

RHU AND SHANDON COMMUNITY COUNCIL

Inverallt
Shandon
Helensburgh
G84 8NR

01436 820314
07736 070336

secretary@rhuandshandoncommunity.org

Scottish Forestry
Saughton House
Broomhouse Drive
Edinburgh
EH11 3XD
Chief Executive: Dr David Signorini
Email: scottish.forestry@forestry.gov.scot

Perth and Argyll Conservancy
Upper Battleby
Redgorton
Perth
PH1 3EN
Conservator: Cameron Maxwell
Email panda.cons@forestry.gov.scot

30 April 2024

Dear Dr Signorini and Mr Maxwell

Formal Complaint – Torr Farm West Management Plan (MPL330218)

Unauthorised felling in early 2021 at Torr Farm West woods, a LEPO in the AWI, was reported to Scottish Forestry (SF) and was the subject of at least two separate formal complaints to SF. A site visit was made by SF Officer Michael Strachan on 9 April 2021 and was attended by myself for Rhu and Shandon Community Council and others. Mr Strachan confirmed the felling in the wood was unlicensed and a breach of the *Forestry and Land Management (Scotland) Act 2018*. Over a period of 2-3 hours on site we assisted Mr Strachan and his colleague with his assessment of the damage to the wood.

Mr Strachan sought an emergency TPO from Argyll and Bute Council and spoke of enforcement action and noted the fine for the volume of felled wood, over 100 trees and 21.45 m³, would be approximately £500,000.00 and a restocking order was appropriate.

Over a year later in May 2022, and after much intervening correspondence including formal complaints to Scottish Forestry, a draft Management Plan, over a year old, for Torr West Woods was forwarded to the Community Council by the landowner Mrs Ferguson. The proposal indicated 685 trees (480 cubic metres) will be felled under the management plan, a rather different proposal to enforcement action and a restocking order.

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Mr Strachan described this Management Plan, in writing, as 'having more holes than a colander'. Indeed, because it was so inaccurate and incomplete Mr Strachan and the landowner invited Rhu and Shandon Community council and concerned local residents to an explanatory site walk over on 10 June 2022. The event was attended by 29 people including our MSP Dame Jackie Baillie and our ward Councillor Mark Irvine.

At the conclusion of the site walk over visit the Community Council agreed to submit an assessment of the existing Management Plan, our understanding of the differences between it and what had been explained on the ground and the concerns of the residents who had attended the site visit. It was understood, and confirmed in writing, that SF and the Landowner would revert to the CC with the amended and revised Management Plan. The CC's report Torr West Woodland Management Plan RSCC Comment, 24 June 2022 was submitted to SF on 24 June 2022 (copy attached).

On 30 June 2022 Scottish Forestry advised Rhu and Shandon Community Council that SF would not be prosecuting the landowner, Mrs Anne Ferguson, for unauthorised felling because it was not in the public interest to report it to the Procurator Fiscal and because '*The land owner has been cooperative with our investigations and has undertaken to bring the woodland into active management through the production and implementation of a ten year management plan for the area.*'

It is the view of the Community Council that it is for the Procurator Fiscal to decide what is in the public interest, it should not be Scottish Forestry marking its own homework. We had also, just three weeks previously, been given a guided tour that clearly indicated the existing draft Management Plan was not what was going to be undertaken.

Since then, for the last 21 months the Secretary of RSCC would write to Scottish Forestry before a CC meeting to ask if there was any progress on the revised Management Plan. Also on the follow-up list was Argyll and Bute Council and progress on the TPO they had indicated would be forthcoming for Torr and Aldonwick ancient woodlands. Argyll and Bute Council advised that Torr had a management plan so a TPO seemed unnecessary, we were surprised to hear this and then, a few days later, on 11 April 2024 an approved, agreed, signed off *Torr West Forestry Management Plan 2024 to 2034* dated as approved on 12 March 2024 was forwarded by your officer Emma Gray.

What happened to the promised community consultation on the second attempt at the Woodland Management Plan for Torr Farm West woods? Why has this Management Plan been signed off as a 'done deal' and presented as a '*fait accompli*'?

Once again, local community efforts to protect the environment and help tackle the climate and nature crises are summarily dismissed by Scottish Forestry, without a thought for impacts on our community or to our ever diminishing resilience to

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extreme weather events and the compound impacts of massive local land use change.

The communities of Rhu and Shandon have been abused by the forestry industry since 2017 when the felling of Highlandman's and Torr Woods was due to commence. It is a long saga of disregard, deaf ears, environmental and cultural heritage damage, unsuitable and unacceptable timber transport, lack of community engagement, broken promises and general all round disrespect and contempt for the local community.

This broken promise – to further consult on a revised Management Plan for Torr West Woods – was made in the presence of our MSP and an elected Councillor. It rather validates all the previous difficulties we have reported to them on how it is nigh on impossible to engage with Scottish Forestry and the forestry industry* transparently and on a respectful footing (*in this case Scottish Woodlands, Argyll Timber Transport Group, Gresham House and Confor).

At this stage any comment on the approved Torr Farm West Woodland Management Plan – which is missing numerous details - would be premature. We expect you to revoke approval and provide this currently approved plan for community consultation, at which point we will expend our precious time and energy on scrutinising and responding to it. The only question to ask is has a felling licence already been issued? If so, we wish to object and complain about that too.

We await your response and a clear explanation of why you have done this and what action you will be taking to rectify your broken promise.

This breach of the agreement by SF was highlighted by our MSP at the Scottish Government's Public Participation and Petitions Committee in the consideration of PE1812 on 17 April 2024.

Yours sincerely

Fiona Baker
for Rhu and Shandon Community Council

Copied by email to:

Cabinet Secretary for Rural Affairs, Land Reform and Islands, Mairi Gougeon MSP
Dame Jackie Baillie MSP
Brendan O'Hara MP
Councillor Mark Irvine
Councillor Maurice Corry
Councillor Iain Shonny Paterson
Members Rhu and Shandon Community Council

Encs.

Torr West Woodland Management Plan RSCC Comment, 24 June 2022