

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

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.

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

Ettrick and Yarrow Community Development Company

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

Postal address: The Waterwheel Café, Philiphaugh, Selkirk

Postcode: TD7 5LU

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: Vicky Davidson

Postal address: 1 West Deloraine Cottages, Ettrick, Selkirk

Postcode: TD7 5HR

Email: vicky@ettrickandarrow.org.uk

Telephone: 01750 62263

yes 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	X	SC 452785
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:

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?

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 if 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.

Grid reference: NT288143

Name and description of the land:

173 ha covering the area known as 'The Ettrick Marshes' and also part of the hill forest known as Gamescleuch Forest. The division of Gamescleuch Forest is along the lines suggested by the Forest Enterprise District Manager with the proposed community purchase covering the land below the main forest road which runs diagonally through the forest from an entrance point near to the Angecroft Caravan Park on the B709. It does not include ownership of the road itself or the bridge at the exit point at Angecroft. FES would grant the community group servitude rights along the main forest road as discussed.

The attached detailed map was drawn up for the valuation by FES and includes their anticipated future requirements regarding timber stacking or road widening as required subject to the reasonable agreement of the community group. These areas where FES require reciprocal servitude right are shown as blue on the plan within the red line boundary marking the area to be purchased. The purchase area also includes all parts of the board walk including the loop beyond the aforementioned road bridge, the pedestrian bridge and the small carpark next to the B709.

Also attached is a simplified map used during community consultation.

UPRN (if known):

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)?

Proposed price: £875,000

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

Shared access to the main forest road as discussed with District Manager, Sallie Bailey with contribution to upkeep on a user pays basis to be negotiated.

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.

3C – request for other rights

What are the rights you are requesting?

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Do you propose to make any payment for these rights?

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

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.

Community ownership of the forest will give the community some control over their environment and counter the prevailing feeling that commercial forestry has been imposed on the valley with negative effect in both the 1970s and more recently over the last ten years. The community campaigned to stop the loss of more hill farms in both periods feeling that a tipping point had been reached as to whether life in the valleys would be viable in future. The community has suffered the effects of this afforestation without enjoying benefits in terms of jobs or income recycled within the community.

Ownership will make the forest work for the community with income recycled into the local economy through jobs, services and increased revenue from visitors. This will help to support the small shop at Honey Cottage, the pub and local tourism businesses.

The community will enjoy greater access to the forest for recreation and activities. The new Ettrick Marshes volunteer group will provide a focus for social activity amongst interested local residents. Using the former school building as base for the forest management will also provide a focal point within Ettrick village and a community resource which has been missing since the school closed four years ago.

Certificated training courses for young people will boost their earning potential and help them to develop locally based businesses. There will be increased knowledge of forestry related matters and forestry skills generally within the local population.

Woodfuel will be delivered locally helping elderly residents who struggle with not driving and hard to heat homes. Local control over forest management and an increased focus on habitat protection and enhancement will be welcomed by residents who care deeply about local wildlife. The forest purchase will also be our springboard for other projects to address demographic change and to provide more opportunities within the valleys.

As soon as the community owns the forest we can repair the boardwalk and bridges, replace sections which have been removed and start to promote access to the Marshes which has been discouraged since summer 2016 with closed notices on some paths. We will install interpretation boards and signage, map out walks and prepare a promotional leaflet. This will have an immediate benefit to both locals and visitors.

We will create a new access track from the Honey Cottage road up to the internal forest road which currently can only be accessed from Angecroft 2.8 miles away. This will give

access to the forest for horses, cyclists and light vehicles from the centre of the valley while preserving the tranquillity of the walking path into the Marshes along the river edge.

We will submit a new forest design plan based on our community consultation and public meetings and take timber income from standing sales according to this revised felling plan. The timber income will ensure that we can always look after the habitat of the Marshes and promote nature tourism and ranger led activities in the forest.

Community involvement in managing the wood not sold as standing sales will provide opportunities for skills training, wood fuel and larch cladding. Replanting plans will be carefully drawn up to provide greater diversity and more open space in conjunction with the volunteer group and local consultation. It also gives reassurance to the community that wildlife and the special habitat of this area will be preserved.

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.

The community will manage the Ettrick Marshes with more care and attention than has been shown to date as the board walk has been allowed to deteriorate and fallen trees block access to paths.

We will create 3 part-time jobs: a forest administrator post; a forest manager post who will be hands on carrying out maintenance and path restoration, providing training, developing a wood fuel business, mapping and developing forest walks and liaising on the ground with forestry companies extracting timber; and a seasonal ranger who will develop and lead visitor activities, provide environmental education and promote and enhance wildlife habitats within the forest.

These posts will be based in the former Ettrick Primary School. Establishing a base there will help the James Hogg Exhibition as we will contribute to running costs, have a daily presence which will help with opening hours to the exhibition and provide additional visitor attractions in the spare classroom. This could be heritage information about life in the valleys, more information about the forest and wildlife footage of red squirrels and other animals from the forest.

Access to the higher forest and the main forest road is currently only possible with difficulty on foot from the centre of population at Honey Cottage. We will open this up by creating a new access route so that horses and bikes can enjoy the network of forest roads. This will also give us access to an area within the higher forest where we can site a drying shed for wood fuel, and a shed for use by volunteers and the forest manager. This is also an area where a dark sky viewing site could be established as it is high enough up to give a panoramic view but close by and accessible from the valley floor.

Improved access and ranger led activities, coupled with careful promotion will bring increased visitor revenue to accommodation providers in the surrounding area and additional revenue to the village shop at Honey Cottage, the pub at Tushielaw and indirectly support a number of local jobs. More visitors and activity in the area will also help to support the village halls and valley events. Increased earnings within the local population whether from stalking, fencing, help with replanting or any other bought in services will also help to keep people living and working locally.

Our intention is to recycle as much of the income from the forest into the local economy as possible. Local control and knowledge of the skills within the local population will make this more achievable by a community group. We have canvassed for ideas and projects which local people would like to see happen either within the forest or linked to the forest purchase and community ownership and the income generated will enable us to deliver these aspirations.

The many ways in which the community purchase will contribute to the 16 National Outcomes is set out as Annex 6 in our business plan which is attached.

The business plan also lists the ideas which have been suggested by the community and gives more detail about how these will be taken forward and the benefits for the population in both valleys and the surrounding area which will result.

4.3 Restrictions on use of the land

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.

All watercourses within the site are tributaries of the River Tweed and are designated SSSI/ SAC. The Ettrick Marshes are a managed conservation area previously restored by Borders Forest Trust as a wetland project and we wish to enhance the biodiversity of the area and conserve the special habitat.

There are two Unscheduled Ancient Monuments (USAMs) within the site.

There are two water supply points within the site – one above Deephope and one above the houses at Gamescleuch. Any work required to improve paths, if anywhere near these sites, would be carried out with due care and attention so as not to impinge on the water supply.

There is a Right of Way which crosses the land and exits at Deephope. This will be respected and we have no plans which would impinge on access.

The attached map showing constraints was supplied by FES for the purposes of the valuation.

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.

There are no negative consequences that we can foresee.

4.5 Capacity to deliver

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.

EYCDC has a range of skills and expertise at its disposal, both on the board and within the membership. The chairman has extensive forestry experience and is a former Forestry Commissioner; our Treasurer is an experienced project manager having led the architect team at Scottish Borders Council; another Director, in addition to our very competent treasurer, has extensive financial experience within RBS; other directors have practical farming, engineering, business and community development skills.

Within the valleys we can call on farmers, builders, ecologists, mechanics, the knowledge of the local tourism business group and a host of other useful experience.

We have a close partnership with the Southern Upland Partnership who have managed our payroll in the past and continue to provide employment advice. We also share information with the Upper Eskdale Development Trust and we have a range of well-established contacts within Scottish Borders Council.

Overall responsibility for the successful management of the forest and the forest related activities will lie with the Directors of the Company.

The Forest Administrator will provide reports to the board, making sure they are fully aware of any issues in a timely manner and take such actions to carry out decisions of the board. This post will cover financial management, administration, project development and fund-raising, marketing and sales. It is anticipated that this post will be on a fee basis, part-time but no less than 20 hours per week on matters relating to the forest.

The Forest Manager will be responsible for maintaining the forest in good order, any building, ditching, felling, path making required, supervision and training of the volunteers and trainees, and liaising with forest contractors. This will be a part-time post on a fee basis no less than 20 hours per week.

The seasonal Ranger will work on conservation projects, develop forest based activities for visitors and local groups and lead these activities. It is anticipated that this will be a 16 week seasonal post on a fee basis.

Specialist forestry advice will be bought in on a consultancy basis based on 6 days at £250 per day for the first year, covering the UKWAS application and certification and 4 days per year thereafter.

Deer management will be contracted out to a qualified local stalker based on 10 days per year at £120 per day.

EYCDC has already delivered a number of successful projects including creating a 7 mile circular, off-road walking route around St Mary's Loch which has proved extremely popular and has generated valuable publicity for the area as well as additional visitors. This was funded by SSE community benefit linked to Langhope Rig windfarm as well as some local donations.

Section 5: Level and nature of support

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.

We have widespread support for this proposal within both valleys. The community development plan launched in 2012 after widespread consultation refers to a community forest purchase in upper Ettrick and the benefits this could bring. This specific proposal for Ettrick Marshes and part of Gamescleuch Forest was then developed after discussions with Forest Enterprise and Borders Forest Trust around the future of the boardwalk and paths linked to the Ettrick Marshes and the lack of both maintenance and promotion.

EYCDC directors and volunteers initially approached all the adjacent landowners, businesses and residents close to Gamescleuch Forest to discuss the proposal. We then publicly launched the purchase plan in summer 2016 with a well-attended stand at Yarrow Show, the local agricultural show for both valleys. We produced an A4 newsletter with the purchase plan on the front page to distribute at the show and subsequently either posted or hand-delivered to almost all residents in both valleys. Extra copies were left in the local pubs, cafes and village shop.

The proposal was also publicised in local papers, the Selkirk Advertiser and the Border Telegraph. We also have a well-developed email chain within the valleys which we have used to advertise public meetings. We held a drop-in information day plus a public meeting to discuss the proposal in the Boston Hall in Ettrick (attended by 29 residents) and a public meeting in Yarrow Feus village hall in Yarrow attended by 23 residents.

Over the period of consultation EYCDC has gained 61 new members with our current membership standing at 132. The majority of these new members are from the upper Ettrick area and joined in support after having the forest purchase explained personally to them.

We have held a further public meeting in the Boston Hall in February this year to discuss and gauge support for the revised felling plan which was overwhelmingly welcomed.

We are aware of one resident who has written to suggest that the boardwalk should be removed and visitors discouraged from entering the Marshes. We disagree but recognise the importance of this special habitat and conservation area. By far the majority of support for the proposal is based on opening up access to the forest and repairing the boardwalk.

We presented our proposals and progress to the Ettrick and Yarrow Community Council at their public meeting in Yarrowford on the 5th June this year and there was unanimous support.

Their letter of support received subsequent to this meeting is attached. Also attached is a letter of support from the tourism business group for the valleys, the Valley Tourism Association.

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.

We have applied to the Scottish Land Fund for £875,000 (to cover the valuation of £975,000 less requested discount of £100,000) and also for £8000 towards other fees associated with the forest purchase.

We have also applied to the Scottish Land Fund for £75,000 over the first two years towards revenue and set up costs.

We are applying to the local LEADER fund for £102,520 towards set up costs for the first 15 months both within the forest and towards a new company base in the former Ettrick primary school. This will include a new electric bike hire enterprise based at Ettrick school. We have submitted our second stage application and there is one more stage to go. We expect a decision on this funding to be made on the 24th October.

We have applied for and been awarded £10,000 from the Langhope Rig windfarm fund administered by Community Foundation Scotland. This award is subject to us been successful with our forest purchase and is towards repairing and renewing the boardwalk and re-opening forest paths.

We currently benefit from Scottish Government Strengthening Communities funding and this has been extended to the end of March 2018 to support us through the forest purchase period. This will be £5158 in Quarter 1 of our first year of ownership.

We also estimate £5,000 from local fund-raising, grants and donations in Year One. We have only estimated a very small amount from sales during Year One as much of the effort will be on planning, repair and maintenance and set up of facilities.

Our full 25 year cash flow is attached and shows that community ownership is sustainable in the long term while adding community benefit. Annual and recurring

expenditure over the 25 year period includes a part-time forest manager, a seasonal ranger, public liability and timber insurance, training courses and volunteer expenses, deer management based on 10 days per year at £120 per day, forestry consultancy advice including certification of initially 6 days then 4 days per annum, fuel and travel expenses, and core costs of running the office base in Ettrick school of £4000 per annum. The administrator post is included up to and including Year 7 but beyond that the assumption is that this post will be funded by other income generating projects within the valleys.

Income from timber sales starts in Year 2 and is shown until Year 11. From Year 12 the income shown is from thinning. Appropriate replanting costs are included.

Please refer to the attached cash flow for a full picture of our proposed income and expenditure.

This should be read in conjunction with our Business Plan also attached.

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

Address

Date

Position

Signature

Name

Address

Date

Position

Signature

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:	EYCDC Articles Amended 5 June 2017
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Section 2 – any maps, drawings or description of the land requested

Documents attached:	Stock Map 21.2.17 pdf. Also Gamescleuch Forest Map 173
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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:	Business Plan for the Community Purchase of Gamescleuch Forest and the Ettrick Marshes. Annex 6: Contribution to the 16 National Outcomes. Constraints Map supplied by FES.
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Section 5 – evidence of community support

Documents attached:

Letter of support from the Ettrick and Yarrow Community Council.

Letter of support from the Ettrick and Yarrow Tourism Association, the local body which represents tourism businesses in both valleys.

Section 6 – funding

Documents attached: 2

25 Year Cashflow Forecast: Annex 3 to Business Plan.

Business Plan for the Community Purchase of Gamescleuch Forest and the Ettrick Marshes.
