

Abbreviations:

A&B (C) Argyll and Bute (Council)
ATTG Argyll Timber Transport Group
EIA Environmental Impact Assessment
H&T Highlandman's and Torr (Woods)
GH Gresham House (landowner of H&T and L&S)
L&S Letrault and Stuckenduff (Woods)

RSCC Rhu and Shandon Community Council
SF Scottish Forestry
STTS Strategic Timber Transport Scheme
SW Scottish Woodlands
TRO Traffic Regulation Order
TTMP Timber Transport Management Plan

Draft Minutes of a Meeting between RSCC, SF, SW and ATTG

6th September 2022, 1030

Location: Rhu Community Hall, Hall Road, Rhu, G84 8RR

In attendance:

RSCC:

Fiona Baker – Convenor (& Chair) **FB**
Thomas Baylem – Minute Secretary **TB**
Alastair Moore **AM**
John McGall **JM**
Laura Freeland **LF**

Guests:

Craig Armstrong, Operations Manager, SF **CA**
Mike Page, Manager for H&T and L&S, SW **MP**
Agathe Stoffel, Assistant Forest Manager, SW **AS**
Iain Catterwell, Project Officer, ATTG **IC**

Apologies:

Jean Cook – Secretary of RSCC **JC**

Raymond Kane, A&B C Roads Department **RK**

Topic

Minute

Decision/ Action

1. Introduction

FB welcomed all attendees. She stated that issues around timber transport through Rhu village have been ongoing for six years, that previous consultation with the community has been 'appalling', and she stressed the importance of finding an appropriate solution. FB also noted that there has been a change in personnel at SF and SW and as such the first part of the meeting would be largely listening to JM's overview.

N/A

2. Why the current timber haulage route is unacceptable – a review of how we got to where we are.

Note: JM provided an extended answer to these points, the full text of which is attached as an annex. The following interjections were made:

(in relation to annex page 1, paragraph 5) IC stated that responsibility for clearing roads of vegetation that block visibility is shared between the landowner and A&B C and that he is aware council officials are frustrated issues of this nature are seldom reported. LF and AM opined that the system to do so is far from straightforward and little action is subsequently taken.

Post meeting clarification from

(in relation to annex page 6, paragraph 4) IC stated that a consultation focussing on school times and other issues was conducted by his predecessor. JM agreed, but stated that the TTMP nevertheless established times that caused lorries to be on the roads during school times.

IC: The school times were subsequently amended following further consultation with Campbell Divertie.

Responding to a query from FB as to whether CA and MP had read all of the submissions made by RSCC regarding timber transport from H&T and on the creation of L&S, CA said he had not yet had time to do this. MP said he was very familiar with current issues around these sites but only recently became aware of the possibility of an alternative extraction route.

(in relation to annex page 8, paragraph 1) IC queried how JM had communicated with Jim Smith about observed breaches of the TTMP. JM said communication had been both verbal and via email. In response to a question from CA, JM and AM clarified that the 30 breaches had been recorded within a period of two-and-a-half months. IC opined that this represents a relatively small proportion of lorries breaching the TTMP and that drivers had 'done their best' to follow it. JM responded that residents were not monitoring the road 24 hours each day and that the breaches identified therefore represented a mere 'snapshot' of the 'total disregard' for the TTMP. Whenever monitoring took place, breaches were soon identified and this included lorries driving immediately past children on the road (of which there is photographic evidence). IC strongly disagreed that the TTMP had been totally disregarded.

IC answered that it is unrealistic to expect a TTMP to be adhered to perfectly, but reiterated that drivers had tried their best. He cited residents parking 'illegally' on both Pier and Station roads as a comparable instance of regulations not always being entirely followed.

AM answered that the legal restrictions on roadside parking do not come into law until April 2023 and there are no double yellow lines on these roads. Furthermore, residents have little alternative given the lack of off-street parking and this is further

reason why these roads are unsuitable for timber transport (photo displayed).

(in relation to annex page 8, paragraph 5) IC clarified that TTMPs are 'signed off' by himself and Stuart Watson, the Traffic and Planning Manager at A&BC. They are not 'signed off' by Jim Smith and there is therefore no requirement for Jim Smith to review them. IC said that both he and RK had visited Rhu and explored issues relevant to the TTMP. AM provided an anecdote about a personal near-miss with a fully loaded timber transport lorry, which was reported to Police Scotland.

(in relation to annex page 15, paragraph 1) Responding to a question from CA, JM stated that the planning application for the wind farm was rejected due to the height of the turbines proposed which would have interfered with radar and flight path security.

(in relation to annex page 15, paragraphs 4-5) IC said that he had sought a meeting with Tom Davies and his colleagues at SF discuss the specific circumstances of the TTMP at Highlandman's Wood, and the TTMP process in general, but this never happened as Tom Davies changed post soon afterwards.

Following the conclusion of JM's review, IC stated there is no question of haulage efficiency considerations being prioritised over safety at the planning or any other stage. If it is felt that safety has been compromised in a specific incident, then this is a matter for law enforcement. The timber haulage operation is planned in accordance with the law and is additionally subject to voluntary agreement by, and constraint of, the parties.

LF opined that the history is so important due to an apparent lack of continuity when people change post within the organisations represented at the meeting.

3. What have SW done to progress an alternative haulage route and what are they doing now to address this issue?

MP said it was clear that Barry Harper (MP's predecessor at SW) had been actively exploring an alternative extraction route in 2015; however this could not be progressed due to apparent conflict between the tenant and the landowner (Luss Estates) of the land that the proposed route would necessarily cross. MP does not know the exact nature of this conflict. SW and GH now consider this option closed and are no longer pursuing it. He also

Post meeting, FB has arranged a meeting between RSCC and Luss Estate to open dialogue on these points.

opined that Pier and Shandon roads may appear all the more unsuitable for use under a TTMP because they are being compared to a hypothetical perfect road which cannot be realised.

FB opined that sufficient compensation for the landowner and/or tenant was the only genuine impediment to the alternative route being progressed and that GH has large financial resources at their disposal to do this. IC speculated that if a route had been agreed for the windfarm, but was not considered acceptable for forestry access, then the issue was contractual between the parties.

CA suggested that RSCC could act as an intermediary between the tenant and landlord as they have comparatively good relations with both parties. Both JM and MP agreed this may be worth exploring.

MP reiterated the position of GH and SW that investigation of the alternative route had been taken to its conclusion. FB asked whether RSCC should look to arrange a meeting between the tenant, the landowner, SW and GH to discuss the alternative route. MP replied that he did not believe it would be within the remit of RSCC to do this as it was an 'internal issue' for SW.

4. Why did SF grant permission for Letrault and Stuckenduff when there is a long running objection to the use of Pier and Station roads without first securing a new timber haulage road? Can the felling licence be revoked, given that the current road is unsuitable?

CA accepted that the Issues Log previously provided to RSCC contains little detail. He handed out copies of the 7 May 2021 email from Charles Owen of SF to RSCC which advised that the L&S schemes had been approved and key points of mitigation, accompanied by the 55 year estimates of timber movement for L&S. The landscape visualisations referred to in this email were not provided, but had been attached when the email was received on 7 May 2021 (Note: this was the first time any visualisations had been provided to the RSCC).

CA also provided a copy of a letter from SF to SW dated 28 July 2021 regarding SF's Screening Opinion on whether an EIA was required for the L&S plantations. SF's view was that an EIA was not required for the plantation, but a further EIA Screening Opinion Request would be required for proposed roads and infrastructure.

SW to provide the EIA Screening Opinion on in-forest roads and a response to RSCC's previous submissions relating to 21/02614/PNWA Y to RSCC.

He stated that SF had been satisfied with the assessments made by SW regarding volume of traffic along the extraction route, as now set out in the TTMP.

MP said that SW will draft a new EIA for all future in-forest roads, which Heather Fraser (Woodlands Officer at SF) is actively working on (along with a response to RSCC representations around potential damage to archaeological sites and other issues).

Both CA and MP expressed regret that responses to past consultations seem to have 'fallen between' A&B C officials and SF/SW due to technical issues with the A&B C website at the time.

CA said that SF can revoke a felling license, but would only do so if a TTMP had been 'completely disregarded.' He stated that any decision around use of such powers would take into account the volume and nature of complaints made. He expressed a desire for an alternative extraction route, but agreed with MP that there is no easy answer.

LF expressed her fear that members of the community tend to be uninformed about why such large trucks are using Rhu roads and emphasised the detrimental impact this has on local village life.

She said she feels safe using other local timber transport routes, e.g. via the Rest and be Thankful. Similarly, the A class timber route from Lochgilphead towards Oban has been upgraded with quality tarred road surfacing, enables excellent pass through and has excellent signage advising of timber operations, which makes the route feel safe even when used by multiple haulage company vehicles at the same time.

However, she opined that using a former driveway (now Pier Road) and a former farm track (now Station Road) for timber transport is unsuitable, particularly given the latter's steep gradient (above the snow line) and lack of pass through which causes haulage vehicles to block the road. The change in layout imposed in 2016 prior to Phase 1 of haulage has caused concerns, especially at the three-way junction on a blind corner. Haulage

vehicles are unable to manoeuvre around the turning circle if other traffic is on the road.

Post meeting note: CA has now provided the Final Operations Plan to RSCC.

CA and MP confirmed that both SF and SW hold the Operational Plans for HW and L&S; however MP expressed a view that this is not appropriate for public scrutiny given its granular detail. FB objected to this, saying that RSCC members had devoted many hours reviewing and commenting on it as part of the consultation exercise and without sight of the final agreed Operational Plan neither RSCC nor residents can know to what extent their responses to consultation exercises have influenced management of the sites. FB asked to CA to provide this document irrespective of MP's view.

MP suggested that Pier and Station Roads could be improved and made more suitable for timber transport through A&B C funding. IC opined that it was difficult to see what meaningful improvement could be made without encroaching on residents' property.

MP defended the intention of SW to harvest these sites 'in perpetuity,' stating that this is a sustainable approach and will contribute to a reduced need to import timber. LF expressed support for this approach and for SF in general, and an awareness of Scottish Government policy to increase home grown timber output. She further stated that forests are susceptible to pests and diseases brought in through imported goods (e.g. in wooden pallets) which might affect plant health.

MP accepted there had been issues with Phase 1 harvesting of the sites and with adherence to the TTMP, saying "it's obvious there have been mistakes". IC suggested that the original consultation exercise by SW was also seriously flawed. MP accepted the point.

5. What efforts have ATTG made to facilitate discussions between landowners and the Council to secure an alternative timber haulage route?

IC – efforts were made, but ATTG cannot compel the parties to come to an agreement. He is unaware of the detail as to why the alternative route failed prior to application stage and will make enquiries. He feels that RSCC have legitimate concerns and were he to be in their position, would wish to see the alternative route realised.

IC to make enquiries regarding the potential 'windfarm road' route, under the understanding that this is

AM opined that SW had not followed the protocols or the management plan and that the process was flawed. IC agreed that SW had not “taken the community with them”

entirely between the parties to any contract which may arise; the involvement of the ATTG at this stage being to advise on proposals being developed for consideration by the Strategic Timber Transport Scheme.

6. Can A&B C explain why they have taken the position there is no other route available when they approved a new road for the proposed windfarm?

FB accepted that this agenda item could not be satisfactorily covered without a representative from A&B C present.

N/A

Can an explanation be given for the contradiction of refusing planning applications to properties adjacent to Pier Road on the grounds of road safety?

Can a TRO (Traffic Regulation Order) be applied in the interim while a new road is secured?

7. How will the new timber haulage road (assuming the previously agreed by A&B C wind farm route is the solution) be funded?

IC explained that the STTS is an annual fund, with the next application window in April 2023. He believes that an application by RSCC could very possibly receive funding.

N/A

CA opined that if RSCC were to submit a successful application to STTS, this would enable RSCC to ensure that the interests of the community were

Discussion of STTS

protected during delivery of a new timber transport route. He also said he had been unaware that so much work had already in scoping an alternative route and IC agreed that a 'feasibility study' might merely duplicate this.

FB stressed that an application for STTS funding, and the practical management of such funding, would be a major undertaking for any Community Council.

8. Resolution: All representatives at this meeting, RSCC, SF, SW, ATTG and A&B C agree that the current haulage route is unacceptable and every effort to secure a new route that does not make use of village roads will be pursued.

The following revised resolution was proposed by IC:

All parties agreed

All representatives at this meeting, RSCC, SF, SW and ATTG agree that RSCC and the local community have legitimate concerns with the current haulage route and every effort will be made to secure a new route that does not make use of village roads.

9. AOCB

MP aims to begin work on the new in-forest roads in November. This will initially entail delivery of 1,050 tonnes of road-building material over the course of one week, with 20 tonnes transported in each load.

SW will provide details on the in-forest road building and consult with RSCC prior to commencement of delivery of road stone.

LF raised a concern about snow and possible damage to the road. MP answered that it is in the interest of SW to look after the road. IC stated that there is often a seasonality clause in a TTMP and that RK may not agree to 52 loads per week during November. MP accepted this and said he could consider delivery over a longer timeframe if desirable to the community.

CA expressed appreciation for the work conducted by RSCC to date and for the detailed information provided. He stated that SF lacks the resources to 'police' SW's adherence to the TTMP, or their management of the woodlands more generally, but that he is a 'firm believer in empowering communities' to take on this role.

Post Meeting clarification from IC: A&B C and ATTG monitor TTMP performance as financial and time constraints allow, particularly in response to

MP agreed to consult on this next phase of work and will address all future correspondence to both

secretary@rhuandshandoncommunity.org and
convener@rhuandshandoncommunity.org.

reports of
breaches.

10. Date of the next meeting.

TBC, but before the next phase of work envisaged for November.