cover more than 45% of the forest area: with a greater use of site-appropriate broadleaves on better soils, including some at productive spacing.
  - Increased use of designed open ground to benefit biodiversity and amenity, to ~12% of the total forest area.
  - Greater connectivity of broadleaved stands and open space.
  - Retention of Sitka spruce as the primary timber species, but focussed on appropriate ground, and at a reduced overall percentage of 29%.
  - A further 6.3 ha of conifers (Norway spruce, Douglas fir and mixed conifers) will be planted on appropriate sites on lower slopes for timber and environmental (e.g. Norway spruce for red squirrel habitat) objectives.

Maps 7 & 8 show CCW's proposed felling and restocking plans.

## 4.2 Benefits of the proposal

Please set out the benefits that you consider will arise if the request is agreed to (see CATS Guidance Section 3.2)

*This section should explain how the project will benefit your community, and others. Please refer to the guidance on how the relevant authority will consider the benefits of a request.*

CCW wish to acquire this part of Muirdrochwood to take forward forest management and development projects which will deliver a range of economic, social and environmental benefits. Community ownership provides the opportunity to unlock the potential of the site, creating some business and employment opportunities to facilitate rural regeneration and help build a more resilient community.

The economic benefits of timber harvesting and woodfuel sales will be retained and reinvested in the management and development of the forest, delivering community recreation opportunities, tourist accommodation and environmental improvements. Longer term projects such as affordable housing and rural and heritage skills training will continue to increase the value of the forest to the community and the local economy.

Acquiring the woodland will provide an outdoor space for the community and is a long term investment in the future health and well-being of the community: the increased energy and activity will make Carsphairn a more attractive place to live, especially for younger families and will enable the community to be in a position to take advantage of future as-yet-unforeseen opportunities.

### **Economic**

Community ownership will:

- directly create 4 part-time jobs, three being funded by earned income;

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- support additional employment opportunities by creating new contractor opportunities through forest management projects (paths, buildings, etc) whilst maintaining existing contractor roles in timber harvesting and haulage;
  - provide woodfuel and other products for local markets;
  - create new tourist accommodation provision, creating an income stream to support forest management and stimulating additional trade for local retail businesses;

### **Social**

Community ownership will:

- develop new recreation facilities for the community and visitors;
- create opportunities for volunteering, and space for community activities and events ;
- increase community cohesion and resilience through the management of the woodland and its resources.

### **Environmental**

Community ownership will:

- enhance the environmental (and amenity) value of forest through greater use of broadleaves and open space in restocking;
- increase (through education, interpretation etc) public awareness of biodiversity;
- enable more site-sensitive management policies and practices for priority species such as red squirrel and raptors;
- establish a local woodfuel supply allowing substitution of fossil fuels and reducing timber miles for low grade material.

The project will contribute to delivery against a number of Scotland's 16 **National Outcomes**, most notably:

6: We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others, and

7: We value and enjoy our built and natural environment and protect it and enhance it for future generations.

### **Local Authority (D&G Council) Consideration (see BP 3.3.1 for more detail)**

The objectives of D&G Council, through the Local Development Plan (2019) and the Dumfries and Galloway Forestry and Woodland Strategy are described in detail under BP3.3.1 Local Policy Background. This proposal will address aspects of sustainability, business development, tourist attractions in the LDP and woodland themes of sustainable growth, climate change and woodland for people.

## 4.3 Restrictions on use of the land

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If there are any restrictions on the use or development of the land, please explain how your project will comply with these. The local [Forest District](#) office can provide assistance in identifying any restrictions and how to comply with them.

*Restrictions might include, amongst others, environmental designations such as a Site of Special Scientific Interest (SSI), heritage designations such as listed building status, controls on contaminated land or planning restrictions.*

There are no statutory environmental designations on or adjacent to the site. Designations are detailed in section BP3.1.5 and are summarised here:

There is a category B listed building adjacent to the southern edge of the site (The High Bridge of Ken) and there are three historic sites (buildings and a corn drying kiln) recorded within this part of Muirdrochwood by Canmore, the national record of the historical environment.

There is a keen interest in archaeology within Carsphairn (Carsphairn Heritage Group: [www.carsphairn.org/HeritageGroup](http://www.carsphairn.org/HeritageGroup)) and this group will be consulted during any works involving these sites. Future forest management and other operations will be designed to ensure that no damage is done to recorded sites or their surroundings.

#### 4.4 Negative consequences

What negative consequences (if any) may occur if your request is agreed to? How would you propose to minimise these?

*You should consider any potential negative consequences for the local economy, environment, or any group of people, and explain how you could reduce these.*

Potential negative consequences:

**Local economy:** No negative consequences are perceived as the project will bring new job opportunities.

**Environment:** No negative consequences are perceived as the forest will be enhanced through creation of open areas and more diverse planting.

**Neighbouring properties:** Potential disturbance by activities, noise: The residential properties adjacent to the forest have been updated on the progress of the project. Care will be taken to ensure that project development will include identifying areas around neighbouring properties to ensure they are sympathetically managed to reduce disturbance to the neighbours and on-going liaison with them will ensure any concerns are addressed.

#### 4.5 Capacity to deliver

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Please show how your organisation will be able to manage the project and achieve your objectives.

*This could include the skills and experience of members of the organisation, any track record of previous projects, whether you intend to use professional advisers, etc.*

#### **Management of the Project:**

Carsphairn Community Woodland Ltd. was set up to manage the acquisition of Muirdrochwood Forest: further details, including purposes and Board of Directors are provided in section BP3.4. The Articles of Association have been supplied as a separate document and are available from the Companies House website.

The proposed governance system for CCW is detailed in BP5.2. The project will be managed by the Community Forest Manager, who will be line managed by a Director. Individual Board members will lead on specific areas and additional roles will include a Safety Officer and a Communications Officer. A part time Forest Worker post will assist the Forest Manager and run the wood fuel operations (detailed in BP5.3)

It is anticipated that the Tourism accommodation business will be run as a wholly-owned trading subsidiary, employing staff as required, estimated at 2 p/t posts and is covered in BP5.9. The proposed governance of the business is summarised in BP5.9.1 and additional information is provided in Appendix 6.

#### **Track record of the community:**

Carsphairn Community has a good track record of running community ventures as described under Carsphairn community assets (BP3.3.3 and 3.3.4)

#### **Existing skills:**

The Board of Directors have a wide range of skills as outlined in the Directors biographies in Appendix A3. Skills cover farming, forestry, electrical, environmental and gardening backgrounds, along with project management, construction and IT. These combined skills provide a good basis for management but it is recognised that additional skillsets will need to be brought in for some aspects of the project and this contributes to one of the aspirations of the project of increased employment.

#### **Use of Professional Advisers:**

Professional guidance will be sought as required in further development of the project and the running of various aspects within the project. An architect will be engaged to assist with the design of the proposed developments.

## **Section 5: Level and nature of support**

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5.1 Please provide details of the level and nature of support for the request, from your community and, if relevant, from others (see CATS Guidance Section 3.2)

*This could include information on the proportion of your community who are involved with the request, how you have engaged with your community beyond the members of your organisation and what their response has been. You should also show how you have engaged with any other communities that may be affected by your proposals.*

Community engagement is detailed in sections 3.3.5, CCT Communication and Community Engagement, section 4, the CATS process, Section 5.8.1 Assessment of demand for Woodfuel and section 5.6.1 (Red Squirrel Group engagement) and summarised below:

As part of the Carsphairn Future Plan produced in 2015 CCT a 51-question survey was developed to show how the community of Carsphairn would like to see the area developed in the coming years. 60% of respondents scored woodland positively.

Following the notification of the sale of Muirdrochwood a woodland survey was carried out in the community early in 2017 which showed 71% of respondents were in favour of the acquisition of Muirdrochwood.

A community woodfuel survey was distributed in May 2018 to the Glenkens Community Council mailing list to assess likely demand for woodfuel. The survey was also issued for the CCW community event in Lagwyne Hall on 5 October and the results are detailed in BP5.8.2.

A public consultation event was held at Lagwyne Hall on 5 October 2018, attracting a total of 58 visitors. A fuller report on this event, including comments made by supporters outwith the community, is included in Appendix 2. During this event additional members were gained and letters of support were offered from a number of Carsphairn community groups and local organisations. These are supplied as a separate document.

The Glenkens Red Squirrel group have funds available from the Galloway Glens Project to install hides with cameras and they have indicated they are keen to do so in this forest.

Following the unsuccessful SLF application to fund the whole of Muirdrochwood Forest, the membership was asked to decide the way forward at an EGM. Of the existing 23 members 14 voted in favour of pursuing acquisition of this smaller part of Muirdrochwood, with no one voting against. The membership was informed of this decision and this was related to the wider community through communication with supporters (local individuals and organisations, through the community council email list and through the CCW website. Current membership is 31, or 17% of the community.

Comments from some of the 24 letters/emails of support include:

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- The Southern Upland partnership: ‘The proposals developed for the Carsphairn Community Woodland Project are exactly the type of initiative that SUP would like to see happening across Southern Scotland, where local people are empowered to take back control of local assets to benefit their wider community’.
  - RSPB: ‘The forests around Carsphairn, including Muirdrochwood, are in real need of environmental enhancement through provision of more open space and a more diversified tree species community... I’m sure the community woodland project will be able to sensitively enhance and promote this’
  - Galloway and Southern Ayrshire Biosphere: ‘It’s a really exciting proposal that embraces the core goals of UNESCO Biospheres, from conserving wildlife and habitats, to supporting new learning opportunities and developing and fostering a more sustainable economy and society
  - Finlay Carson, MSP: ‘Consultations in the past have evidenced a disconnect between communities and the natural heritage surrounding them. The acquisition of Muirdrochwood Forest by Carsphairn Community Woodland Ltd would not only allow for the community of Carsphairn to better appreciate their local environment, but it would also be a driver for regeneration and sustainable economic development – benefiting business, tourism and educational opportunities, therefore the local community’,
  - and from a Carsphairn school pupil: ‘We will definitely use and love an outdoor centre here in Carsphairn. We will go to it on a lot of school trips and I would love to walk along some nice paths with my family. If this all happens it will be so amazing, we will get so many more families.’

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## Section 6: Funding

6.1 Please outline how you propose to fund the price or rent you are prepared to pay for the land, and your proposed use of the land (see CATS Guidance Section 1.5)

*You should show your calculations of the costs associated with the transfer of the land or building and your future use of it, including any redevelopment, ongoing maintenance and the costs of your activities. All proposed income and investment should be identified, including volunteering and donations. If you intend to apply for grants or loans you should demonstrate that your proposals are eligible for the relevant scheme, according to the guidance available for applicants.*

Detailed costings for the acquisition and subsequent set up and running of the various parts of the project are included under the appropriate sub-headings in BP5.

A justification of the discount sought is contained in BP8

A 25 year cashflow has been supplied as a separate document

Acquisition plans are summarised as:

<b>Item</b>		<b>Amount</b>
Acquisition costs	Base price	360,000
	less discount	-80,000
Legal fees		6,000
Total		286,000
Scottish Land Fund		236,000
Local fundraising (CREFL)		50,000
Total		286,000

CCW will apply for the majority of the purchase price to the Scottish Land Fund, which supports communities to become more resilient and sustainable through the ownership and management of land and land assets. CCW's legal fees are eligible costs for SLF. £50,000 match funding for the acquisition has been obtained from CREFL (Carsphairn Renewable Energy Fund Ltd).

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## Signature

Two office-bearers (board members, charity trustees or committee members) of the community transfer body must sign the form. They must provide their full names and home addresses for the purposes of prevention and detection of fraud.

This form and supporting documents will be made available online for any interested person to read and comment on. Personal information will be redacted before the form is made available.

**We, the undersigned on behalf of the community transfer body as noted at section 1, make an asset transfer request as specified in this form.**

**We declare that the information provided in this form and any accompanying documents is accurate to the best of our knowledge.**

Name David McMillan

Address

Date 28.11.2019

Position Chair

Signature

Name Wendy Fenton

Address

Date 28.11.2019

Position Secretary

Signature

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## Checklist of accompanying documents

To check that nothing is missed, please list any documents which you are submitting to accompany this form.

### Section 1 – you **must** attach your organisation’s constitution, articles of association or registered rules

Title of document attached:

Certificate of Incorporation  
CCW Articles of Association

### Section 2 – any maps, drawings or description of the land requested

Documents attached:

CCW Map 1: Revised acquisition area  
CCW Map 2: Revised acquisition species  
CCW Map 6: FLS restock plans  
CCW Map 7: Revised acquisition restocking proposals  
CCW Map 8: Revised acquisition felling proposals

### Section 3 – note of any terms and conditions that are to apply to the request

Documents attached:

### Section 4 – about your proposals, their benefits, any restrictions on the land or potential negative consequences, and your organisation’s capacity to deliver.

Documents attached:

CCW Revised Business Plan Nov 19  
CCW Directors’ skills matrix

### Section 5 – evidence of community support

Documents attached:

CCW Muirdrochwood letters of support

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Community Workshops requested

Additional documents available on website ([www.carsphairn.org/CCWL](http://www.carsphairn.org/CCWL)):

Community Event display sheets

Membership forms

## **Section 6 – funding**

Documents attached:

Muirdrochwood MV Reports (March 2018, June 2019)

CCW 25-year cashflow