

WILD LAND NEWS 58

Autumn 2003



COMMENT

Article

A tale of two chiefs

Three years after placing the Cuillin Hills on the market in order to raise money to repair the roof of Dunvegan Castle, John McLeod appears to have abandoned hope of a sale. Instead, he is offering to hand the mountains to the nation in a deal involving the establishment of a trust to finance the repair work, while allowing the McLeods to continue living there. Funding would be sought from various heritage bodies, and discussions with Highlands and Islands Enterprise and Highland Council have taken place.

Despite the high profile of the proposed sale, it seems that uncertainties as to whether John McLeod actually owned the mountains were instrumental in deterring private purchasers. Painstaking research by the mountaineer and historian, Alan Blackshaw, had cast doubts over the validity of the McLeod claim to title at the time land reform legislation was taking shape in the Scottish Parliament. Perhaps too much public scrutiny of the Cuillin issue would have rocked the boat, but the Scottish Executive and the Crown Estate showed great reluctance to get involved with the case (see WLN 50 & 51). Brian Wilson MP concluded that "any meaningful challenge to such claims of ownership will only come through legislative change rather than interpretation of existing Scots law".

Although it will be reassuring to see the Cuillin officially belonging to the nation, the whole episode re-opens questions which have hardly been answered in the land reform debate. Whether John McLeod is selling or giving away the Cuillin, or something in between, do we accept the notion that a range of mountains can actually be personal "property" just like manufactured goods? The Cuillin are our most spectacular hills and their proposed sale caused a storm of protest, but how rounded and grassy must a hill be before we quietly accept its disposal on the international property market?

Amid great controversy, the Scottish Parliament's feudal reform legislation conferred outright ownership of land on titleholders. So while it might have been convenient to allow a foreign tycoon to pay for the repairs to Dunvegan Castle and call himself the "owner" of the Cuillin hills (assuming he could not do anything outrageous with them), are we really prepared to sell our heritage on such terms? Do we really want to offer our land - the very fabric of our nation - as a tradeable commodity on the international property market?

Shortly after this news about the Cuillin, it was announced that Ian McNeil, a retired American law professor, had offered to hand over his 9,000 acre crofting estate on Barra to the local community. His father had established the family's claim to the McNeil chieftainship in 1937, but in 2000 Ian McNeil had handed over the ancestral seat, Kisimul Castle, to Historic Scotland on a 1000-year lease for an annual rent of £1 and a bottle of whisky. The 9,000 acres will now be transferred to Scottish ministers, and the Scottish Executive Environment and Rural Affairs Department will manage the land until the community have made a decision on whether to go ahead and accept it.

This kind of generosity is unlikely to become particularly commonplace in the Highlands. But in the year that the Assynt crofters are celebrating the 10th anniversary of their pioneering buyout, the Scottish Executive is considering changes to extend the Community Right-to-Buy

to a wider range of communities. There is clearly a growing awareness that communities do not require someone to own the land for them before they can live and work it. The landowner *per se* is superfluous. What people need is the land, not the lairds.

Email Information Resource

The Steering Team is keen to start recording the email addresses of SWLG members, if they have one, to build up an information resource. This could potentially boost the activity of the group by:

- helping us to contact quickly members who live near a proposed development and who could be used to find out more about it, or to canvass their (and other people's) opinions.
- building information on members' interests and skills with which they could assist the Steering Team in the future.
- enable us to distribute information quickly to members if we need to inform and advise people on key issues.

The proposal is entirely voluntary and we will not pass on or 'sell' members' contact email addresses. It may take some time to build up good records, and it all depends on having members willing to help out; however the Steering Team feel it is worth building up this information and seeing if we can use it.

We shall also ask new and renewing members to supply us with this information.

Can those members willing to pass on their email address please email me on: enquiries at-sign swlg.org.uk

Many thanks, Co-ordinator

Focus on Shieldaig

Article

Wild Land Group members responded magnificently to the special mail-out to members on the issues of the proposed Shieldaig hydro scheme.

Despite an incorrect e-mail address for responses, members managed to send in contributions by email, letter and postcard by the deadlines. A good number copied their replies to me, and without exception everyone plainly saw this locality as a special place not to be disturbed. There was a huge response as shown by the official figures:

The public consultation period ended on 6 June 2003 and the Scottish Executive received 837 objections to the proposal. They have been split into six location categories:

| | |
|-----------------------|-----|
| No Address | 30 |
| E-Mails | 117 |
| Highland Council Area | 142 |
| Rest of Scotland | 241 |
| Rest of UK | 299 |
| Overseas | 8 |

The following organisations objected: The National Trust for Scotland, The John Muir Trust, Torridon and Kinlochewe Community Council, The Highlands of Scotland Tourist Board, The Ramblers' Association, Wester Ross Fisheries Trust, British Mountaineering Council, Scottish Countryside Activities Council, The Scottish National Anglers Association, The Scottish Wild Land Group and several outdoor climbing clubs and guiding business.

The matter is in the hands of the Scottish Executive and it is hoped that a further public inquiry will be held to consider the application. With huge wind farms and a new large-scale hydro project being proposed elsewhere in Scotland, the miniscule size of this project defies justification for the effort put in by the developer to get it approved.

What becomes clear from looking at renewable energy projects is that can be very, very profitable - and even small ones like Shildaig must surely generate a reasonable income.

So why do these schemes need such large subsidy from the customer and the taxpayer? Should some of the subsidy not be foregone so as to curb excess profiteering? Could the subsidy not be used in making sure that renewable energy developments do not impact upon wild land?

And are renewable energy project becoming just another way of pump priming for remote areas, where politicians and others are lured by the crumbs of community contributions to help their constituents? Certainly the Wild Land Group is keen on renewable energy, for projects that support community development, and integrated industries, i.e. wind farm turbine production producing employment as well the wind farms producing energy. However what is crucial is nationally agreed location guidelines that are enforced so that projects are directed to appropriate locations rather than a developer coming up with a inappropriate scheme and opponents having to fight it.

Similarly, funds should be available for communities to own and manage schemes, with the initial loans paid back out of the subsidies/profits.

Britain seems to have a renewable energy policy that creates conflicts, generates excess profits yet cannot deliver without harming another key national resource - its magnificent landscapes.

Shildaig Hydro Scheme

Article

Division within Highland Council

On 20 August, the Planning and Development committee of Highland Council voted not to object to HLP's plans - against the advice of their Director of Planning. (You can read his report to the committee on the [low impact website](#) "latest" section)

However, the hearing to decide on the Council's response to the application is to be repeated in front of the entire Council on Wednesday 11th of September. The decision not to oppose the application has therefore NOT yet been passed to the Scottish Executive. It is suggested that this unusual event reflects unhappiness within the Council at the way the Planning and Development Committee handled the meeting.

An account of the meeting of 20 August, from an objector who was there, is given below:

"Dear All, Yesterday afternoon was another crucial stage in our efforts to save Shildaig and Flowerdale from the proposed hydro scheme developments. I'm sorry to report that the Highland Council Planning, Development, Tourism & Europe Committee approved the application (20 votes to 8).

A full hearing was held yesterday afternoon in the council chambers, Inverness.

Firstly the Principle Planner introduced the application. He and the Director of Planning were strongly recommending to the Councillors that the application should be rejected.

HLP then gave a presentation on their plans. Things were looking good when they were cut short for mentioning input of funds to the community because this 'should not be a material consideration'. But, then they dropped a major bombshell.

HLP held up a letter from Ross Finnie stating that neither SEPA nor SNH had a right to object to the scheme. 'They are only statutory consultees and as such their role is to advise the Scottish Exec.' This was news to SNH and SEPA who were next in line to give presentations. (It clearly was not news to some Councillors who capitalised on it and threw the whole hearing into disarray.) Next Kinlochewe/Torridon Community Council presented their objection. Then came SEPA and SNH, neither of whom had any prior knowledge of Ross Finnie's letter to HLP.

Then came our chance... MCoFS, NTS, RSPB, JMT and a Gairloch Local had a total of 10 minutes, 2 mins each to say our piece. I think all of our presentations went pretty well and were generally well received. The 5 objectors got a minor grilling after this, before HLP were allowed a final say. They 'had nothing further to add'.

There then followed a 45-minute debate amongst Councillors. The local Gairloch Councillor gave a long speech in favour of the application, which dwelt heavily on the issue of "incomers verses the local indigenous population". The Torridon Councillor went against his Community Council's view (Torridon) and also supported the application. A vote was held - the result being 20:8 against.

That brings you up to date... It's not over yet. The final decision lies with the SE in up to 3 months time."

With thanks to the Shildaig Lochs objectors for the above information.

Footnote: at the re-run of the hearing on 11th September, Highland Council voted in favour of the scheme by 32 votes to 27.

AGM Report - May 2003

Article

A small but dedicated band of volunteers met in Fort Augustus for the May 2003 SWLG AGM weekend. The Saturday event was a guided round a wild moor, discretely disguised as the site for a huge wind farm above Farr, south-east of Inverness. Led by James Fenton, we heard about the vast network of paths, tracks, quarrying, excavation and concreting proposed for this wild land.

Whilst it is probably too late to stop this proposal, valuable thoughts were exchanged on the topics of tackling renewable schemes proposed for wild land; the role of peat bogs in the international carbon credit trade; and how to increase personal in-energy by sunbathing when the sun appears (well, we knew how to do this already).

Following an excellent bar supper at the Lovat Arms Hotel, a brief AGM was held followed by an open-ended discussion on future directions for the group and the challenge of renewable energy projects on the Scottish landscape.

The existing steering team members re-stood for election and were elected. There is space if anyone wishes to join the Steering Team - contact me for more information. The accounts were presented by Tim, our Treasurer and copies can be obtained from him on request.

Suitably refreshed and energised, a band went up Glen Doe (to the east of Fort Augustus) on Sunday to view the site proposed for a huge hydro scheme in Glen Tarff/ Glen Doe by Scottish and Southern Energy.

Overall a most enjoyable weekend with the benefit of having focused study on two 'live' renewable projects, plus good company, campsite and scenery making it well worthwhile all round.

Alistair Cant

Annual Report 2002-03

Article

A year has just passed since our May 2002 AGM and it has been one of our busiest. This was mostly due to organising the production of our booklet on 'Scotland's wild land - what future?' It was launched in the autumn of 2002 and immediately became required reading for those involved in wild land. It was ready for the very successful SNH IYM conference and was also at the Scottish Environment Link seminar on wild land, as well as other events and venues.

Although widely distributed and read, the production of such a professional booklet was very costly with relatively little financial return. This is the very type of project for which the Group increased its membership fees for a few years ago - to have the resources to produce things quickly and freely. We were not dependent on fund-raising, sponsorship nor losing editorial control.

Through producing the booklet, we moved printers, commissioned new designers and revamped Wild Land News too. This we hope has kept its key themes of being brief, punchy, B+W and A5 with a newer, more attractive style.

Out in the wider world, we have seen the Land Reform Act including its access provisions being passed. We have seen the creation of two National Parks and a new draft Management Plan for the Wester Ross NSA. We have seen wild land policies from NTS and SNH, and more work on renewable energy and on wild land by Scottish Environment Link. We have seen further community buyouts - including a major one at North Harris. We have also just seen a new more multi-coloured group of MSPs elected to the Scottish Parliament.

As ever renewable energy projects remain controversial, with some reasonably well located and some not so well located projects. We are currently lobbying against a huge and a minute hydro scheme, and keeping a close eye on the ever-expanding number of wind farm proposals.

Our year ended with the successful AGM. We may be small but we have raised our profile considerably in the last 12 months, and there is a fresh commitment to tackle key issues.

Alistair Cant

Cairngorms National Park back in Scottish Parliament's sights *Article*

Perthshire Alliance for the Real Cairngorms (PARC) steps up efforts to bring in missing Perthshire wilds.

Report by [Bill Wright](#).

The exceptional alliance of voluntary, business, local authority, community and land-owning organisations that is Perthshire Alliance for the Real Cairngorms (PARC) are intensifying their efforts to correct the controversial alignment of the boundaries of the Cairngorms National Park. The Scottish Wild Land Group are among PARC's founder members. Recently the further organisations joining the PARC campaign include Pitlochry Civic Trust, The Munro Society and Scottish Wildlife Trust.

PARC is campaigning for the boundaries to reflect the recommendations made by official reporter Scottish Natural Heritage to the Scottish Executive during the formal designation process. These recommendations included some 700 square kilometres of Highland Perthshire for inclusion within the Park boundaries. Unaccountably Highland Perthshire was omitted while other parts of the Cairngorms were included even though they scored lower in the reporters assessment of suitability.

PARC is a non-political body seeking support from all political parties. Immediately following the May 1st elections PARC got in touch with MSPs. Support was publicly expressed for boundary review by MSPs from, apart from Labour, across the party spectrum. The first motion to the new Parliament was raised by Keith Raffan MSP on the Cairngorms NP boundary.

It appears that a majority of the members of the Parliament's Environment and Rural Development Committee favour boundary re-alignment. The key test will be whether they decide to devote business time within a very heavy work programme to reviewing the contentious boundary.

During the summer PARC will be organising a series of events aimed at galvanising further public support for its aims which have the support of local and national voluntary bodies alike.

Meanwhile the new Cairngorms National Park Board has now met formally on three occasions and is due to take over its full legal duties on September 1st. The Board have been dogged by criticism of its composition particularly in relation to any recreational or international links. Even though it is a National, rather than Regional, Park, apart from Angus Councillor David Selfridge, none of the Board members are based South of the Highland fault line.

PARC member organisations are :-

- Perth & Kinross Council
- Perthshire Tourist Board
- Highland Perthshire Communities Partnership
- Perthshire Chamber of Commerce
- Atholl Mercantile Association
- Atholl Estate
- Pitlochry Civic Trust
- Cairngorms Campaign
- John Muir Trust
- Mountaineering Council of Scotland
- National Trust for Scotland
- North East Mountain Trust
- Plantlife Scotland
- Ramblers' Association Scotland
- RSPB Scotland
- Rural Scotland
- Scottish Council for National Parks

- Scottish Countryside Activities Council
- Scottish Native Woods
- Scottish Wildlife Trust
- Scottish Wild Land Group
- Woodland Trust Scotland
- WWF Scotland
- Badenoch & Strathspey Conservation Group
- Munro Society

For further information contact:

- Bill Wright on 01350-727711 or email wright@cairngorms.demon.co.uk or
- Roland Bean on 01738-475305 or email RABean@pkc.gov.uk

Editor's footnote: The official opening of the Cairngorms National Park took place on 1st September on Cairngorm and involved the participants in a ride on the funicular railway. This seemed an unfortunate choice when the whole funicular project was so controversial in an area earmarked for National Park status.

To demonstrate the frustration at the omission of Highland Perthshire from the Park boundary, a simultaneous event was staged in Perthshire by a group representing various conservation and recreation interests. They climbed Carn Liath (975m) above Blair Atholl, and were joined by several prominent MSPs, including the SNP leader, John Swinney.

Scottish Outdoor Access Code

Article

The consultation period on the Scottish Outdoor Access Code has now closed and SNH will be considering all the comments sent in, including those from the Steering Team. SNH will then make a submission to Scottish Ministers who will consider it, and it will then have to be placed before the Scottish Parliament who will have to endorse the final version. After all this has been done, probably by next Spring 2004, the statutory rights of access accorded by the Land Reform (Scotland) Act will come into being.

Glen Doe hydro electric scheme

Article

Anne Macintyre reports on the largest hydro proposal in the Highlands for many years

A major hydro electric scheme is being proposed by Scottish and Southern Energy Generation Ltd for the Glen Doe area above Fort Augustus. At the SWLG annual meeting in May, a group of members took the opportunity to visit the proposed site and assess for ourselves what the impact would be on this wild and relatively remote area of the Monadhliath Mountains.

We enjoyed the walk up the old Glen Doe track and shuddered to imagine it being bulldozed aside to make way for a vehicular access road that would need to climb up through Coire Doe and over the watershed at an altitude of over 800 metres. Despite poor weather, we had expansive views from the beautiful high lochans that lead you round to the summit of Carn a' Chuilinn across the headwaters of the Tarff and to the Corrieyairack beyond. It was clear to us that the impact on this unspoilt area would be devastating.

The large size of the proposed scheme (possibly up to 300 megawatts) would involve the construction of a one kilometre wide dam flooding two square kilometres of blanket bog by diverting the upper tributaries of three river catchments - the River Tarff, the Allt Breineag and the River Killin. Water would be collected from the various tributary burns and from the reservoir and transported by 22 kilometres of pipeline to a power station on Loch Ness. As well as the access road up Glen Doe, a further two access roads would be needed to service the reservoir and pipeline systems.

SWLG has submitted a formal objection to the Glen Doe scheme which is currently being given 'careful consideration by Scottish Ministers before they reach a determination on this proposal'.

The grounds for our objection are:

- Inappropriate scale and location of this development and the significant impact on the landscape.
- Need to protect wild land in Scotland as this is a precious and diminishing resource in Europe - protection is becoming increasingly important both from environmental and recreation perspectives.
- Economic and environmental benefits projected for the scheme do not outweigh the disadvantages in terms of irreversible damage to an upland area of this quality.
- Inadequate national planning framework and our increasing concern at the number of renewable energy schemes (currently over 200 of them!) that are being submitted on an ad hoc and opportunistic basis.

The urgent need for an overall strategy for the location, size and type of renewable energy schemes to be developed in Scotland is of critical importance. We have recently heard of plans for a proposed hydro scheme for Stronelairig by Innogy which appears to overlap and directly compete with the Glen Doe scheme. Renewable schemes are in danger of becoming like the blanket forestry schemes driven by financial incentives that we all recognise now as complete folly. Our wild land in Scotland can do without this but we do need to develop sensible renewable projects which are not increasingly frustrated through public controversy and expensive public enquiries.

Write to your MSP asking for a new national planning framework for renewable energy schemes to be put in place as a matter of urgency.