

Asset Transfer Request made by Ettrick & Yarrow Community Development Company for the purchase of 173 ha of Gamescleuch Forest and the Ettrick Marshes

Representation received by email on 3 August 2017

Let me start by saying that initially I did not oppose the purchase of this lower tier of Gamescleuch forest if, as was stated at the beginning of this entire procedure, the main purpose of the purchase was to protect the forest and repair the walkway which can be done quite easily without the vested interest proposals that have tacked their way on to this plan as time has progressed, as to the many other issues that have arisen since then, I will begin from when I first started following the buy out team's handling of this asset transfer request, the buy out team are the body of people who have dealt with PR and the building of the case for the purchase of the forest, some – not all - are members of EYCDC.

Initially the interested parties, local community and EYCDC members were told the Ettrick marshes and surrounding forest were under threat and scared out of their wits with the attached map "IFP" (incorrect felling plan) at a Boston hall meeting in November 2016 (it had been used before that for proposal support purposes too), I stated at that meeting that the felling plan was false and personally showed [REDACTED] the correct FCS July 2016 felling plan (pg 13 asset transfer business plan) so the buy out team knew from that night the IFP map was false, and despite numerous attempts and two personal emails in November 2016 to [REDACTED] this was never corrected until I initiated a meeting at the Boston hall in late February 2017 with local Councillor Michelle Ballantyne in attendance. [REDACTED]

A full 3 months later at the Boston hall meeting [REDACTED] and that a mistake had been made, of course during that period it is no surprise that the membership of the EYCDC ballooned from 30 or so to near 100, it is worth noting [REDACTED] EYCDC don't have to, and indeed have not, informed their members that there is another FCS plan which affords the forest better protection than the EYCDC plan currently offers, it is available to members for viewing now that the transfer request is online, but EYCDC did not inform their members the day the transfer request had been made, [REDACTED] the response time was only 20 working days, additionally, the only way members can know an application has been made is to observe the notice at the site, most members don't visit the end of the walk where the notice is.

It might be argued that the misleading map being left to run as accurate was necessary as a raison d'être for the application and continued support of the proposal, and [REDACTED] that they planned to fell in areas that were marked out for long term retention, because in the process of this whole saga NO effort was ever made to bring the FCS July 2016 map to the attention of the general membership, a dozen or so members at Boston hall meetings just doesn't cut it, a simple e mail could have been sent out correcting the misleading IFP map post the Nov. 2016 Boston hall meeting. [REDACTED]

Back to the Feb 2017 meeting, we were told that the long term retention areas on the FCS plan for Gamescleuch forest would be adhered to, as you can see from Pg 34 of the business

plan we were then, and are continuing now to be lied to, there are large parts of the long term retention coupes to be felled, specifically : cpt3e 2018, cpt5a 2020, cpt5b 2021 and cpt5c 2022 etc. **these coupes are protected in their entirety under the FCS plan.**

This amounts to a very large area of supposedly retained forest being lost, and it is well known once an area is disturbed with felling that windblow and other concomitant problems follow, meaning other trees will fall resulting in further loss... this is totally unacceptable,

here is a part of their last missive before they applied for the transfer, verbatim :

*"We have a new management plan for the commercial part of the forest which we presented at the last meeting in the Boston Hall and which I attach to this email. Basically we have suggested a plan in which we fell in much smaller sections than was going to be the case **while making sure that the area marked for long-term retention is retained.** These compartments will be sold each year as a standing sale to a timber processing company and extraction will be carried out by them with our oversight. The annual income will almost all be recycled into the local community either directly on jobs and services or indirectly in activities which support existing local businesses. We have a 25 year cash flow which shows that the community purchase will be sustainable in the long term."*

Maybe if the buy out team spent some time in the forest (I rarely, if ever see any of them in the part of the forest to be purchased) they would realize there is a concentration of red squirrels song birds and various other wildlife in the parts they plan to fell within the previous long term retention areas.

I have asked various figures in Forest Enterprise repeatedly it's beyond ridiculous, but to be fair the people I contacted at FE can't actually do anything because having read through the entire CATS process myself and in this particular circumstance the process is fatally flawed.

Long story short :

it is obvious no attempt has been made to make all concerned parties aware of the fact that the FCS management plan (pg13) is actually a reasonably good one and in 3 out of the 4 coupes involved in the purchase actually affords a BETTER level of protection than the EYCDC plan.

No member was informed of the transfer request, unless through the grapevine (hardly adequate)

and if no one sees the notice put up at the far end of the walk they can't know there is a plan available to view online and compare the two felling plans

And again, back to the Feb 2017 Boston hall meeting , not only were we told (and let's get real about this, there were a dozen or so members there, hardly the stuff of an enthused membership dead keen on the proposal, if everyone concerned is motivated as the EYCDC buy out team makes out in its transfer application why the tiny turn outs?,

that the retention areas would be retained, we were also told there would be minimum disruption etc in the forest and "we don't want to kill the golden goose" blah blah blah, and yet when the application is made there are a plethora of inappropriate activities

planned which will absolutely ruin the forest in it's current form, I simply cannot see how such proposals could be allowed, never mind the blindingly obvious that we have strayed a long way away from the initial proposal to buy the forest protect it and repair the walkway, now we have moved on to some sort of adventure playground

, again the CATS process in it's current form is flawed in that it can allow one company to come in and behave like this, a development company I might add, who have never shown any interest in the forest previously have now suddenly become protective of it, despite a great deal of their members not visiting the place from one year to the next (there are notable exceptions to this, but it is a minority),

There are other concerns, frankly too many to list, but four of particular concern are:

1. The notice for the meetings were geared toward maximum fear

(see attachment "notice") hence this:

"maintain the marshes" suggests some sort of oversight is required lest something undesirable happens to them, actually the marshes maintain themselves and should be left alone with little intervention, but the impression given is that the purchase will help the marshes where really none is needed, and this : "if we own part of the commercial forest we can control how much of it is felled at any one time and do this in smaller lots than the forestry commission intend to do" this is another deception because two of the four coupes to be purchased are marked by FCS as long term retention and one is to be felled in 2031, so unless EYCDC are matching those plans - and they quite clearly are not with regards to the areas to be felled in long term retention coupes (pg 34 business plan) - then this is untrue

2. If all the activity/employment proposals within the EYCDC plan go ahead there will be huge disruption in the forest, new tracks must be avoided at all costs, there are already too many as it is and the current walkway and other less prominent paths should be all that are needed, are they going to use type 2 for these extra tracks/paths?, Borders Forest Trust promised they wouldn't, did so anyway, and almost ten years later the resulting mess is still there, how many times will wildlife be disturbed in the process of all this activity?

Bottom line : what is wrong with the EYCDC buying the forest, felling in stages the coupe due to be felled in 2021 to 2025 as per FCS map - the staggered felling of that coupe alone would more than cover the walkway repair - repairing the walkway and sticking to the FCS July 2016 plan?

The adventure activity plans and the felling of long term retention areas however small will be the ruination of the forest,

3. Gamescleuch farm is slap bang in the middle of the area to be purchased in this transfer request, do other areas that have been purchased through this scheme have such a large resident land area directly adjoining the purchased land mass? what of the inevitable and considerable disruption caused by the activity to be initiated by the buy out plans?

The areas to be felled within long term retention are DIRECTLY above the farm area and have small pathways through them, it is to be hoped this is taken into account re. The decision making process.

4. Almost every aspect of this application has been dealt with [REDACTED]

I have also expressed my concerns to Scottish land fund as they are the ultimate funder of this proposal and should be made fully aware of what has gone on with regards to the management of this proposal.

I cannot see how this proposal could possibly be allowed in its current form, it would go against almost every interest of the forest itself EXCEPT the financial one, [REDACTED] ?

Every issue brought up in this critique of the EYCDC plan for the asset transfer and its handling is extremely pertinent and must be addressed before any further advancement of this request should even be considered.

Representation received by email on 4 August 2017

This second comment has been intentionally left until today, Friday 4th August 2017. This is the last day for comments to be submitted regarding the Gamescleuch Forest asset transfer request.

The buy out team KNOW the response time is 20 working days. [REDACTED]

Enough said.