

AUTUMN 2012

Wild Land News

Magazine of the Scottish Wild Land Group

Raptor persecution:
Still a national disgrace

Wild Monadhliath no more

Wind farms & the Aarhus
convention

Glenlyon woodlands

30 years of the SWLG

Wild land poetry

Autumn 2012

“Fifteen years on from raptor persecution being branded ‘a national disgrace’, the fate of some of the iconic species that occupy our wild land remains in the balance”

Page 10

WILD LAND NEWS

Autumn 2012, Issue 82

Magazine of the
Scottish Wild Land Group

SWLG

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Calum Brown

Comment from Calum, WLN Editor

Welcome the autumn 2012 edition of Wild Land News. We begin this issue with a close look at raptor persecution, a major and often underestimated (or ignored) problem in Scottish conservation. In an authoritative and troubling article, Bob McMillan, former Assistant Chief Constable of Tayside Police and lead officer on wildlife crime in Scotland, explains why the illegal killing of birds of prey still continues on a large scale, 15 years after being branded 'a national disgrace'. For much of his career, Bob found the police response to such crimes underwhelming and ambivalent, and writes that it is only relatively recently – and slowly – that it has started to become appropriately strong. Persecution of this kind is of course difficult to detect and to prove, but Bob believes that more can and should be done to stop it.

His article is timely as the true scale of persecution is now gradually becoming apparent, partly thanks to the use of satellite tagging, in which birds of prey (often juveniles) are fitted with transmitters and have their movements recorded. In several recent cases, tagged birds have stopped moving and been found dead, having been shot, poisoned or trapped. There is often an unexplained delay in such cases becoming public, and we do not know how many are yet to be revealed. One particularly shocking and recent case involved a juvenile golden eagle, fitted with a transmitter in its nest in the Monadhliath mountains, which landed on a hillside above Glen Esk on the 28th of April and did not move for 15 hours. It was later discovered that it had almost certainly landed on a baited 'spring-type' trap, which had snapped shut, seizing and breaking both of its legs. Sometime that night the bird 'mysteriously' moved 15km to a layby on a quiet road near Aboyne, leaving only a tell-tale trail of feathers from the layby to the spot in which it was eventually found. Unable to walk or fly, the eagle did not die for several days, probably until

the 4th of May, the 7th day after it was trapped. RSPB staff following the signal of its satellite transmitter found its body the next day.

This is not only a sickening case of cruelty to an animal, but also a glimpse of the systematic and widespread persecution that still occurs in Scotland largely undetected. The birds are not the only victims of these crimes – they result in the decline and loss of species that play important ecological roles and are a significant part of our natural heritage, not to mention a substantial economic resource. It is to our national shame that we still cannot protect these species, and instead show a tacit toleration of long-term illegal activity by a tiny minority of the population, acting only in their own self-interest. There can be no excuse for tolerating it any longer.

David Woodhouse, manager of a successful ecotourism business on the Isle of Mull, believes that we make too little of our natural resources in general, and that they represent a 'green gold' on the scale of Scotland's disputed oil reserves. They are certainly not valued as such, he says, and frequently depleted for short-term or illusory gains.

The same could be said of the Monadhliath mountains, long neglected and abused, and increasingly threatened by hill tracks and windfarms. Despite containing vast peat reserves, large areas of wild land and fantastic habitats for their remaining plants and animals, they seem to be viewed by developers as fair game. Two more windfarms proposed at Stronelaig and Dell would cause the worst damage yet (as well as cancelling out any carbon emissions gains made by the wind turbines sited there). Neil MacKenzie explains why these proposals are so misguided and argues strongly for their rejection.

Another proposed development that

Photography

We're pleased to have several fantastic photographs in this issue of the magazine, generously donated by landscape and wildlife photographers. We are grateful to:

David Dalziel

www.daviddalziel.com

Iain Leach

www.iainleachphotography.com/

Tim Wilcock

www.timwilcock.com/

Their work is available on their websites and is very well worth a look!

the SWLG has campaigned against is the new town planned by the Cairngorm National Park Authority in native woodland near Aviemore. We contributed £1000 to the legal challenge to prevent the plan from going ahead, but heard recently that this challenge had been rejected. Tim Ambrose reports on the implications of this very disappointing outcome.

Developments of this kind are often, without any sense of irony, labelled 'sustainable'. At best, promises of later restoration are made - as in the case of wind farm developments. In reality there are generally wider effects, which persist for longer, than can easily be anticipated. Tom Beels' article about the history of Glenlyon's woodlands demonstrates that past management of an environment remains visible in its later form. Glenlyon has ancient woodland remnants thanks to the efforts of generations of local people to preserve them, but would have many more were it not for the gambling debts of a 17th century landowner.

Changing attitudes mean that species and environments, once lost, are very hard to restore, as we become accustomed to their absence. We are certainly used to a wolf-free Scotland but, as Chrissie Valluri writes, they have not been absent so long elsewhere. In Germany, wolves have started to naturally re-establish themselves, and the debates about this shed light on our own attitudes to this most divisive of species.

Of course such debates depend upon accurate information, which can be difficult to identify. This is especially true when it comes to the generation of energy from wind turbines. Almost no uncontested facts about wind

power seem to exist, and those that do are drowned out by noisy propaganda. It is scandalous that the public has been denied a proper, impartial justification for the environmental, aesthetic and economic damage wrought by wind farms. In fact, as Christine Metcalfe writes, governments are obliged to provide such information by the Aarhus Convention. Christine has been involved in the use of this Convention to challenge the Scottish Government's imposition of their inadequately justified and quite possibly misguided renewable energy policy. The threat of climate change and the management of Scotland's famous landscapes are too important to be addressed only on the basis of industry propaganda and the spectre of political advantage, and the Aarhus Convention might just prove decisive in forcing governments to develop cogent and effective policies, as they should have long ago.

Wild land cannot, of course, be thought of simply in terms of hard data. The SWLG exists partly to protect wild land for its own sake; an idea beyond the reach of economics, measurements or even, perhaps, written descriptions. John Milne believes that poetry comes closest to capturing something of the nature of wild places and our response to them, and argues for its appreciation, and use as a campaigning tool, in this issue's *My Wild Land*.

Whether or not you are moved to poetry, we hope that you will enjoy this issue of Wild Land News, some good autumn weather somewhere out of sight of turbines and within sight of eagles, and that you will come along to our AGM and get involved in the Group's work. See you there!

AGM

Our Annual General Meeting will be held at the Royal Hotel in Bridge of Allan on **Saturday the 1st of December from 2pm.**

Members and non-members will be very welcome, so please do attend, meet the steering team and get involved. The AGM should provide an opportunity for a relaxed and open discussion, and with so much happening to Scotland's wild land at present it is important that we have a good turn-out and plenty of support for the coming year. We look forward to seeing you there.

Scottish Wild Land Group Christmas Cards



SWLG Christmas cards are available to buy now! Featuring fantastic wild land photography from Ken Brown, David Dalziel, Iain Leach, Andy Lock and Alex Scott, they make ideal cards for Christmas, or indeed for any other occasion.

The cards are 21 cm x 14.8 cm (A5), blank inside, and come in packs of 5 (one of each image) with envelopes included. They can be ordered for collection at the AGM or for delivery by post. Each pack costs £3.00, and postage to the UK is £0.75 (£1.50 for 2 or more packs). International delivery is £4.00.

You can order your cards on our website, at www.swlg.org.uk/christmas-cards or by sending a cheque, with your name, address and order, to:

Scottish Wild Land Group
8 Cleveden Road
Glasgow
G12 0NT

Wind farms built on peat do not save CO₂

The Scottish Government's renewable energy strategy has been called into question by a letter published in the high-profile academic journal *Nature*. The majority of wind farms in Scotland are built on peatlands in windy upland areas, and are justified by their supposed ability to reduce carbon emissions from electricity production. This justification depends on an earlier study by the authors of the letter to *Nature*, in which they concluded that wind farms would help to reduce carbon emissions, especially when sited on mineral soils but also when sited on well-managed peatlands.

Now, however, the authors have found that wind farms built on

peatland are unlikely to provide any reduction in carbon emissions after all, even when the peat is not drained and is restored after construction, and write that **"the construction of wind farms on non-degraded peats should always be avoided"**. It is a hugely significant conclusion, and one that undermines the basic rationale of the UK wind industry. If it is not possible to build wind farms on peat without releasing more CO₂ than you save, how can their continued construction be justified? It now appears more than ever that Scotland's renewable energy strategy is nothing more than a fig leaf to hide politicians' lack of action on climate change – and an economically and environmentally ruinous one at that.

A very disappointing outcome to the Cairngorms new town legal challenge

Members will justifiably have been wondering what was the outcome to the legal challenge mounted by The Cairngorms Campaign and others, and supported by the SWLG, to the housing policies of the Cairngorms National Park Authority as set out in the Local Plan – a challenge which was generously supported financially by many members last autumn.

The Case was heard in the Court of Session by Lord Glennie over four days from 10 to 13 January 2012, and his Opinion or judgement was issued on 21 September 2012. At 180 pages, it is a long read: Lord Glennie acknowledged that “.. this Opinion is considerably longer than I would have wished it to be, and it has taken longer to produce than I had hoped.”

You may read the full Opinion at: <http://www.scotcourts.gov.uk/opinions/2012CSOH153.html> and in setting out the background law so clearly, Lord Glennie’s exposition is a very useful primer on much of the environmental and planning law relevant to Scotland’s wild land.

But to cut a long Opinion short – he rejected all the arguments put forward by The Cairngorms Campaign, and upheld the right of the CNPA to support very large housing developments in the National Park, including in particular its support for an entire New Town at An Camas Mor, on the opposite side of the River Spey to Aviemore.

Inevitably, any legal argument tends to end up focussed upon the wording of documents, and the procedures adopted in taking a decision, rather than the merits of the decision itself. The Challenge was a formal Appeal under S238 of the Town and Country Planning (Scotland) Act 1997 to the decision by the CNPA to adopt the Cairngorms National Park Local Plan, and specifically to four development

policies proposed in that Local Plan – an allocation for 40 houses at Nethy Bridge, an allocation for 117 houses at Carrbridge, an allocation for up to 300 houses in Kingussie and an allocation for up to 1500 houses with associated infrastructure to form a New Town at An Camas Mor on a greenfield site of Ancient Woodland and lowland heath on the banks of the River Spey.

We believe that it is almost self-evident that the protection of the landscape and wildlife which should be guaranteed in a National Park should include (at least) the exclusion of huge new housing estates and the construction of a New Town, and that a National Park Authority should strongly reject such proposals from land-owners and commercial developers, not encourage them! But this is what the Cairngorms National Park Authority is doing.

From the outset, the conservation bodies were aware that they had high hurdles to overcome. One of the main weapons in the CNPA’s legal armoury was the following quote from Lord Hoffman:

“If there is one principle of planning law more firmly settled than any other, it is that matters of planning judgement are within the exclusive province of the local planning authority or the Secretary of State.” (Tesco Stores v Secretary of State for the Environment [1995] 1 WLR 759 at page 780).

Against this, the Cairngorms Campaign put forward several separate arguments – some specific to the particular sites and their circumstances, and some which applied to the Local Plan overall, and some based upon procedural failings. These included the CNPA’s failure to give “greater weight” to its obligation to “conserve and enhance the natural heritage”, its failure to make an

adequate “Appropriate Assessment” under the Habitats Regulations, its failure to have sufficient regard to further obligations under the Habitats Directive, failure to have sufficient regard to the very critical findings of the Independent Reporters, failure to give adequate reasons for over-ruling such criticisms, and relying upon the existence of planning permissions which pre-dated the National Park, rather than reconsidering these afresh.

These arguments, and others, were put most cogently, in writing and in person, by our senior counsel, Sir Crispin Agnew of Lochnaw, QC, ably supported by our solicitors, R+ R Urquhart, led by partner Jamie Whittle, supported by Drummond Miller. From the various questions raised by Lord Glennie during the Hearing it was clear that he was fully appreciative of their strengths and implications. However, after his detailed and lengthy consideration, Lord Glennie found that they fell short of over-turning the CNPA’s right to propose and support such extensive housing developments in the Cairngorms, and that the CNPA’s assurances of strict conditions to govern any actual developments are sufficient safeguard of the protected areas.

Obviously, this is extremely disappointing to all the conservation bodies and supporters who have been involved with the challenge for much of the last two years, but more importantly it highlights how the Scottish model for National Parks offers completely inadequate protection for the landscape and biodiversity in the face of aggressive plans for housing and other development, even in the heart of a National Park. It seems this could not happen in England or Wales, where the National Parks were set up under a tighter legal framework, and where the Sandford principle is agreed to apply – ie that if there is a conflict between the interests of public enjoyment (tourism) and conservation, then “priority must be given to the conservation of natural

beauty.” (Lord Sandford, 1974).

To understand the problem for conservation in Scotland, one must look at the legislation under which National Parks were set up here. The National Parks (Scotland) Act 2000 defines four National Park “Aims” which the Park Authority must try to achieve collectively in a co-ordinated way, and it is crucial to understand these. They are:

- (a) to **conserve and enhance** the natural and cultural heritage of the area,
- (b) to promote **sustainable** use of the natural resources of the area,
- (c) to promote understanding and enjoyment, (including enjoyment in the form of recreation) of the special qualities of the area by the public, and
- (d) to promote **sustainable** economic and social development of the area’s communities. (my emphasis in each case)

Further, it is provided that if it appears to the Authority that there is a conflict between the first Aim and any of the others, then the Authority “**shall give greater weight to** “ the first Aim – ie to conserve and enhance. Lord Glennie considered these words and pointed out that even the obligation to give greater weight to the first aim does not guarantee that it will be followed – the CNPA can still decide that housing is more important and push it through.

Incidentally, the CNPA obviously regards the construction of a New Town as being “sustainable” economic development, and this is legally unchallengeable as the word “sustainable” in this context appears to be so flexible as to be effectively meaningless. You or I might believe that “sustainable” means being able to keep on doing the same thing year after year without damaging the environment, so that building a New Town or a large housing estate on a pristine natural site is completely unsustainable, but this is not so in planning law.

It is fair to say that many conservationists have been very suspicious of the concept of National Parks, and particularly concerned by the Scottish model since they were introduced here, and this case has highlighted the wisdom of their concerns. With the legal obstacle now removed, the CNPA and the developers are likely to try to move swiftly to start work on these housing projects. To comply with the Habitats

Directive and other requirements of building in such a sensitive area, the CNPA has set out many conditions with which the design and building work will have to comply. After winning this case largely upon the strength of these future conditions and assurances, many will be watching very closely to make sure that they are fully met.

SWLG Accounts for the year ended 31 March 2012 – a note from the Treasurer

Members should be aware that in each of the last three years, the SWLG has run at a deficit, and one which has been increasing. In the year to 31 March 2012, the draft accounts show that our expenditure exceeded our income by £2,720, and as our reserves at 31 March 2012 were only £5,690, we obviously cannot carry on at this rate. Our main costs are the printing and postage for our magazine, and last year's deficit was greater than previously because we produced and sent out three issues of Wild Land News in the year, after two years when we only produced two issues, and we contributed £1,000 to the Cairngorms Campaign legal challenge to the CNPA's excessive housing policies.

We believe the magazine is setting a very high standard at the moment, and we want to continue to aim for three issues of WLN each year. We also want to continue to distribute it as widely as possible, including to MSP's and many other decision makers.

So we need more income, ideally both from our existing members and from new members.

We have not raised subscription rates for many years, and many members pay more than the standard £10 per year, for which we are very grateful. If you feel able to increase your annual subscription, either by increasing your Bankers Order, or by an additional cheque, this will be very much appreciated. And if you know of any friends or contacts who might join the Group, do please let them see your copy of WLN and encourage them to join us.

For information, to put off the impact of the considerable increases in postal costs in April this year, when a second class stamp went up from 36p to 50p, we bought several hundred stamps before the price increase, but we will use up the last of these cheaper stamps with the current mailing, so the higher costs will fall in soon.

If you have any queries on the Accounts, or would like a full copy, please don't hesitate to contact me – Tim Ambrose – either by e-mail (timambrose1954@hotmail.com) or drop me a note to 8 Cleveden Road, Glasgow, G12 0NT.

Bob McMillan

'A national disgrace'

Bob McMillan has had a lifelong interest in birds of prey. He retired as Assistant Chief Constable in Tayside Police in 1998 at which time he was the 'lead officer' on wildlife crime in Scotland on behalf of ACPOS. He represented Scottish Raptor Study Groups on PAW Scotland and the Raptor Priority Persecution Group until 2011. He now lives on Skye and runs the website www.skye-birds.com

My childhood in the 1950s had been spent in a rural village near Dunblane in south Perthshire surrounded by sporting estates. To see a Buzzard or a Kestrel was a rarity, let alone a Hen Harrier. An early interest in birds was cultivated by older friends, one of whom had found breeding Harriers on a moor on the nearby Cromlix estate. He subsequently studied and photographed the birds, much to the consternation of the local estate which eventually took out a civil action and interdicted him from the ground. Twice prosecuted for breach of interdict, the case remains unique amongst individuals who have put themselves on the line to protect birds of prey from the illegal actions of gamekeepers and sporting estates.

Eddie Blake from Dunblane died recently. Somewhat eccentric, he received little support for his actions from the ornithological establishment who shunned him. In 1952 Blake had recorded the first breeding record of Montagu's Harrier in Scotland on Braco Moor. Though the pair returned the following year, the female was shot. There have only been five recorded breeding attempts in Scotland and the last of these was in 1955. Montagu's Harriers might still be breeding in Scotland today were it not for persecution, but rarely merit a mention alongside formerly extinct species such as Osprey, Red Kite and White-tailed Eagle.

When I joined the police service in 1963 my final interview was by the Chief Constable at Callander Police Station. Bedecked in tweeds and with two spaniels at his heels, George Glendinning was every inch the country squire. Any discussion about Blake's interdict was strictly

off limits but I later learned that Glendinning was a regular shooting guest on Cromlix estate. The influence of landowners on local policing was profound in the 1960/70s and vestiges of it remain today. Rural police officers had access to free fishing and shooting, which invariably meant an immediate response to suspected poachers, or for that matter, to 'suspicious trespassers' who were simply enjoying their Scottish right to roam. Many gamekeepers were Special Constables. Rural shoots in Perthshire would have been unsustainable had it not been for the many police officers who acted as 'beaters' at pheasant shoots on their days off. Though trained and aware of wildlife crime, such cultural influences would make them strongly anti-poaching, and more likely than not to turn a blind eye if an occasional Sparrowhawk was accidentally 'taken out' during a Pheasant drive. The police response to reports of illegal trapping or poisoning of birds of prey, up until the end of the 1980s, was likely to be ambivalent. Some raptor enthusiasts would argue it remains fairly unpredictable to this day.

Despite most raptors having legal protection since 1954, persecution by gamekeepers and those with sporting interests in grouse moors and lowland estates remains a major problem. In 1998 Scottish Raptor Study Groups carried out an assessment of the extent of the illegal killing of raptors in Scotland. Published by the Scottish Office, it was launched at the Scottish Wildlife and Countryside Fair at Kinross, where the late Donald Dewar, then Secretary of State for Scotland, expounded the view that persecution of birds of prey was a national disgrace. As a retiring

Assistant Chief Constable in Tayside Police, who took the lead on wildlife crime in Scotland, my last public duty was to meet Donald Dewar at the event. In the context of the persecution of raptors, this was a major political statement, and the expression “a national disgrace” was used by many others subsequently. The reality was that the expression had been conjured up by a senior civil servant and Donald Dewar posed the question as to whether he could actually say it. The fact that he decided to say it represented a major politicisation of the issue, though not necessarily a turning point.

Having found my first poisoned Golden Eagle at an eyrie in Perthshire 40 years ago these problems were not new to me, as was the case for other raptor enthusiasts. What was new, however, was that senior politicians and officials of agencies such as Scottish Natural Heritage were, for the first time, prepared to speak out against the problem. Raptor persecution was by no means rare, and the killing of adult birds and destruction of nests continued or even increased during the 1990s. Donald Dewar also said that the Government, and the soon to be Scottish Parliament, “will take all possible steps to eliminate persecution.” Fifteen years on from this statement, perhaps finally, some progress is being made.

The Partnership for Action on Wildlife Crime (PAW) brings together the Police, HM Revenue and Customs, and representatives of Government Departments and voluntary bodies with an interest in wildlife law enforcement. It provides a strategic overview of enforcement activity, considers and develops responses to strategic problems, and looks at issues of strategic concern. Its main objective is to support the networks of Police Wildlife Crime Officers (PWCO). As part of the overall UK-wide

structure, PAW Scotland has existed for at least 20 years. Although it has been responsible for many preventive initiatives post-devolution, and despite Donald Dewar’s commitment, it lacked strategic support from a number of the key agencies.

Since the SNP administration came to power that has significantly changed, initially under the leadership of the then Minister for Environment Michael Russell and, since then, through subsequent ministers. A major turning point was the Borders Golden Eagle poisoning incident in 2007 which led to two parliamentary debates on Wildlife Crime and the police thematic inspection ‘Natural Justice’. This led to the publication in September 2008 of the Scottish Wildlife Crime Reduction Strategy which is being implemented through a PAW Scotland plenary and executive group, and a number of sub-groups.

The persecution of raptors had been a major factor in influencing this new strategic commitment, and although a Raptor Persecution Priority Group was established, it has been slow to make progress and is still to report. The pro-shooting lobby has been extremely influential within PAW Scotland and within this group. In terms of the protection of raptors, much of this has muddied the waters and not been particularly constructive. Whilst it is important to have a partnership approach to deal with these problems, some question whether it is appropriate that the perpetrators, in the main gamekeepers and the sporting estates which condone these crimes, should be part of it. (More details of the work of PAW Scotland can be found at <http://www.scotland.gov.uk/Topics/Environment/Wildlife-Habitats/paw-scotland/>).

The accurate recording of wildlife crime incidents involving raptors is a major challenge and most will be

The influence of landowners on local policing was profound in the 1960s and 70s and vestiges of it remain today... the police response to reports of illegal trapping or poisoning of birds of prey, up until the end of the 1980s, was likely to be ambivalent

With a single national police force just months away there is little evidence that there is any genuine commitment on the part of the police service to meet many of the earlier recommendations. .. hundreds of estates have been involved in incidents during the last ten years

aware that the RSPB in Scotland produce an annual report. Annual maps of incidents ('maps of shame') can also be found on the website above. A major challenge is to make sure that all wildlife crime incidents are reported to the police, preferably to Wildlife Crime Officers who are known locally. It is equally important to make sure that RSPB Investigations staff are also aware of any incidents reported to the police. Wildlife crimes such as suspected shooting or poisoning of birds, destruction of nests or eggs, or reckless disturbance should be reported at the time and without delay. The remains of dead birds of prey, irrespective of age or condition, may be important evidence and require forensic examination. Advice on what to do if you find a suspected incident is available on the PAW Scotland website.

Recently-published research showed that illegal persecution remained particularly prevalent on grouse moors, and for raptor workers and those who visit wild land this is perhaps nothing new. The recent recovery of a poisoned Golden Eagle in Morar and a shot White-tailed Eagle on Skye confirms that birds are at risk throughout the Highlands, not just on sporting estates. Some local populations face the prospect of significant decline unless action is taken. In areas of Scotland such as the Black Isle the re-establishment of the Red Kite continues to be jeopardised by illegal persecution, and each year brings further reports of the destruction of Hen Harriers and Peregrines.

Satellite telemetry is now being used extensively on several species of birds of prey, primarily intended to trace the movements of young birds to gather information which assists their long-term conservation. An unintended outcome from this new science is that when signals indicate a bird has stopped moving,

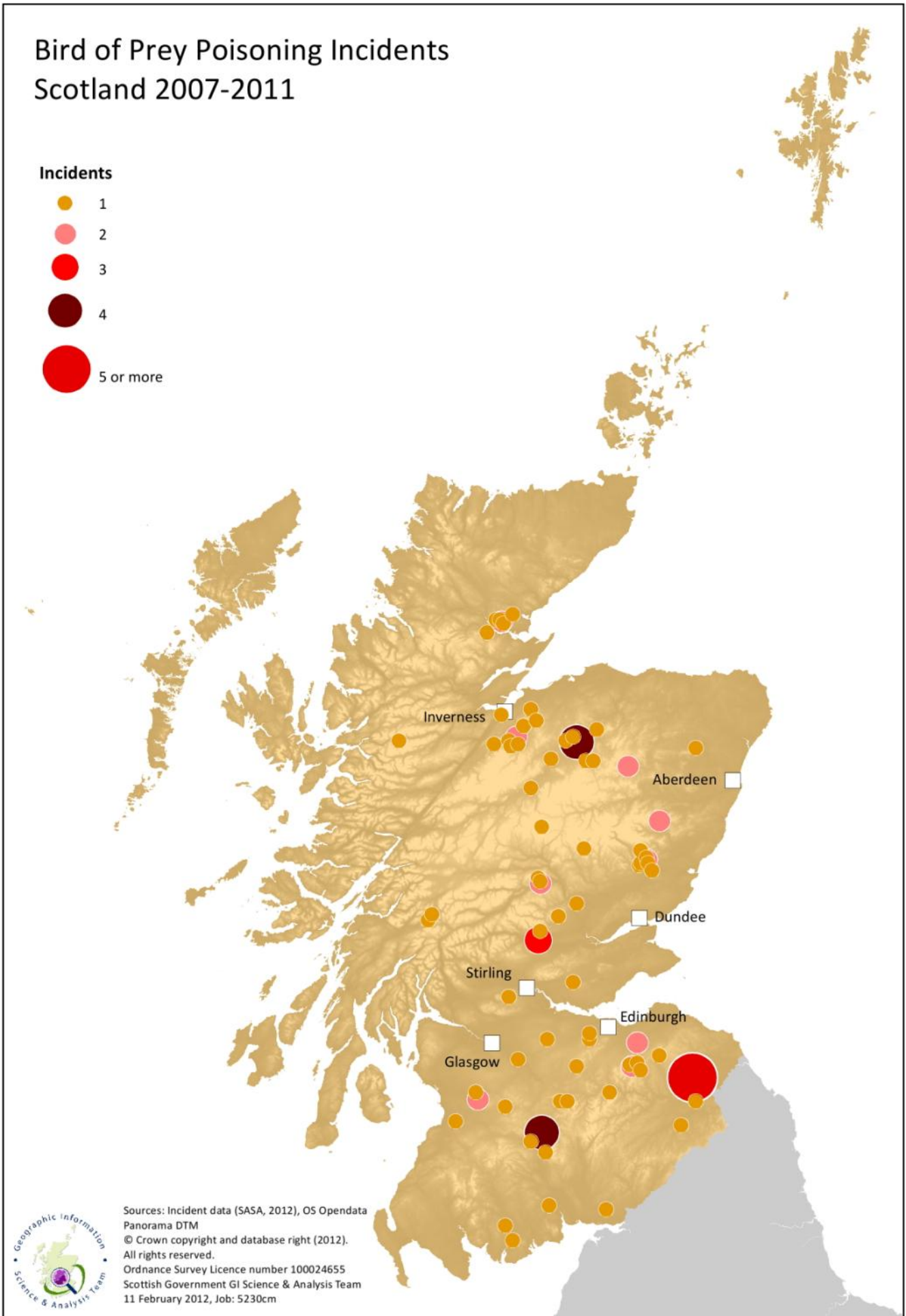
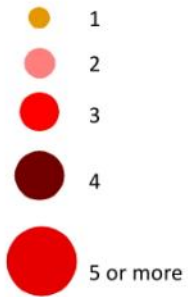
follow-ups have established that birds have been trapped, shot and poisoned. Without satellite telemetry these crimes would never be known about. The Golden Eagle 'Alma', poisoned in 2009, is one such example. Unfortunately a significant number of recent persecution casualties involving our large raptors have been found in this way, supporting the argument that reported incidents represent the tip of the iceberg.

The 'Natural Justice' thematic inspection recommended dedicated Wildlife Crime Officers in every force. The reality is there are now fewer WCOs than existed when the inspection was carried out. Strathclyde, the largest force in Scotland, have had no full-time post for some years. With a single national police force just months away there is little evidence that there is any genuine commitment on the part of the police service to meet many of the earlier recommendations. Whilst we can work in partnership, increase awareness, improve legislation and ensure landowners and employers accept vicarious responsibility, we can achieve nothing without a properly trained and professional police service which can rise to the challenge. Regrettably, the number of successful prosecutions remains extremely low, and there is a need to ensure that, in terms of enforcement and investigation, the limited resources dedicated to this field of work are properly supported so that much of the political and public relations rhetoric can be converted into tangible results.

I was part of a delegation from Scottish Raptor Study Groups which met Roseanna Cunningham when she was Minister for Environment in November 2010, and we recommended that a dedicated investigative unit be established, comprising trained WCOs and specialists from the RSPB, SSPCA and SNH, with a remit to cover the

Bird of Prey Poisoning Incidents Scotland 2007-2011

Incidents



Sources: Incident data (SASA, 2012), OS Opendata
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Scottish Government GI Science & Analysis Team
11 February 2012, Job: 5230cm

‘Map of shame’: confirmed bird of prey poisoning incidents in Scotland between 2007 and 2011 (from SASA, Science and Advice for Scottish Agriculture). Reproduced with the kind permission of PAW Scotland and the Scottish Government

For further information on the Scottish Government's response to wildlife crime and the work of PAW Scotland, see www.scotland.gov.uk/Topics/Environment/Wildlife-Habitats/paw-scotland/ where you can also subscribe to a bi-annual PAW newsletter

whole of Scotland, untrammelled by force boundaries. Many will argue, politicians amongst them, that only a few rogue estates and gamekeepers are involved, but any review of the so-called 'maps of shame' and the RSPB maps which preceded them, would find that hundreds of estates have been involved in incidents during the last ten years. Uniquely, there are also several estates with histories of persecution going back 30 years. As long as the police have responsibility to investigate such crimes, there is a need for them to develop a cutting edge and target the perpetrators. There would never be a better time

to establish a specialist unit than now.

Some fifty years on from my childhood days in south Perthshire I will certainly be able to see Buzzards, Kestrels, Sparrowhawks and even Red Kites when I visit. Unfortunately Hen Harriers remain absent from the moors of Cromlix and Braco. Golden Eagles show little sign of expanding their range, and there is a real risk that fifteen years on from the branding of the problem 'a national disgrace', the fate of some of the iconic species which occupy our wild land remains in the balance.

David Woodhouse

Scotland's green gold

David Woodhouse runs Isle of Mull Wildlife Expeditions, an award-winning eco-tourism company based on Mull (<http://www.torrban.com/frames.htm>)

Scotland's 'black gold' may soon be seen as a very dirty product; meanwhile we let our far more valuable and sustainable 'green gold' simply trickle through our fingers.

I think that a really serious problem for Scotland is that our government ministers are not that 'green'. They are clearly obsessed with their black gold – oil - but don't seem to notice that the country has an environmental 'green gold' with a far more positive impact on employment and the economy than our oil industry. In fact here in Argyll tourism and tourism-related industries account for roughly 85% of cash coming into the area, with forestry, fishing and farming contributing 8%. And how much does oil bring in here?

It is the same for the Highlands, I suppose, and the Borders, and many other regions. Our wildlife and wild places have simply huge potential to fuel the economy in all remote and beautiful parts of the country, and there is an increasing thirst for top environmental experiences. In fact ecotourism has the potential to bring billions into many remote

parts of the world. With all of this on the Government's mind do you suppose we have an ecotourism brochure covering the seasons of the year? Do we have an ecotourism website with jaw-dropping pictures of Scotland in all its seasons? Does Argyll even fly the ecotourism flag over the region? After all, visitors are not coming here to learn the tango, go bowling, sky dive or play bingo.

I have travelled to Costa Rica, seen blue whales in the Pacific, tigers in India and many of the world's fascinating creatures, and what I realise more and more these days is that there is huge interest in watching and just looking for wildlife wherever it is in the world. Here in the Highlands and Islands we have some of the most sought-after creatures in Europe including white-tailed sea eagles, otters, all manner of cetaceans, golden eagles, pine marten, Scottish wild cat and

hundreds of gloriously colourful and interesting smaller birds. The great attraction of Scotland is that it is ever-changing, with geese and wild ducks, divers and waders coming down from Iceland and Greenland to spend the winter here. Millions of birds also return from Africa to nest in summer. Yet I attend committee meetings and steering groups on an almost weekly basis that seem to have no concept of the economic value that our wildlife and wild places holds for remote communities. Instead we talk about having another fish farm the size of five football pitches, or a wind farm of course.

Our horizons seem so small and inhibited, when flying the flag of ecotourism around the whole of the Highlands and Islands would be the biggest environmental statement that we could possibly make (short of course of National Park status for the immediate west Coast and the Hebridean islands, which is my pet dream and lifelong battle). This is by far our best option, but nobody seems to be in charge enough to recognise it! We have Argyll and Bute Council and community councils, but who is actually in charge of the bigger picture and big

ideas for the economy here?

It is bizarre to me that when my wife and I went to see the Beavers at Knapdale this weekend, we drove for a solid hour never passing a single parking area to draw visitors off the road and let them enjoy what they see. There wasn't a single interpretive area informing people what they are looking at or what is of interest in the area. For years I have fought on Mull for our own interpretive / parking / eco loo project. Ten years ago it was on the table with finance to deliver it, but as usual it was quashed by small minded individuals. It's now on the table again and this time at a more advanced stage. But why isn't there a Highlands and Islands-wide joined-up parking and interpretive project? What value to the economy is all this natural wonder if visitors can't actually stop somewhere to enjoy it?

Scotland's awe-inspiring natural landscape, its wildlife, geology and archaeology are simply begging to pay their way and help the rural economy. But our leaders live in this narrow minded bubble, never understanding the real value of environmental and eco tourism here, and its massive potential in such green-thinking times.

I attend committee meetings and steering groups on an almost weekly basis that seem to have no concept of the economic value that our wildlife and wild places holds for remote communities. Instead we talk about having another fish farm or wind farm.

Scottish wildcat on brink of extinction

A new analysis by the Scottish Wildcat Association (SWA) suggests that there may be only 35 Scottish wildcats left in the wild, far fewer than the 400 estimated by previous research, and so low as to put the species at immediate risk of extinction. The SWA believes that the wildcat may be extinct in the wild within months, and that urgent action is needed if there is to be any chance of avoiding this. The newly-formed Scottish Wildcat Action Group will take responsibility for this.

The main causes of the current decline in wildcat numbers are interbreeding with, and the transmission of diseases from, domestic cats. In the longer term, however, they have suffered centuries of intense persecution and habitat loss, and are still killed in indiscriminate (but legal) snares and shot. The loss of the Scottish wildcat would represent a huge failure to protect one of our most iconic species. More information can be found at <http://www.scottishwildcats.co.uk/> and <http://www.highlandtiger.com/>.



Neil MacKenzie

The wild Monadhliath no more

Neil Mackenzie has worked as an ecologist in the Highlands for over thirty years, specializing in native woodlands, wildlife surveys and other land-use issues. He lives on the northern edge of the Monadhliath.

The Scottish Highlands are renowned throughout the world as a land of mountains and moorlands, rivers and lochs - a diverse landscape with outstanding scenery. The sparsely populated hinterland dictated partly by the harsh climate and poor soils and partly by 19th century depopulation of the glens contains some of the most extensive wild land in the British Isles. Scottish Natural Heritage's recently produced map of wildness illustrates the very limited number of extensive wild land core areas which are more than eight kilometres from a public road and are without modern artifacts.

One of these is the Monadhliath Mountains, an area of undulating upland plateaus and scattered hills, including seven Corbetts and one Munro, situated between Loch Ness and the Cairngorms. The vegetation is dominated by large swathes of blanket bog and wet heath part of which is of European importance and has been designated as a Special Area of Conservation – “The Monadhliath SAC”. There are ancient native woodland relicts, including patches of montane willow, dwarf birch and juniper scrub in many of the tributary glens that bisect the landscape. Many notable upland birds breed in the area, including golden eagle, peregrine, merlin, red-throated diver, Slavonian grebe, common scoter and golden plover. This remote mountain area is not as well known as others but is nonetheless a unique and special place.

The Monadhliath mountains are not of course a landscape untouched by human enterprise. Estate roads and argocat tracks lead into the hills, and up the hills, from all sides. Eroded peat hags, part climate induced but exacerbated by decades of burning and overgrazing, are extensive on the plateau ground. An examination of aerial photographs reveals the extent of moor gripping and drainage ditches designed to improve the vegetation for grouse or livestock management. Moor gripping has been shown to do little to improve the productivity of the vegetation. Instead it



damages the local hydrology and erodes the peatlands and yet, even today, fresh drainage ditches are prevalent in the Monadhliath.

However, the Monadhliath is now under threat from the greatest industrial development to hit remote mountain landscapes since the boom years of the hydro-electric and afforestation programmes of the 1950s, 1960s and 1970s. The lack of a strategic view to guide any of these past developments has left many environmental scars and the current renewable energy developments are the latest driver of environmental change in the hills.

There are six existing and proposed windfarm developments in the Monadhliath (see Map). Five of these occupy a footprint of some 5000 ha including 11% of the core area of wild land in this mountain range. As an example, the Stronelairg windfarm will have 83 turbines, each of which will be 135 metres tall. The location is at a very high altitude (up to 750 metres) and the turbines would be increasingly visually intrusive as an observer gained height. This also means that the height at the top of the highest turbine will be 885 metres, not far short of the height of the nearby Munro Geal Charn, and considerably higher than the surrounding hills. In addition, Stronelairg will involve the construction of more than 51 miles

of new and upgraded roads, while the creation of 20 borrow pits will require the extraction of at least one and a half million tons of rock - all of this in wild land in a high mountain area. The developers have downplayed the environmental impact on wild land by using the Glen Doe hydro scheme as justification for further industrial scale development.

In total, there will be 187 turbines (so far) affecting the wild land area of the Monadhliath, hundreds of miles of new roads and millions of tons of rock and peat excavation. Most of the windfarm construction will be on peatland habitats consisting of blanket bog and wet heath and includes many areas where the peat depth exceeds one metre. These are fragile habitats and are very sensitive to changes in the hydrology following large-scale disturbance. Peatland soils are recognized as a valuable carbon store and serious questions need to be asked about the environmental damage to the peat and the amount of carbon lost during the construction period.

There are also serious concerns about the impact on Golden Eagle, a European Protected Species. The eagle population is depleted and it continues to be persecuted in the Monadhliath. Some of the wind farm developers have accepted that



Photos:
Opposite, top: The Monadhliath
K Brown

Opposite, bottom: Track at Stronelairg
K Brown

This page: Corriegarth
N MacKenzie

Outwith designated areas practically anything goes... were such ravages of the land to occur in a far off tropical rain forest they would be universally condemned

eagles will collide with the turbine blades and that in just one example, Corriegarth windfarm, it is estimated that one immature eagle will be killed every three years. This by itself is a serious threat to the eagle population but the cumulative impact of all the windfarms will be to restrict any expansion of golden eagle territory and prevent the restoration of former resident populations. In addition, the proposition that eagles will be attracted away from development areas by a targeted habitat management plan cannot be assured and, in any case, must raise doubts about the long-term dependability of monitoring procedures. And if the plan fails will the windfarms be removed? Of course not.

There has long been conflict between conservation of the natural heritage and developments in remote rural areas throughout the history of the Highlands. National Parks were prevented from being set up in the 1950s in order to pursue, unhindered, a policy of constructing giant hydro schemes in remote mountain areas. Today the main strategy to safeguard habitats has been the creation of islands of SSSIs and National Nature Reserves – supposedly exempt from damaging development. But outwith these areas practically anything goes – hill roads can be built without planning or consultation, the hills can be overgrazed and set ablaze with such regularity and abandon that the very soils are burnt, blown away and fresh rock outcrops exposed. Were such ravages of the land to occur in a far off tropical rain forest they would be universally condemned.

Successive governments continue to encourage the separation of the natural world from the human species. Current policy serves to maintain this separation by paying scant attention to non-statutory guidance or designation in order to promote renewable energy interests

in remote mountain areas. Yet government policy also stresses the need to protect wild land and retain its intrinsic appeal and character. SNH advise restricting developments in wild land, particularly when there is a cumulative impact from several schemes. Society is frequently ambivalent in its attitude to nature – nice to have it but to be sacrificed when energy, land and resources are required to fulfill the needs of profligate consumerism. Despite the many fine words from government and its agencies on how wild land can best be retained a solution continues to elude us.

Large windfarm developments in landscapes that have important heritage and conservation values possess a wider interest than just the local one. Developers are keen to stress how few of their wind turbines will be seen from a public road because they regard the visual intrusion to local residents as rather more important than the impact on ecology, landscape or wild land. Wild land is thus perfect for windfarms - out of sight from all but a few hardy hillwalkers. We do seem to be in an impossible muddle – disparate conservation groups have failed to come to a consensus on how to value the wild land concept. In the meantime planning authorities are overwhelmed by applications for wind farm developments in mountain areas.

In one small but significant part of the Scottish Highlands the game is once more played out between the energy needs of the country, cutting carbon emissions, protecting wild land, safeguarding rare species and ensuring profitable returns for renewable energy companies. And when all the windfarms are eventually constructed all parts of the Monadhliath will be affected and the landscape will be altered for all time. By then the Monadhliath Mountains could not by any stretch of anyone's imagination be regarded as wild land.

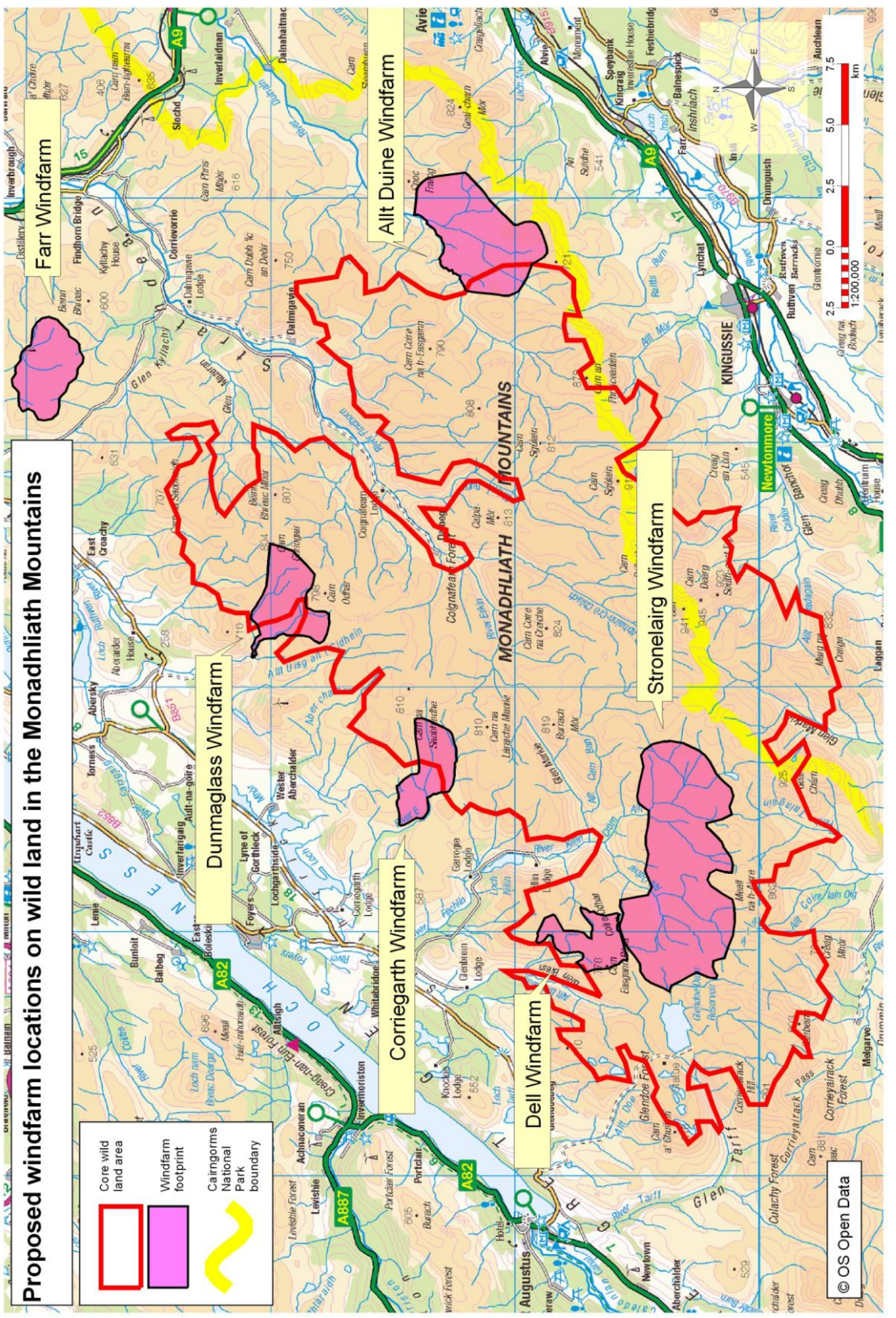
Photo, next pages:

'Breaking through'

T Wilcock
www.timwilcock.com

Proposed windfarm locations on wild land in the Monadhliath Mountains

Core wild land area
 Windfarm footprint
 Cairngorms National Park boundary



Farr Windfarm

Dunmaglass Windfarm

Corriegarth Windfarm

Dell Windfarm

Stronelair Windfarm

Alt Duine Windfarm

© OS Open Data







Tom Beels

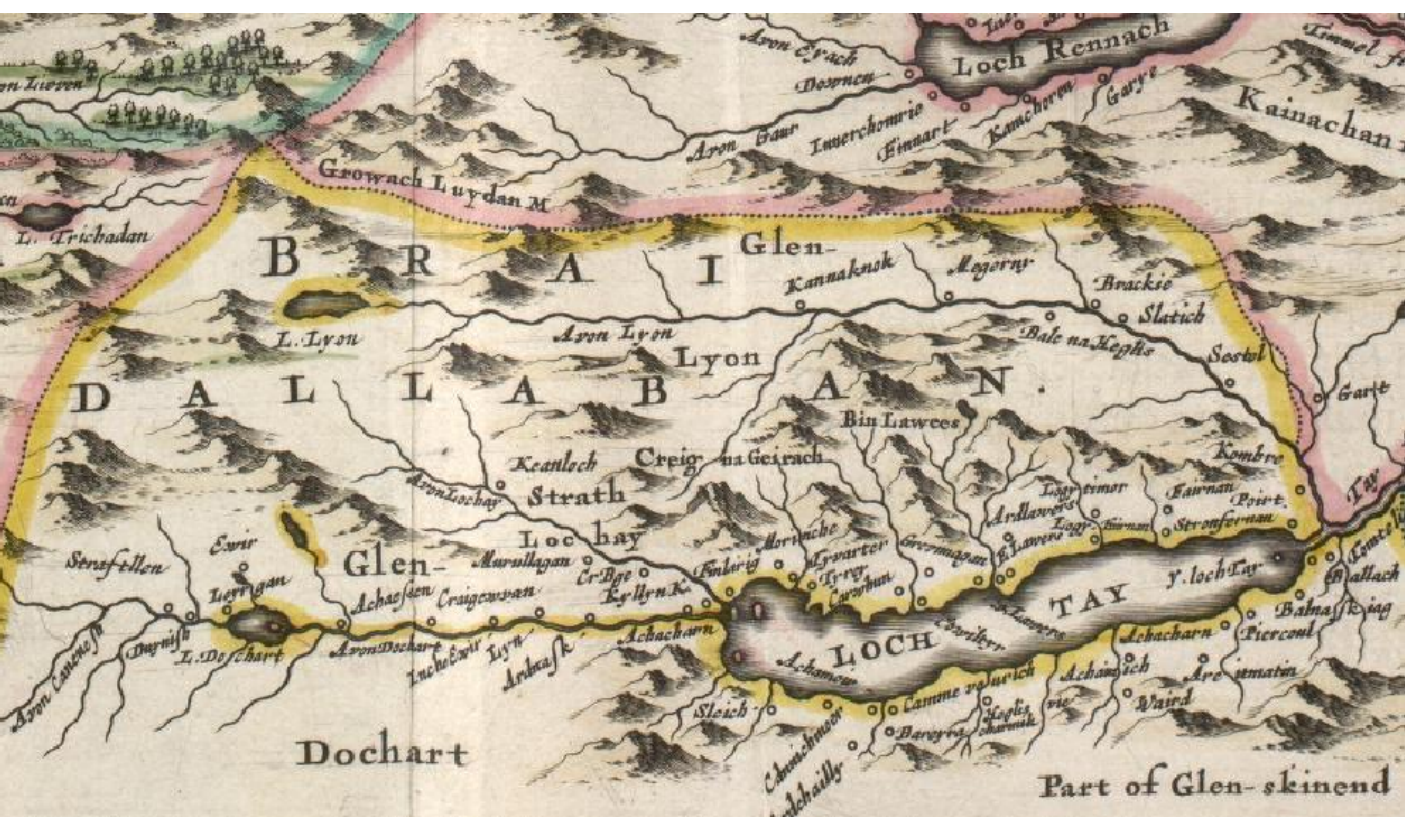
The history of Glenlyon's woodlands



In the first of a three-part feature on the woodlands of Glenlyon, Tom Beels, a forester in the glen, describes the ways in which their history has shaped them

We all know it is good to plant trees, and that there are many reasons, such as habitat creation, why this is so. One important but perhaps less obvious and less discussed reason has to do with future generations and what they inherit. In cities architects have legacies and leave heritage behind them. In Glenlyon the legacy of a Jacobean treeplanter provides undoubtable sylvan heritage. The backdrop of old Caledonian pines, truly a relic from Scotland's past, exists only because the people of the glen rose up against their wholesale destruction.

Woodlands in Glenlyon have histories; they appear on old maps and in place names, and stories exist of the people who lived in or among them. Often their histories are intertwined with those of the people who either made them happen or who let them continue. Without these people Glenlyon's venerable woodlands and veteran trees would not be here, and the glen would be just another arboriculturally desolate looking place in the mountains. Their legacy has become our heritage.



Glenlyon, in Highland Perthshire, is somewhere that could be viewed as having wild land, and in places it certainly does. Its glacial landform clearly divides the pastoral land from the upland but, despite grazing pressure, this does not mean that the trees are only on the slopes. For the first 13 miles Glenlyon is mostly richly-wooded; trees interlace with panoramic views of mountains or rich pasture to produce a pleasingly diverse and sometimes dramatic highland scene.

The glen also features two unbroken links to Scotland's ancient wildwood, roots which have been in the ground for thousands of years. At the foot of the glen grows Britain's most venerable tree, the Fortingall Yew, which ancient-yew specialist Alan Meredith considers to be over 5000 years old. Other estimates suggest it may be even older - perhaps 7000 years - or much younger at around 3000 years. No one really knows, but its claim to great antiquity is unquestionable.

It certainly seems safe to assume that the yew would have already endured through many human lifetimes prior to the coming of the

first people we know of in the area of Glenlyon. These were Neolithic stoneworkers operating a quarry on the side of the Tarmachan ridge between around 2400 and 2300 BC. The climate was less harsh then and this allowed the treeline to reach approximately 100 metres higher than it currently does. Pollen analysis from the quarry site indicates that tree types in the area included hazel, rowan, birch and (probably) elm. Pine is not thought to have been present due to the high alkalinity of the soils, although oak may have grown below the 760m line and juniper, heather and crowberry above it.

Scotland's great Caledonian forest is thought to have been at its greatest extent about 4000 years ago and it may well have enveloped the land surrounding the quarry. If so, this forest, expanding northwards since the end of the ice age, must have been a major resource for these people, not just for firewood and building materials but also for game. The forest may have been a constant in their lives to the degree that they may have been a forest people, much like some Amazonian tribes people are today. After all, we humans as a species arguably owe

Map, opposite:
Joan Blaeu—*Braid-
Allaban* (Breadalbane),
1654.
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Photo, this page:

Remnant Caledonian
pines in Glenlyon
J Milne



our dextrous hands and thus our capability to master complex tasks to our much earlier ancestors who decided swinging in trees was safer than being on the ground; perhaps we are all forest people in some way?

Glenlyon still holds a relic fragment of Caledonia's great forest and it can be very moving to think of ancient people's footsteps in this wood. Peoples whose wild lives must have differed so much from ours but whose basic needs ultimately were similar.

Fast forward several thousand years and the Picts are known to have been busy at Fortingall, possibly attracted by the yew which is the oldest living thing in the landscape. Glenlyon may be the central link in a chain of forts stretching east to west across Scotland. In the glen itself these forts were at the foot of the mountain passes going north-south. I always imagine the Glenlyon Picts to have been active clearers of the forest for strategic reasons: wood is an essential material for fort builders and fire users, and they also needed open sight lines; keeping one way through the forest open whilst maintaining dense forest on both sides was better for tracking and ambushing game and enemies. Again it is not hard to see how a dense and diverse forest would meet the needs of the people living alongside or in it.

Fast forwarding again through time for many hundreds of years of glen history brings us to the 1670s, when gambler, drinker and major landowner Robert Campbell is selling Glenlyon's extensive forests to pay his gambling debts. He sells to Glasgow timber merchants and they fell the forests, spitefully using oxen to extract the timber and pulling out and burning the rootplates to deny glenfolk the fuel within.

In the 1670s, gambler, drinker and major landowner Robert Campbell sold Glenlyon's forests to pay his debts... the true biodiversity and majesty of that wood is gone from the glen for good

Photo:

Campbell of Glenlyon

"Above Meggernie Castle on the banks of the Conait one wood was two miles square. Farther down was another that was almost as big....(at Roro) and there were other fir woods too.....behind Invervar..and at the ancient Caledonian forest of Ossieschailis where oak and fir stretched five miles along the base of Schiehallion".

The scale of the felling is further demonstrated by a mention that two thousand "great fir planks in one bulk" were sent floating down the Lyon. Predictably they jammed the river, thus also ruining fishing for local people. The effect of this vast clearfell on the glen and its inhabitants and its ecology must have been horrendous. Eventually the merchants overstepped the mark and a legal dispute began, but the people of the glen rose up when the legal process took too long, burning the sawmills and breaking the log dams. The area under dispute was where the relic fragment of that great pine forest in Glenlyon now grows as it quite possibly has done for thousands of years.

To me this wood and its existence is a real link to the people of that time, the oldest continuously living link perhaps. The trees of this forest



have DNA adapted to the changing climate of the glen since the last ice age withdrew. It is subtly different to that of Rannoch's pines or indeed to any pines anywhere other than in Glenlyon. This is heritage indeed.

Robert Campbell's attempts to clear his debts never seemed to work and in 1684 he was declared bankrupt, losing all but a small part of his land (ironically a bit that had been included in the legal dispute). Everywhere he went in the glen he must have seen and felt the effects of his sale of the woodland. In 1690, aged sixty, he joined the army (to pay more debts) and is generally remembered by history as the leader of the Glencoe massacre. His cousin Lord Breadalbane described him thus *"He is an object of Compassion when I see him, but when he is out of sight I could wish he had never been born."*

The forests of Glenlyon have never recovered from this sale. Some of the areas that were felled contain pockets of ancient semi natural woodland today, but the true biodiversity and majesty of that

wood is gone from the glen for good. Herbivores filled the void where the trees had been and then, as now, their grazing prevented woodland from naturally regenerating; a pattern that has unfortunately been repeated throughout Scotland ever since.

None of the pines which were living at that time are thought to be alive in the present relic forest. It is their ancestors who are with us today. At some point, someone enclosed the area of this forest and I wonder if it wasn't Iain Dubh, forester to James Menzies of Culdares, laird of most of Glenlyon and a young and enthusiastic leader of the 1715 Jacobite uprising. Captured at Prestonpans and held in the Tower of London he was spared a gruesome death on account of his youth, and instead exiled to the Tyrol. On his return he had some larch seedlings with him; he dropped a few off at Dunkeld and at Atholl then planted the rest at his home in Glenlyon. His return began the arboreal shading of Glenlyon as we see it today.

SWLG response to proposed wind farms and hill tracks consultation

The Scottish Wild Land Group has submitted objections to proposed windfarms at Bhlaraidh, above Loch Ness, Nathro Hill, in Angus, and Stronelairg, in the Monadhliath mountains (see p. 16). We believe that all have an unacceptable impact on wild land and important species or habitats. Bhlaraidh adjoins Trees for Life's Dundreggan estate and is situated on sensitive upland peat, as is Stronelairg, which would cause terrible damage to the Monadhliath mountains and also further ruin the views from the Cairngorms National Park. Nathro Hill would run along high ground parallel to the A90 between Dundee and Aberdeen, the southern edge of

unspoiled hill country that many tourists on the road will be travelling to see.

We have also submitted a response to the Government's consultation on an amendment to the Permitted Development legislation that would require planning permission for all new or significantly modified hill tracks, whether or not they were claimed to have an agricultural purpose. The Group is highly supportive of this amendment.

All of these and other responses can be found on our website at www.swlg.org.uk/articles-campaigns--consultations

John Milne

The Aarhus Convention & energy policy

The Aarhus Convention, which came into force in 2001, is properly known as the United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters. The objective of the Convention is to create environmentally responsible societies by ensuring that there is trust between an informed community of citizens and the state in relation to environmental matters.

This is to be achieved, as the Convention's title makes clear, by ensuring that the citizen has access to reliable information, that there is transparency at all times, that there is sufficient public participation in the decision making processes and, above all, that the community and its members have access to justice at all times - including those occasions when the Convention's principles have been violated. There are currently 46 'parties' to the Convention including the United Kingdom and the European Union both of whom have ratified the Convention.

A joint press release issued in late August (reproduced in part below) from Pat Swords, The European Platform Against Windfarms and the World Council for Nature advised that

"The Compliance Committee of the United Nations Economic Commission for Europe, which enforces the Aarhus Convention, has released its final findings and recommendations regarding the case presented by Mr. Pat Swords, a chemical engineer from Ireland. In a

nutshell, the UN is saying that if the EU wants to be in compliance with the said Convention, to which it is a party, it must have its 27 Member States properly reassess their National Renewable Energy Action Plans (NREAPs) and submit them to popular consultation. The Aarhus Convention requires that, in matters affecting the environment, the citizens be consulted in a transparent manner before any policy is embarked upon. The Convention applies principles adopted at the 1992 Earth Summit held in Rio de Janeiro.

"In the meantime, notes Mr. Swords, "the 27 Member States' renewable energy plans should be suspended, and proper assessments conducted to address precise issues, e.g. what quantity of harmful gasses, if any, will be saved by the large number of windfarms being planned. Indeed, a number of studies by independent engineers have shown that they may be saving none."

It is by no means clear what the reaction of the European Union and the UK and Scottish Governments will be. It is surely highly unlikely that the Member States' renewable energy plans will be immediately suspended and more likely that months or perhaps even years of wrangling will ensue. Will indeed the EU wish to be "in compliance with the said Convention" if it considers the consequences of compliance in this instance are unacceptable"?

However, of interest nearer home is the fact that a similar submission made by Avich and Kilchrenan Community Council (Argyll) has been accepted as valid for

consideration by the Aarhus Convention Compliance Team which will make a determination in due course (see Christine Metcalfe's article below).

These are interesting and potentially significant developments not only for the implementation of energy policy but for democracy, and in spite of the above reservations the

calling to account of the parties to the Aarhus Convention presents an opportunity for raising the profile of a whole variety of unanswered questions surrounding the current energy debate (including the reliability of the information with which we are supplied). For this we must be grateful to Pat Swords and Christine Metcalfe of the Avich and Kilchrenan Community Council.

Christine Metcalfe

Aarhus, wind farms and public accountability

'Landscape is not all external, it has crept inside the Soul' - John O'Donohue, 'Anam Cara.'

The simple beauty and truth of the statement above is undeniable. Equally so is the positive effect upon the human psyche of connection over past eons with mountain, moor, loch, forest and coastline; a connection now at risk from the collision course engendered by the needs of vital and protective preservation, and that of catastrophic industrialisation imposed by wind power within the current renewable energy programme.

Anyone who attends meetings or serves on their local Community Council will vouch for the often bitter and divisive nature of discussions about wind farms. Not unlike a form of civil war dividing communities, families and friends, holding differing views on the current express train of development and its justification in terms of man-made climate change. Perhaps we should therefore look at some of the facts which led to the unanimous support of our Community Councillors, at an unusually well attended meeting, for

efforts to challenge the Government's and EU's imposition of wind power technology without proper public oversight. These efforts included a complaint to the United Nations Economic Commission for Europe's Aarhus Convention Compliance Committee (what a mouthful!), which has now been accepted as valid for consideration. (Complaint Ref. ACCC/C/20/12/68.)

Briefly, our complaint was based on a question: what is the justification for all this financial cost and environmental intrusion? We believe that there is no supporting data for the claims of the authorities, and that they are both; (a) disseminating false and inaccurate data and; (b) by-passing proper environmental and economic assessments and legally-binding procedures related to democratic accountability.

Many MSPs believe that wind energy will assist Scotland in becoming the Saudi Arabia of renewables. Yet some European countries have greater experience of wind energy than Scotland and present a different image – Denmark, for example, could only

Christine Metcalfe has lived for nearly 22 years in a small Argyllshire glen which at one point was threatened by a wind farm application. The engagement with neighbours in successfully resisting this triggered concern for others suffering similar disruption to their lives, and a wish to unearth true facts relating to wind power. She serves on her local Community Council and was given a mandate to use the Aarhus Convention route to hold our Government & authorities to account for breaches to regulations found to be occurring.

export wind-generated electricity at a financial loss, and at times the price was zero Kroner per MWh¹. Research published in the (peer reviewed) Journal *Energy Policy* found wind energy to be of little value. To quote the authors of *Economic impacts from the promotion of renewable energies: the German experience*: "Although Germany's promotion of renewable energies is commonly portrayed in the media as setting a "shining example in providing a harvest for the world" (The Guardian 2007), we would instead regard the country's experience as a cautionary tale of massively expensive environmental and energy policy that is devoid of economic and environmental benefits."² In addition, even the German energy agency, which was set up to promote renewables, has had to point out the technical reality³ - you wreck your country's landscape and finances and you still need the fossil power plants for the backbone of your power generation⁴.

On the subject of pollution at home, examples are provided by those well documented site problems associated with The Braes of Doune predicted pollution, and Irish peat slide events. Another valid question must be whether we should be subscribing to the harm caused by mining in China (with its global monopoly) of the rare mineral Neodymium, needed for magnets used in turbine manufacture. A proportion of turbines have a magnet as part of their structure, weighing from 2.5 tonnes to around 40 tonnes in the largest models. The mining process is dirty and dangerous, involving repeated boiling in acid of the ore in order to extract the mineral. Among the waste products which are left to leech into the waterways and land in China is radioactive thorium (see similar report⁵).

Although a relatively small number of the very large offshore machines

currently contain Neodymium, a Parliamentary briefing paper⁶ states that:

"Currently, 4% of new offshore wind turbines use a magnetic drive system containing rare earths, which improves reliability and mechanical efficiency. This figure is anticipated to rise to 15-25% by 2015." (my emphasis)

Will these be transferred to land or dumped at sea as a means of 'disposal'?

An E.I.R. (Environmental Information Regulations) request has been lodged with SEPA regarding the burying on-site of worn out or damaged wind turbine blades. Plastic composites of this sort are designated wastes which must be disposed of properly in specified landfill sites. We all know of reports of bird (turbine strike) carcasses being routinely buried to avoid publicity, and RSPB have confirmed that they are looking into the need for a survey plotting all past mortality and/or disturbance events associated with wind farm developments and their access routes. With the vast areas of wild lands, moor and peat bog available to developers to use adjacent to or on these isolated sites, there is a clear temptation in respect of both activities.

Plans for future disposal have also been requested within the EIR request. If burying or incineration of turbine blades has been sanctioned, the reasoning behind such a decision has been requested. This is important because of toxins present in composite turbine blades which include Bisphenol A (BPA). The US Food and Drug Administration has voted to ban BPA from various plastic food containers after acknowledging that it might affect "the brain, behaviour and prostate gland of foetuses, infants and children." Typically, a standard 1.5-megawatt wind turbine

We believe that the authorities are disseminating false and inaccurate data, and bypassing legally-binding procedures related to democratic accountability

has approximately 10 tonnes of epoxy in its blades made from 6.6 tonnes of phenol and 2.2 tonnes of acetone. It *might* be true that environmental problems from epoxy -or polyester resins are more likely to be caused by incineration than by water-leaching of cured resins buried in soil. In any case, we obviously need full disclosure relating to both these potentially hazardous methods of disposal.

Another concern is the SNP government's decision to influence public opinion by targeting the very young. It has been reported that SNP ministers are planning to undermine community opposition to wind farms by having teachers tell schoolchildren that turbines benefit the environment, according to official guidance just published. This is dangerous indeed, and to fill young minds with one-sided opinions based on incorrect data is unforgivable. My personal experience of this was when confronted by a teenager and parent at a local meeting held to discuss wind power. With 'shining eyes' this youngster asked me 'So would you prefer nuclear power *instead?*' and claimed, almost unbelievably, that 'turbines are much better than pylons!' Even developers do not make the claim anymore that wind power is an 'instead of' technology, it being an 'add on', but trying to impart any balanced argument proved impossible.

The new policy relating to renewable energy on land owned by the Forestry Commission (Scotland) (hereafter FCS), raises other issues of public concern. Developers now have exclusive rights of search across the *entire* FCS estate in Scotland – roughly 10% of the country – and FCS are now actively pursuing the installation of wind farms within and adjacent to forestry plantations. The implications of this are many, and one, though perhaps viewed as of

lesser importance than financial and landscape impacts, is the fire risk from turbines. The many reports of turbines catching fire and tossing burning debris hundreds of yards suggest real potential for disastrous incidents, especially considering that FCS plantations hold many SSSIs (Sites of Special Scientific Interest) within their boundaries.

Turbines are also vulnerable to lightning strike, as events have shown. The danger of this is compounded by development in isolated areas where access for fire crews is impossible. Despite this, there are no known plans for the installation of CCT cameras linked to fire stations for monitoring of fire outbreaks, and local enquiries revealed that there are no special plans to deal with turbine fires. Currently, brush fires in some locations are just left to 'burn themselves out', a situation likely to be the case all over Scotland. Where is the *duty of care* to communities and households at risk within and on the fringes of FCS plantations?

In a reply to my question about this, the Energy & Climate Change Directorate stated that

"In terms of planning for and responding to incidents, this is an operational matter for the local emergency services as the Scottish Government operates on the principles of Integrated Emergency Management (IEM). Under IEM both preparation and response to emergencies should focus on the effects of events rather than their causes and be an extension of local emergency responders' day to day activities. The underlying aim of IEM is to develop flexible and adaptable arrangements that will enable effective joint response to any crisis whether foreseen or unforeseen." (Ref. Re.2012/0005666 on 10/02/12)

This reply (which can be provided in

Whether through apathy or a misguided sense of helplessness, no society should permit those governing them to inflict physical, mental, or economic harm upon their citizens

full on application) provides no reassurance or real answers to the issues raised.

For all who value our forests and wild land the picture is bleak unless a halt to current plans can somehow be negotiated. An added disadvantage is the new policy of Scottish Natural Heritage to no longer object to wind farm proposals unless they impact upon areas of Natural Heritage which are of National Interest, throwing an added burden upon planners often ill-equipped to determine environmental issues previously handled by seeking advice from SNH. The danger clearly is that this will lead to applications being approved through lack of expert knowledge.

It is fully recognised that no technology is without problems, but proponents of wind power have too often been 'economical with the truth' at best, at worst duplicitous or unwilling to acknowledge new or existing evidence. Accusations that the contents of this article amount to 'scare-mongering' are predictable, but groundless given that its veracity is easily checked. Indeed, space does not allow coverage of all the troubling aspects of wind farms (for example winter ice throws from blades of turbines too close to habitations), and others will no doubt have more examples or concerns relevant to this debate. It is hoped that those in the corridors of power will finally listen to those most affected and recognise:

1. The need to address the legal requirements documented in the Aarhus Complaint;
2. Adverse health effects of proximity to turbines now increasingly documented through reports endorsed by medical authorities;
3. Economic issues such as (a) the imposition of both direct and

hidden subsidies;
 (b) unsustainable energy costs affecting those least able to absorb them;
 (c) dropping values of homes due to neighbouring developments;
 (d) the need for pollution/toxin-free disposal plans for turbine parts from both onshore & offshore developments (although the problem of disposal is acknowledged, no viable solution or costing has yet been presented to the public);

4. Negative effects on tourism from excessive numbers of turbines threatening endangered species and blighting the very landscapes valued by visitors to our unique and hitherto largely pristine landscapes and wild lands.

Whether through apathy or a misguided sense of helplessness, no society should permit those governing them to inflict physical, mental, or economic harm upon their citizens, and no responsible government should seek to do so. In the field of renewable energy it must be recognised that the precautionary principle - 'first - do no harm' - is being roundly ignored.

References

¹This was cited in the Danish engineering publication "Engineering". See: *New windmills will produce electricity that has no earthly use* [Nye vindmøller vil producere strøm til ingen verdens nytte] <http://ing.dk/artikel/93358-nye-vindmoeller-vil-producere-stroem-til-ingen-verdens-nytte> [Google language tools should translate this]

²Frondel *et al.*, Energy Policy 38 (8), 4048-4056 (2010) and available on: http://www.instituteforenergyresearch.org/germany/Germany_Study_-_FINAL.pdf

³<http://www.dena.de/en/press-releases/pressemitteilungen/2050-stellen-fossile-kraftwerke-60-prozent-der-gesicherten-leistung.html>

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⁵<http://www.dailymail.co.uk/home/moslive/article-1350811/In-China-true-cost-Britains-clean-green-wind-power-experiment-Pollution-disastrous-scale.html>

⁶www.parliament.uk/briefing-papers/POST-PN-368.pdf

Chrissie Valluri

Fear makes the wolf seem bigger than he is

With all the discussions about renewable energy I felt it was time for a balancing article about one of my favourite 'wild animals' – the wolf. With some small discussions still to come here and there about its reintroduction into Scotland, I thought I would have a look at what has been happening on this topic back 'home'.

In 1850 the wolf was mostly extinct in Germany and by 1900 Germany was wolf-free and any crossers from the Polish border were shot on entry. It was only when Germany reunited in 1990 that the wolf was given a protected status in the former East Germany. Despite being 'extinct', hopes were high that it would re-establish itself naturally. Those hopes were realised when in 2000 the first sighting of a wolf was reported in the German area called the 'Lausitz', which borders Poland. Germany now is home to approximately 100 animals living in 12 packs and they are on the move, which is good news – or is it?

Researchers working at the University of Freising have GPS-chipped wolves and found that a wolf can travel up to 70km in a single night, including crossing motorways and swimming through lakes, and calculated that based on Germany's habitat suitability it could be a permanent home of 400 wolf packs if their expansion was allowed. Their chances of at least partly succeeding are high since wolves are designated by the European Union as a species of 'Community Interest', requiring protection and conservation under the 1979 Berne Convention

(Convention on the Conservation on Wildlife and Natural Habitats) and the Directive on the Conservation of Natural Habitats and wild Flora and Fauna, the latter being legally binding to all members of the European Union.

But what do Germany's people say about the 'Big bad Wolf'?

A recent poll by Friends of the Earth Germany showed that 79% of people want the wolves back and only 18%, the majority of whom are over 60, believe that humans and wolves cannot co-exist. This belief is also strongly held by a significant

Photo: Grey wolf
Kramer Gary, U.S. Fish and
Wildlife Service
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proportion of stalkers: they see the wolf as a potential threat and want the public to fear them so they can justify shooting them. However, there has been no reported case in Germany of a wolf attacking a human. Nonetheless, poaching is one of the major cases of wolf mortality.

Amidst all the excitement there are some very real challenges that need to be tackled in order for the re-integration of wolves to run smoothly. Apart from loss of habitat, depredation on livestock is a major cause of concern - but not because of its actual impact. Wolves were responsible for less than 1% of livestock deaths last year, compared to 10% killed by stray dogs. There is a more emotional response to livestock depredation by wolves though, and subsequent media reporting is a very significant factor in influencing public opinion.

The German government has

therefore urged states to draw up 'Wolf Management Plans' based on models in Scandinavia, where wolves are already part of the landscape, and in conjunction with WWF's Large Carnivore Initiative for Europe (LCIE). These Plans will focus on compensation issues, avoiding conflicts, rules for species monitoring and, possibly most important of all, raising awareness amongst the public, starting as early as primary school!

This is good news for the continent, but with Scotland being part of an island the issues are much more complex here because of the physical act of reintroducing animals – an issue I shall be exploring in the next edition! So let me finish off with a quote by J.W.Curran which my opinion sums it up very nicely:

"There are, of course, several things in life that are more dangerous than wolves - for instance, the step-ladder..."

Tim Ambrose

The Scottish Wild Land Group is 30 years young

The SWLG was formed in October 1982 when a Steering Team of (mainly) writers and journalists agreed that the threats to Scotland's wild land were becoming urgent. Roger Smith, Editor of The Great Outdoors magazine, was the first Chairman, writer and mountaineer Irvine Butterfield was Treasurer, and the Steering Team included Jim Crumley, who edited Wild Land News for several years, and Nigel Hawkins, who shortly left to concentrate on forming the John Muir Trust.

The Group's first campaign was against plans for the Ministry of

Defence to buy the Knoydart peninsula for use as a military training area, and our uncompromising arguments extolling the value of wild land for itself, and the need to preserve what is left, are as strong as ever.

The Group remains entirely run by volunteers, and our most conspicuous product is our magazine, Wild Land News. The first edition of WLN came out in March 1983 and the present issue is no 82, so you can see that an early aspiration for the magazine to be a quarterly has not quite been consistently fulfilled, despite the

best efforts of the editors commissioning and chasing articles over the years! WLN was generally 16 - 20 pages, and exclusively black and white, until issue 59 in Winter 2003-04 when John Digney (editor from 1994 to 2008) introduced colour, and both its size and circulation have grown since then. WLN has been fortunate in that many distinguished writers have contributed articles, including WH Murray who wrote on "Newspeak in the Hills" in issue 3, Lea McNally on how hillwalkers can help wildlife in issue 10, Adam Watson on the scandal of the stitch-up by landowners on the Cairngorms Working Party in 1992, Cameron McNeish on the winter hills in 2000, Richard Gilbert on unsuitable hydro-schemes in 2001 and more recently Robert Macfarlane on the Beaully-Denny inquiry in 2007.

Much has changed in these 30 years – a Scottish Parliament rather than Westminster has primary responsibility and there have been undoubted improvements including the Crofting and Community Rights to Buy and formalisation of the traditional Right to Roam. Other statutory developments such as the two Scottish National Parks have proved more controversial, largely because conservation priorities which should underpin a National Park were comprehensively diluted by politicians promoting local development aims whilst the National Parks (Scotland) Bill was being drafted, leading to the unedifying spectacle of the Cairngorms National Park Authority promoting the building of a New Town on a greenfield site in the Cairngorms.

Ben Wyvis (and much of the rest of the Highlands) is now more threatened by industrial wind farms desecrating its skylines than by a mountain railway as it was in 1983, and the prospect of yet more

intrusive and unsightly ski-ing developments may have receded because of the recognition of the likely effects of climate change on Scotland, but, as in 1982, "sporting estates" artificially maintain far too many red deer for much regeneration of the Caledonian Forest, and are still bull-dozing far too many tracks too high, and too visibly, on wild hills. So, some threats seem to have gone, new ones have arisen, and some stubbornly remain after 30 years.

There is much good news. A successful outcome for one of the SWLG's early campaigns was the purchase of Creag Meagaidh by the Nature Conservancy Council from Fountain Forestry which had planned to blanket its lower slopes in solid blocks of plantations, and a more sympathetic attitude to scenery now pervades Forestry Commission Scotland which is doing good work in Glen Affric and elsewhere. Charities, including the National Trust for Scotland, the JMT and Trees for Life have acquired large areas of precious wild land which should now be protected indefinitely, and some private landowners, as in Glen Feshie, are adopting enlightened attitudes to conservation and restoration of the land.

Battles won, such as the superquarry at Lingerabay on South Harris and Lurcher's Gully, battles lost, such as ski-tows over Glas Maol, the financially disastrous Funicular on Cairngorm and the grotesque Beaully-Denny power line, and battles in progress, against housing estates in the Cairngorms and huge wind farms marching through the Monadhliath and on to even worse sites in all the wrong places – the last 30 years have been exciting for all Scottish conservation campaigners and the SWLG has played a distinctive part.

our uncompromising arguments extolling the value of wild land for itself, and the need to preserve what is left, are as strong as ever

John Milne

Wild land poetry

The Assynt and Edinburgh poet, Norman MacCaig, claimed that landscape was his religion. I know exactly what he meant.

Two epiphanies, fifty years apart: the first when as a teenager I first experienced, as well as first saw, Rannoch Moor and as Graham Greene put it "the door opened and let the future in"; the second a few years ago by Loch Rannoch, looking back down the long corridor to that moment far away in time but not so far in space.

However it is not of Rannoch I wish to speak but of Glenlyon, separated from Rannoch by the wall of hills stretching from the Bridge of Orchy Hills (sufficiently famed and loved not to need naming) round by the two Meall Buidhes (one a Corbett, the other a Munro), Meall Cruinn (which I am advised is not only a Corbett Top of Munro but a Hump), Cam Chreag (Corbett) and Meall a' Mhuic (Graham) to the Glenlyon Munros above Invervar. However there are two principal ancient routes between Glenlyon and Rannoch: from Innerwick by Lairig Ghallabhaich to the Black Wood of Rannoch at Dall on Loch Rannoch and, at the top of the glen, by Gleann Meurain, over the bealach to the Allt Learg Mheuran and the Water of Tulla (mind the trains!) and down to Achallader.

Tom Beels, in his article, introduces us to the woodlands for which Glenlyon is famous, and spending as much time as I do in that renowned Perthshire glen I wish to attempt to explain what it means to me. In addition to the many Munros, Corbetts, Grahams and Humps in or within ready reach of the glen, it is the infinite variety of colours in Glenlyon at all seasons I consider to

be essential to the periodic restoration of the health of my spirit.

The Meggernie birches remind me of a beautiful day many years ago on the road from Ullapool to Braemore Junction en route to the Fannichs. I recorded the impact on me as follows

*harmony of greens
a flash of lime and copper
against the blue sky*

which few words have been sufficient over the years to keep fixed in my mind the conviction that the colours of nature among which we evolved as a species play a significant role in maintaining our psychological and spiritual well-being.



The recognition of the effects of our cultural neglect of nature is no new phenomenon. At the 'More Than Us' symposium, organised by Dalziel + Scullion in collaboration with Scottish Natural Heritage (2007), the participants were reminded that as long ago as 1802 Wordsworth had written

Photo:

The Meggernie
birches

J Milne

*'Getting and spending, we lay waste
our powers
Little we see in Nature that is ours.'*

the participants being asked, "is humanity's relationship with nature in terminal decline?"

If so we are in serious trouble. There is a perception that a concern for the countryside is overly romantic, conservative, a longing for a past that is long gone, never to return, humanity's future depending entirely on technologically driven growth - a humanity without a soul symbolised by the relentless march of the turbine and pylon over our land. But we who, from across the political spectrum have been described, critically, as a "vocal minority" must refuse to accept that our "relationship with nature is in terminal decline". We are not backward looking, we look forward with the help of 21st science towards the emerging of a mature understanding of our evolutionary journey, the environment within which we evolved, the ways it has shaped us and our continuing dependence on it, an understanding worthy of the term 'wisdom'.

But how do we prevent that "terminal decline" which is the inevitable outcome of the strategies being implemented by the politicians, enthusiastically supported by some elements of the corporate and environmental sectors?

The ultimate objective of this article is to suggest to readers of WLN that we need to identify, develop and utilise every conceivable tool to assist us in our participation in the essential task of opposing the ongoing process of the "disenchantment" (Max Weber) of nature. By all means use letters to the press, MPs and MSPs, demonstrate (we don't do enough of that), make representations at

public enquiries and utilise fully the planning process. But we do not make enough use of the power of the imagination. My particular interest is in poetry, liable to be dismissed in our excessively materialistic (and indeed dumbed-down) culture as very much a minority interest. I would nonetheless suggest it is a powerful if under-utilised one, speaking as it can to all levels of our consciousness.

I quote the opening stanzas from A man in Assynt by Norman MacCaig with the kind permission of his publishers:

*Glaciers, grinding West, gouged out
these valleys, rasping the brown
sandstone,
and left, on the hard rock below - the
ruffled foreland -
this frieze of mountains, filed
on the blue air - Stac Polly,
Cul Beag, Cul Mor, Suilven,
Canisp - a frieze and
a litany*

*Who owns this landscape?
Has owning anything to do with love?
For it and I have a love-affair, so nearly
human
we even have quarrels. -
When I intrude too confidently
it rebuffs me with a wind like a hand
or puts in my way
a quaking bog or a loch
where no loch should be. Or I turn stonily
away, refusing to notice
the rouged rocks, the mascara
under a dripping ledge, even
the tossed, the stony limbs waiting.*

*I can't pretend
it gets sick for me in my absence,
though I get
sick for it. Yet I love it
with special gratitude, since
it sends me no letters, is never
jealous and, expecting nothing
from me, gets nothing but
cigarette packets and footprints.*

*Who owns this landscape? -
The millionaire who bought it or
the poacher staggering downhill in the
early morning
with a deer on his back?*

*Who possesses this landscape? -
The man who bought it or
I who am possessed by it?*

*(A Man in Assynt, by Norman MacCaig,
from The Poems of Norman MacCaig,
published by Polygon)*

Personally speaking I will have achieved something of significance if I have, in this article, managed to enhance the lives of even a few readers of WLN by introducing them to this major Scottish poetic voice. Seamus Heaney commented on the definitive collection of his poetry as follows '*It is an ongoing education in the marvellous possibilities of lyric poetry . . . He means poetry to me*'.

Moreover may I suggest that apart from reading poetry you might get some pleasure from composing simple verses such as that above. Especially those of you who lack, as I do, the appropriate talent with brush or lens may find it a satisfying way of recording meaningful images and experiences. I have found it not insignificant that there are only certain places where and times when the appropriate words and format come to mind and these places are Assynt/Coigach, Glenlyon/Rannoch and Orkney, places with which I seem to have a particular 'spiritual' affinity.

Anything you wish to share will be more than welcome at john.milne29@yahoo.com I wonder if we could get a SWLG Poetry Network established.

In the meantime I suggest some reading material

• *Last Child in the Woods: Saving Our Children from Nature-deficit*

Disorder and the follow up book *The Nature Principle*, both by Richard Louv, notwithstanding the emphasis on urban green spaces and the American perspective which also applies to

• *A Reenchanted World: The Quest For A New Kinship With Nature* by James William Gibson

• *Iona Dreaming* by Clare Cooper Marcus published by Nicolas-Hayes (2010):

"Choose a place that supports and protects you; select it wisely; allow yourself to bend with the wind, but put down deep roots." ; "Can there be enlightened places, as there are enlightened people?"

With some reservations I recommend this book, especially to those of you who know and love Iona: my reservations being that in spite of its insights about place, its frequently poetic prose and the author's undoubted powers of description I found her weekly phone calls from Iona to her analyst in America becoming a bit wearisome. But then it is a book about dreams.

• *The Poems of Norman MacCaig* edited by his son Ewen McCaig (neither surname is mis-spelt) from which the above extract is taken.

• The range of information and guidance on haiku to be found on the Internet. There are also many books on the subject, for instance *Haiku* from Everyman's Library Pocket Poets Series published by Alfred A. Knopf (2003) in which the editor Peter Washington describes haiku as "*epigrammatic nature poems in which the writer aims to achieve maximum effect by minimum means.....allusive and oblique yet piercingly clear*" and which contains examples of both Japanese and Western haiku including:

It is not in the spirit of haiku to put it to polemical use... however these are desperate times.

*The meadows
Were drinking at their leisure,
The frogs sat meditating.*

this example by Henry David Thoreau demonstrating that the 5-7-5 syllable pattern normally associated with haiku is not essential, as does this from Wordsworth:

*The pliant harebell
Swinging in the breeze
On some gray rock*

but

*The meadows
no longer know leisure
The frogs no peace to meditate*

and

*The rock on which
the harebell pliantly did swing
is under tons of concrete.*

In fact

*the meadows, frogs,
rock and harebell
all gone,
replaced with turbine and clear-
felled wood.*


It is not in the spirit of haiku to put it to polemical use, perhaps even being considered sacrilegious. However these are desperate times and I am sure even Basho, Buson, Issa and Shiki, had they observed the wind farm lobby, politician and forester laying waste to their beloved mountains and forests, would have approved. Let us establish a new tradition (although I would not like to lose the lightness of touch, the humour often associated with haiku). Let us continue above all to celebrate our diminishing landscapes with every creative means at our disposal.

Not that I believe for one minute that either the First Minister of this land or the Chief Executive of Scottish Renewables will read a few poems and immediately acknowledge the negative impact of the industrialisation of our wild lands on our psychological well-being but it is a message we need to spread as widely as possible.



Photo: Assynt from the Coigach

C Brown



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