

## Minutes from CCDT Open Public Meeting 23 May 2023 7pm – 8.30pm

Taken by Laura Worku, DTAS

### Present:

65 in attendance (includes individuals listed below).

CCDT Trustees: Jennifer Fraser (JF), Richard Norman (RN), Ross Johnson (RJ), Stewart Lennon (SL), Aldo Hunter, Gillian Ross, Ann Finlayson, Richard Blore, Jade Hooper.

Pauline Smith (PS) & Laura Worku (DTAS), Andy Rockall (AR) (CWA)

Speakers at meeting referenced by initials: - Roddy Ross (RR), Douglas Todd (DT), Anne Davidson (AD), Mary Kerr (MK), Jennifer Robertson (JR), Melissa Nelson (MN), Brian Patterson (BP), Pam Gregory (PG), JM (Jim McCormick), LS (Lynda Simpson), AE (Angus Elliott), MG (Mike Graham), Bernadette Clyde (BC)

### Opening of Meeting

- Noted that recording devices in place and minutes taken by Laura Worku.
- Jennifer Fraser (Chair of CCDT) gave welcome to everyone and thanked people who are already involved and encouraged people to get involved with the work of the trust for the benefit of the whole community. Focus on wanting the best for the community and for Gillies Hill Community Woodland is an aim of CCDT. Current situation of negativity and conflict is not the best for our community and we need to find a joint way forward working together with kindness in mind.
- CCDT Trustees are committed to answering as many questions as possible tonight and offered to take further questions by email in the future or if they can't be answered at the meeting. This isn't a one-off opportunity to ask questions of CCDT, asking will be encouraged as always in every step we take in the future.
- Only request is that , all questions are asked respectfully.

Pauline Smith (Chief Executive of DTAS) outlined rules of engagement to keep flow of information going and answer as many questions as possible tonight. Any questions that can't be answered tonight will be responded to as soon as possible and put on the website.

### Introductions

Intro by Pauline – Who is DTAS? Development Trusts Association Scotland. Membership body for 350 development trusts across Scotland, CCDT is a member. Provides support for development trusts for governance, engagement, mediation and organisational and general development support.

Intro by Andy Rockall, Director of Community Woodlands Association – who is CWA, representing 160 organisations that own community woodlands, and provides technical advice on forestry. Gillies Hill one of the larger woodlands in membership but do also have others much larger. Free advice to members and chargeable services. CWA were involved in creation of CCDT's business plan in 2017 to aid the community acquisition, and more recently the woodland management plan in 2021. Woodland management plan turns high-level objectives into an operational plan on the ground. There must be a consultation with the wider community as part of this process. Allows access to grant money. Required to be reviewed every five years but can reviewed more frequently if you wish. Important that there is an operational plan in place and that the woodland is actively managed.

## Q&A Session

### SPHN

- **RR – asked about an area of about 50 larch trees still standing at the edge of the clear felled. Why?**
- AR and RJ responded that they are outside the limits of the SPHN area. The SPHN states that you must fell larch within 250m of infected larch. Those trees are outside the line estimated by the contractor. Offered to follow up with you on this specific area to understand where you mean.
- **RR – asked further whether there is a risk to those larch trees?**
- RN – stated that there was a complication - neighbouring landowners also received SPHN instructions to fell larch as they will have been within the radius but CCDT hasn't seen copies of that. The buffer zone of 250m is to stop spread of infection from the identified infection sites.
- JF- Offered to share a map of the 250m zone around the infected larch trees and can discuss this further looking at map together after the meeting.
- **DT – Outlined concerns on the area covered if 250 sq m for only two trees, states that 210,000 sq m been felled and asks why?**
- JF – felling was according to advice from Forestry Scotland as per the SPHN. The Tree Health Officer and Woodland Officer came out to the site when the felling operation was complete. Agreed it was in line with SPHN issued and within radius of 250m from infected sites. To be clear it was two infected sites each had a 250m radius to be felled however the radii overlapped so not two separate areas of felling.

### Tree Safety and Forestry Advice

- **AD – raised alleged safety breaches, trees being felled by people without safety qualification and a walk organised through an unsafe area in the dark woods.**
- RJ – asked for more specifics of when this incident happened. Not something that CCDT would condone, in principle want to follow all the proper regulations and acting reasonably to follow guidance.
- **DT – Asked about a previous employee, and whether he had appropriate qualifications for his work. Also referenced a report from Ian Kyle which condemned activity in the Dark woods. Why did the Trust not act on this advice?**
- PG – Raised concerns about rumours vs fact.
- DT and JF discussed misinformation on Facebook on this topic.
- JF outlined that Ian Kyle was forestry manager contracted by Tillicoultry quarries to handle their SPHN. He did meet with Trustees and he wanted to help manage the community woodland. CCDT did not commission the report, his email reviewing the woods was based on what he could do in terms of providing commercial value and extracting timber to gain value. This was after the SPHN. Trust thanked him for advice but already had another contractor addressing veteran trees (monkey puzzle, beech at Lily Pond and monster pine) and so that contractor was asked to look at the specific trees of concern in dark woods and by streetfighter trail. Trust will address issues as they arise in terms of safety. Stresses that they are volunteers with limited experience, as is case with most community woodlands and need advice from professionals. CCDT has put together a Tree Safety Plan – first draft is on the website. Will get a qualified forestry professional to give advice from a safety perspective, not a commercial perspective. This is an ongoing process, needs active management at regular time intervals of several years or after any storm concerns then forester check required again.
- **DT - Why didn't the trust act on Ian Kyle's advice at the time?**

- RJ – It was Ian’s view on how woodland should be managed on a commercial basis. His advice was based on what he would do to maximise commercial income, not based on the priorities of access, wildlife, safety and appearance of the woods. The Trust is managing it for those reasons.
- **DT referred back to previous question about the employee and his qualifications.**
- JL responded that the trust put out a job specification, a wide range of people applied, 3 were invited to interview. Some of those had chainsaw skills. Some had other skills such as experience in managing contractors. The employee in question had 2 of the necessary chainsaw certificates and experience with Forestry Land Scotland. The Trust took him on and wanted to put him through further training, which they did, and contracted out anything beyond his qualifications.
- RR – expressed disappointment in negative voices coming through from the community. Work of the woodlands is brilliant and encouraged everyone to get behind the committee.

### Cambusbarron Village Nursery Plans

- **PS – Can we revert to further questions submitted by AD on the nursery location?**
- SL – it will likely be on the right-hand side of the walled garden as you go in the entrance. Nothing concrete at this stage, very early stage, lots of funding to be secured by CVN. Will be further discussions and long process to take this forward. No funding or commercial investment from CCDT. No formal agreement between CVN and CCDT at the moment either. CVN Directors present and able to answer questions after this meeting and discuss in more detail if anyone wishes.
- **MK – raised a question about whether CVN is a private company on Companies House?**
- JR – (volunteer Director at Cambusbarron Village Nursery (CVN)). CVN is a community interest company with guarantee. Its Articles set out that the nursery has an asset lock – if the company winds down, the assets must be donated to another asset locked organisation.
- **MK – are plans at the planning stage, funding of 400K from charity?**
- SL replied that there are no contracts, no funding in place and more consultation is yet to come.
- MK – queried whether this was offered out to other providers in the area. Stated that she has lodged a complaint with OSCR, and Council. Concerns about fraud and secrecy and calls for consultation.
- JR – before woodland management plan was submitted there were a range of consultation opportunities and sessions.
- RR – been at plenty of public meetings.

### Constitution point on calling for an EGM

- **MK – stated that she has no confidence in the Board and asked how many requests for an EGM were received?**
- JF – None, requests were received for open/public meeting which is what is being held tonight.
- MK – How many would members be required to call an EGM?
- Answer – 5% of the members this would be required.
- DT – stated that he was collecting signatures to call for an EGM.
- PS – Redirected back to the Q&A and asked for any documentation at the end of the meeting and the board will follow the process set out in the constitution.
- MN – Asked whether people signing were aware of the workload and the role and responsibilities of the Trustees eg meetings/ minutes/reports etc?
- DT – stated that they were.

### Wildlife impact assessments and advice

- **MK – Have wildlife impact assessments been carried out to protect red squirrels and the bat population?**
- RJ – legislation and process in place - when you apply for a felling license you have to carry out a reasonable assessment on impacts. Done on a “what’s reasonable and necessary” basis depending on the condition/age of the trees. That’s what the trust did when considering felling. On veteran trees, did bat survey recently to check there were no bats roosting in the crevices within veteran trees. Trust is committed to wildlife. Costs are included in contract for felling work.
- **MK – asked about expert advice relating to clearing shrubbery while there are ground nesting birds and whether it has been ignored or followed?**
- RJ – shouldn’t disturb nests but it’s whether you know in advance if habitat present in shrubbery. Rhododendron clearing stopped at end of March to avoid disturbing nesting birds and would do the same for other shrubbery.
- DT – stated that there were recommendations not to clear rhododendron.
- RJ – don’t know history of that situation. General rule is to avoid clearing at nesting season. There may have been a special reason or checks carried out and known area not used for nesting. Can’t comment further until more details known.

### Further points on SPHN

- **DT – asked if the contractors are coming back in the summer to clear brash?**
- RJ – plan is to restock and restore the felled areas to fulfil woodland management plan. For purposes of wildlife, access, and generate income to pay for all of this. SPHN - Angus and Tim have experience of carrying out woodland regeneration schemes, have done a survey of all the areas felled, ground condition survey, and habitat assessment in areas marked out by paths. Next step is to bring in a woodland expert to make recommendations on how to achieve woodland regeneration, what kind of species mix. Will then do a community consultation on recommendations received from professionals before going ahead with anything.
- **DT refers back to Ian Kyle’s report and thinks that there’s been bad practice as brash and logs have not been cleared when the Trust had said to the village that brash and logs would be cleared. States that this broke SPHN rules. Blocked access, and damaged paths. Why?**
- RJ – there’s a choice to be made about what to do with logs and brash. Sometimes it’s left because it would damage the ground more to extract it than it would to leave it in place.
- AR – walked in the woodlands in the afternoon and saw beautiful woodland, with nothing unusual or extreme. There is evidence of heavy machinery to be expected after felling. Noted that as with any experts on a topic, for those with expertise in forestry, you ask 6 experts you’ll get 12 opinions. That’s why you will get a different opinion between Ian Kyle and others. It’s the trust that decides what to do with the opinions it receives.
- MN - Community came together to clear paths, the hold-up is people back lashing against the trust and wasting time.
- Unknown - Amazing amount of work put in to castle gardens etc. No point harking back and need positive ideas to move forward.

### Asbestos risk and Health & Safety points

- **BP – what happened to the asbestos that was cleared at the Walled Garden?**

- RN – suspected asbestos containing material was found at the walled garden. Some found lying adjacent to the walled garden. It's been double bagged and kept safely for disposal by a contractor. Not going to answer where it's stored as it's secure. Purpose of dealing with it is to reduce risk. Not intending to uncover any more of it unless it's going to be developed. Will deal with any further asbestos as discovered. There is a proposed procedure in draft to be submitted to the board. Members with asbestos experience are assisting the board in developing the procedure. Main aim has been to reduce immediate risk to anyone. If it's in the open and wet it's low risk. Double bagging it reduces risk further. Will have licensed contractor dispose of it once there's enough to justify the cost.
- **DT – why was his team told to leave the walled garden due to asbestos and poking bricks off the walls?**
- RN – has no knowledge of this but suggests poking loose bricks would be a health and safety risk.
- PS – clarifies whether there has there been a health and safety risk assessment done on the walled garden.
- RN – it's been done but not published. Can be shared if required.
- DT – agrees this needs to be published and to inform people using the woods of any risk.
- RN – confirms risk assessments in place.
- DT – queries the trust's insurance policy for the woodland relating to the height of the castle walls.
- RN – risk assessments and action plan in place, ongoing.
- MG – enjoyed the woods for 20 years. Health and Safety is really important. As a volunteer, always a briefing on what to do including a health and safety component. Always told to come with strong footwear, handed out gloves, yellow jackets etc. Seems to be over the top. Never know what you're going to find due to previous activities of who it has been previously occupied by and that there is so much public access. If the public sees something untoward contact the landowner, proper job should be done and believes from his experience it is being done.

#### Further points on CVN Decision making and governance

- **JM – asks for more detail on the decision-making process on the nursery. How will everyone be kept informed?**
- SL – decision making process is not yet established. Will be established once plans are more detailed. Q for JM – how he would prefer to be consulted? Looking for suggestions, currently use various channels but happy to take that onboard.
- JM – lots of misinformation, would like to understand more about what's being proposed, aims and structure.
- JR – CVN got some funding from the Big Lottery in 2019 for feasibility study and community consultation for development of a nursery in the woodlands. Extensive consultation at that point. Building costs have gone through the roof since then so that feasibility plan is not up to date. It's not a commercial exercise. It's a collaboration between two community organisations. Nursery has always taken kids up to the woods. Staff have forest leader training. Jane is qualified to train the trainer on forest leadership and forest learning. Community Interest Company – means it's a social enterprise trading for a social and environmental purpose. Profit is for social aims and objectives. Accounts go to Companies House, and to the Communities Interest Company Regulator every year. This provides an extra layer of scrutiny.
- SL - Jane is a trustee of the development trust and she would be excluded from decision making on the nursery proposal for the trust as she has a declared conflict of interest. There is still lots of community consultation ahead of any decisions.

- **MK – Are CIC trustees are remunerated?**
- JR - no, trustees are not remunerated. All profits are reinvested into the nursery. If company winds up, building will be owned by the development trust.
- MK – will be opposing it and will report to OSCR and speaking to local councillors too.
- AM – mentions that he has attended 3 consultation events where CVN shared their plans – at Cambusbarron Gala Day last summer and two events the walled garden in the woods on other occasions. Opportunity was there to make comment and record.

#### Traffic Management at the quarry

- **BC – Live on edge of woodland and love to see families in the woodland, love that it's more accessible. Worried about traffic management particularly quarry traffic. Risk to dog walkers and kids on that road. Wants to lobby the council on this road safety concern, would Trust support this?**
- SL – personally talked to Patterson's Quarries when they put in planning permission. Stirling Council wouldn't put that road lower than 60mph. Personal view as he lives on same road he would want to lobby the council to drop the speeding limit. The Trust could discuss this too and whether Community Council get involved on this too.

#### Concluding points

- **RR** – Encouraged community to get back to positivity and leave committee to deal with tricky issues.
- **AE** – joined as a volunteer with woodland management group in October last year. Doesn't recognise the notion that the trust committee is a closed group and not competent. Committed volunteers and diverse skill set, learning on the way and trying to do their best. Has only got involved since autumn last year and welcomed with open arms. Would encourage others to get involved if they wish to and they will be welcomed.
- **PS** - closed the Q&A session and reiterated that people need to get involved with volunteering and the handouts on each chair give the contact details and list of events throughout the summer too.
- **RN** – Noted that the trust Annual General Meeting (AGM) on 22<sup>nd</sup> August where all trustees step down and the positions will be there to get re-elected. Opportunity to put yourself forward and any members can stand, if there are more nominations received than the maximum of 12 Trustee positions then it will go to a democratic vote.
- **JF** – Trustee information packs available tonight and info available on website too.
- **AD** - Requested communication that's not online – newsletter/printed information preferred.
- **RN** – notices for volunteer days are posted on noticeboards in the woodland so not all online but agreed to look at other ways of putting communication out into the community to reach as many as possible.
- **JF** – thanked Pauline, Laura and Andy in their support. Thanked everyone in the room who made the time to come along and contribute and encouraged more people to get actively involved in plans and volunteer days.