

Jerah

Environmental Impact Assessment (EIA) Scoping Meeting 16/1/13

Location

UPM Tilhill office, Dunblane

In attendance

George Sutherland	Logie Community Council
Brian Jamieson	Logie Community Council
David Anderson	Forestry Commission Scotland
Mike Strachan	Forestry Commission Scotland
Chrissy McKay	Forestry Commission Scotland
Colin McNicol	Stirling Council – Roads dept.
Ingrid Withington	Stirling Council - Tree Officer
Murray Cook	Stirling & Clacks Council – Regional Archaeologist
Andrew Vaughan	UPM Tilhill – District Manager Central Scotland
John Gallachar	UPM Tilhill – Senior Ecologist
Stephanie Keen	UPM Tilhill - Assistant Forest Manager
David Scott	Friends of the Ochils
Stuart Dean	Friends of the Ochils
Gordon Roger	Clackmannanshire Council - Planning
Martin Dean	Clackmannanshire Council – Access Officer

MS began by issuing an agenda for the meeting (Appendix 1), outlined the purpose of the meeting and described the EIA process.

To summarise, the purpose of this meeting is to raise relevant issues (and not opinions) that the EIA will address. The notes of this meeting will be circulated to those involved and any other interested parties for final comment, and the FC will then confirm that this forms the basis of the information that the applicant requires to address in the EIA. The EIA draft will be sent to the FC, who will check and confirm it addresses the relevant issues, at which point it becomes a public document. It will be made available for viewing in hard copy at key agreed locations and available electronically, promoted via a public notice. A 4 week period will be allowed for comments. Once these (if any) have been considered, the FC will then issue their decision.

MS highlighted the Forestry Commission Scotland (FCS) position, which is that they are not for or opposed to the proposal and that if the proposal aligns with government objectives and recognised guidelines as expressed in the UK Forestry Standard and Forestry Commission published guidelines and fairly deals with the issues raised as a result of this screening meeting, then the proposal would gain approval.

GS indicated that Logie Community Council (LCC) had not circulated the email information from AV and that this was their first opportunity to learn the details and so would be listening rather than commenting. It was agreed that AV would attend a further meeting with LCC to inform them of the proposals and the EIA process, which they would be free to comment on. MS suggested this would be recorded as an addendum to the Scoping Meeting report and that if any new issues were raised these would be incorporated into the EIA.

AV then made a presentation (Appendix 2) which detailed the design process for this project, commencing with the context for the Government's woodland creation policy, the basic requirements for woodland creation as expressed in the UK Forestry Standard, and the various pertinent strategies, standards and guidelines that influence modern woodland design. Aspects of the site's constraints and opportunities were expressed in a Concept map and photographs from the principle external viewpoints were shown, including a draft representation of the established forest. A summary of climate change data was shown, and the Ecological Site Classification (ESC) process described – which provides objective evidence for tree species selection.

Six versions of the woodland design map were then shown, which have evolved and developed through the community consultation process as user groups and individuals have engaged with the project.

AV then summarised the key issues and potential mitigation measures which would form the agreed components of the EIA (Appendix 3). It was highlighted that the extent and nature of the archaeology present was known from the outset, and that the first part of the consultation process was to communicate over this matter through the accepted formal channels (with the Regional Archaeologist and Historic Scotland). It was agreed that the protection of remains, access, interpretation and the landscape setting would be key considerations, and an outline design was agreed to facilitate this. In respect of other issues:

- the site forms a long-scale backdrop to the Sherriffmuir battle site and Lair standing stones;
- historic bird data was already available and a further bird survey was completed through summer 2012;
- a soil and vegetation survey was conducted and ESC points had been randomly selected with soil samples taken for analysis to inform ground preparation techniques, tree nutrition requirements and areas of deep peat/wetland that would remain unplanted;
- photographs were taken from the key landscape viewpoints agreed with the Forestry Commission and the intention is to create a modern forest design that blends with the landscape (and not replicating the often poor design of the other 1970's forests elsewhere in the Ochils);
- consultation meetings and communication with relevant groups had generated a map of current public access routes to and through the site;
- a meeting had been held with the Ochil paraglider club to identify flight lines and how these could potentially be accommodated;
- Stirling Council roads were consulted on the proposed new bridge installation and to mitigate potential damage and disruption to the county roads;
- a professional deer stalker visited the site to assess current population dynamics;
- Clackmannanshire Council requested that the potential impact on flood risk to Menstrie should be considered;
- SEPA highlighted this and maintenance of water quality;
- SNH had expressed no areas of concern;
- and finally, FC requested that the economic impact of conversion from farm land to forestry should be evidenced.

After a short refreshment break, LCC highlighted that the boundary between the Menstrie and Logie CC is the 2nd Inchna Burn and therefore that Logie CC has the larger proportion of the site. AV agreed but pointed out that most of the public access comes from Menstrie itself.

MS acknowledged that there had been significant changes in the design plan during the consultation process, indicating that the requirements of current users of the site were apparently being accommodated. He then invited issues to be raised from the room.

Friends of the Ochils (FoO) commented that they welcomed AV's presentation and thought this fairly reflected the pertinent issues.

SD then presented a written response (Appendix 4) which summarises the FoO position and then went through the four key points:

1. The combined archaeology, historic and landscape significance of the site.

AV commented that at present this is a grazed landscape so how would the open nature of the site be preserved if the sheep were taken off? SD responded that he was not willing to voice an opinion on this, but that FoO considered that due weight should be given to wider expert opinions (eg Professor Chris Smout).

AV pointed out that Historic Scotland had restricted their comments to the designated archaeology and not referred to the undesignated agricultural archaeology or the landscape in any of their correspondence. Additionally SNH, had expressed no concerns about landscape.. MS suggested that Menstrie Glen needs to be put into a national context - there are other sites in this area and region with the farmland characteristics shown in Menstrie Glen.

FoO reiterated that in their view the historical written records make the site important.

MC responded that the historical records are important but this does not make the site unique, it's just this is the first full report of this type in this area.

FoO did not want to give the impression that they are anti-trees. Their view is that a design should reflect the cultural and historic landscape and that commercial forestry would not be appropriate on this particular site.

AV responded that he would be happy if a solution acceptable to all could be found but this may not be possible in respect of the landscape setting, but there were other issues that could be accommodated – protection of important remains, better access and interpretation. Introducing electronic interpretation for the site was under consideration, where maps of the site can be downloaded onto smartphones and provide information instead of traditional interpretation boards.

2. A number of strategic planning documents are circulating which deal with woodland and forestry development in this region and it appears that there are contradictions – eg the North Stirling Forest Park indicative plan. FoO have requested that these are addressed and reconciled before any decision on Jerah is taken.

MS This is not an issue for AV to deal with, it is one for the FCS and should not delay proceedings for Jerah.

AV (using the available copy of the North Stirling Forest Park map) reflected that the forest park is a notional idea and represented one person's design objectives and interpretation of a future landscape, with the map showing woodland expansion along watercourses to create a diffuse habitat network. The current design for Jerah reflected elements of this design with watercourses proposed as being future habitat network links, with open space and clumps of mixed broadleaves, all be it with the intervening spaces being planted to commercial conifers rather than sheep pasture.

3. The site lies partly within the Ochils AGLV, a heavily visited and partially prominent landscape. An analysis of the potential impact of the Jerah scheme should be carried out and such developments should protect and enhance the AGLV character. The EIA should give due weight to the impact of blanket commercial conifer forestry, including the most prominent view from the top of Dumyat hill. AV agreed.

4. FoO are concerned about the precedent this site would set and the potential encouragement to other landowners to follow suit, as sheep farming declines. The example of what has happened in the Eastern Ochils (with large areas of commercial forestry) should serve as a warning against allowing the same to happen in the western Ochils. Other farmers in a similar position to Mr McLaren are undoubtedly watching the result of this proposal.

MS asked what do FoO regard as the western Ochils? Dumyat to Glen Devon

MC commented that "Local Landscape Area 3" will be replacing the AGLV as a designation in the near future.

FoO replied that they have used the AGLV as this is the current accepted designation.

MS asked what proportion of commercial forestry would be acceptable in the western Ochils eg 20%?

FoO responded that they were not willing to give an "instant" opinion, as this merits more detailed consideration.

JG commented that this process was actually focussed on the confines and impact of this site and that the wider cumulative impact of other potential schemes were beyond the remit of this particular EIA.

DS commented that FoO had to consider the wider cumulative impacts, there has been (and continues to be) huge development pressure – windfarms, quarries, powerlines and now forestry.

MS suggested that this was a strategic matter and he would have to take advice on whether this falls into the scope of this EIA.

FoO commented that just because commercial forestry is the objective of one individual, this does not mean that the interests of other groups should be ignored.

MS asked when referring to commercial forestry are you referring to Sitka spruce or any conifer? Does it include broadleaved commercial forestry?

DS responded that whether it be Sitka spruce or any other species, commercial forestry is where you plant trees for felling at some point and this could have an impact on the landscape. The Ochils Landscape Partnership have expressed a preference for native woodland (eg the Woodland Trust properties) and FoO have previously investigated riparian woodland planting (AV – similar to the North Stirling Forest Plan design).

AV pointed out that different individuals and owners with different objectives would generate different designs of woodland. UPM Tilhill service a wide range of woodland owners, each with different and varying objectives – our job is primarily to secure these and then, where possible, to maximise gains for other stakeholders.

LCC thought that many of the issues raised by FoO would be also be echoed by particular members/residents of the LCC area.

AV then pointed out that in the consultation meetings we've had to date, the majority of the public are not opposed to the scheme per se and expressed surprise at the level of detail gone into and care taken. Most welcome the improved access potential. This has caused a few design issues as some want the cross-country paths to follow the ridges rather than in the hollows whereas, from a landscape point of view, the trees need to be on the ridges and the hollows retained as open space around the watercourses. We have largely accommodated all key routes and will aim (where ever possible) to provide dry, firm, serviceable routes and not simply direct the public through wet hollows.

GR also asked for the view from Ben Cleuch to be included, as this is one of the most visited hill summits in the Ochils. AV agreed.

DS commented that there are other hills between Jerah and Ben Cleuch

MS responded that there are only so many views you can reasonably include – the main views will be accounted for.

MD then commented that there were no Rights of Way or Core Paths present on the site and that the numbers of recreational users and scope of users could increase. The Scottish Government has targets for health and approx. half of the Scottish population can get to some part of the Ochils within an hour's drive. If people have suggested they would like to walk on the ridges rather than the hollows then this should be looked at as he is concerned that the rides will be damp and shaded unless they are kept wide and properly sited. He also suggested that Tilhill need to consider the key route from Loss and to connect this to the track system. He also commented that there is scope for a number of circular routes within the site, which would be welcomed.

AV responded that Tilhill would forward the site map showing the routes identified through consultation and the proposed routes that would be accommodated in the woodland design for MD's comments.

MD recommended that gates through the deer fence should take account of all users – kissing gates are no good for cyclists or horse riders for example and stiles should be avoided. He also commented that if access routes are not maintained they can be difficult to use and pointed out that the Land Reform Act imposed a duty of care to maintain access.

AV commented that existing stiles on the boundary fence would most likely be retained to prevent stock gaining access through gates.

AV queried if it is it fair to expect a land owner to strim all paths on their land – not really. The current accepted consensus under the Land Reform Act is that landowners have a duty of care and maintenance liability for built structures (eg foot bridges, gates etc) only. The public are free to take responsible access and to roam where they feel comfortable. Pedestrian access will help maintain paths, particularly if they are correctly sited on dry, firm routes. In respect of keeping paths open, there is a possibility that the front face of the hill, over-looking Menstrie, will be retained as open ground and could be grazed – which would deter scrub encroachment.

LCC commented that it used to be the case that it was incumbent on the users of the access to maintain the right of way. Where does the responsibility lie?

AV gave an example of where there is a foot bridge and it is tolerated by the land owner then he has a duty of care to maintain the structure in a safe and usable condition. Also, the paragliders have suggested they would be happy to maintain the sections they require.

MS asked what the Clacks Council budget was for maintaining their Core Paths.
GR indicated it was almost zero.

DS then asked if the EIA approval would cover all future managers/management.
MS responded that, no, the EIA approval would only cover the current design proposal and that the current applicant could not second guess the future management intentions of others.

DS asked if the EIA was comparable to a planning application.
GR commented that it is effectively a planning application and if there were significant changes at any point thereafter then the application would need to be repeated.
DA also commented that if the FCS does not approve the EIA, the application will not proceed and that the outcome would either be approval, denial or granted with conditions.
MS issued reassurance that this process is open, nothing is hidden.

MC then pointed out that for the archaeology on this site, there is a balance to be struck between preservation of the remains, the landscape, interpretation and access. Quantifying the gain in understanding would be helpful – as currently, only a very few experts have the knowledge to interpret the site. Tourist venues often produced an “Audience Plan” and this could assist in balancing protection of the remains, increased access and knowledge against potential damage to the setting.

JG The scope of the tender to the archaeology (and landscape) consultants should include this.

MC reminded the meeting that the archaeology is undesignated (AV- the majority of the site falls outwith the AGLV boundary). The only body able to designate it is Historic Scotland and following consultation, they have given no comment as to any requirements for this (since confirmed in writing).

IW Does the EIA have to take into account the future of the site after felling?

MS responded that we can only speculate given the current policies, but assuming the Forestry Act still applied, then any area felled must be replanted, or replanted elsewhere.

IW added that felling can also cause landscape issues and “blanket” felling should be avoided.

AV replied that Jerah has been designed following the natural geo-physical boundaries and breaks in the landscape (eg watercourses) which assist to create separate, smaller areas that can be felled separately. The 1970's design of many of the forests in the Ochils were not so well designed and felling coupes tended to be more intrusive.

MS The eastern Ochils are a perfect example of poor design of the past but this design is more modern and enlightened.

AV asked GR if there was someone in Clacks Council he should speak to about the flood risk to Menstrie?

GR Stuart Cullen

DA There is at least one water supply you should be aware of, in the north west (Virginia Wills).

SK replied that she has been in contact with her and another at The Myretoun.

DS asked that FoO be kept informed and involved in future meetings and asked to see a copy of the final FC approved scoping report.

MS agreed.

MS Thanks all for attendance - no site visit was felt necessary.

Summary

Thus, the key issues to be addressed in the EIA are as follows:-.

Topic	Item	Jerah	Issues
Archaeology	Sherriffmuir battlefield landscape (designated)	Eastern fringe of designated Battlefield Landscape area, providing a long-scale backdrop. Consultation with Historic Scotland required.	Potential concern on the landscape setting.
Archaeology			Potential unrecorded features and remains.
Archaeology	Menstrie Glen 18th century farming landscape (undesigned)	Captures a proportion of the 18th century farm remains.	Potential concern on the protection of remains, the landscape setting, access to and interpretation of the agricultural archaeology.
Landscape	Views from key viewpoints	Principle public viewpoints agreed with FC: 1. Wallace Monument 2. Menstrie 3. Sherriffmuir road 4. Kincardine Bridge 5. Tullybody/Alloa 6. Dumyat Hill	Introduction of woodland will have an immediate impact, particularly cultivation and fencing.
Landscape			Longer term significant alteration to the local landscape character
Visitor and Public Access	Popular walking site.	The existing farm track is the most commonly used route, round to Jerah and on to Loss, with wider connections to the Ochils plateau/tops and Dumyat Hill to the west somewhat secondary in popularity.	Frequently used site by walkers from Menstrie in the main.
Visitor and Public Access	Favoured para-gliding site.	The Menstrie Para-Gliding Club has 20 members and the site attracts from a pool of up to 50 para-gliders, depending on weather and wind conditions. Over the past two wet summers, use of the site has reduced. Consultation has revealed two main flying areas: from Colsnaur Hill over a 75ha area and from Little Myreton Hill over the quarries and front face to Menstrie.	Frequently used site by local para-gliding club, but only informally and not under commercial terms (unlike other clubs).
Hydrology	Flood-risk and water quality.	Menstrie has recently been subject to two significant flood events and the the Menstrie Burn is classified as being in "good status" under the Water Framework Directive.	Flood-risk
Hydrology			Water Quality
Public Roads	Damage and disruption to public road infrastructure	The site can only be accessed from Sherriffmuir direction from the north, leading to the A9 either at Dunblane or Greenloaning.	Damage to public road infrastructure
Public Roads			Disruption to other users
Ecological Impact	Impact on bird populations	The site is large and uniformly barren of variety, quantity and uniqueness in its current bird population.	Effects on the existing bird population.
Ecological Impact	Change in open ground habitat	Open ground habitat is only of benefit where it supports specific habitats or species, and other than calcareous grassland and deep peat heathland, the habitat is rather bland, if expansive.	Impact of change in open ground habitat

Deer	Impact on current deer population	The large, expansive open hill is currently grazed by sheep for the summer months and therefore less favourable Roe deer habitat. Existing cover is limited to steep burn gullies and small ribbons of riparian woodland - currently limited in extent and area and therefore of little benefit to deer. Red deer are infrequent during harder winters and have been culled further east in the Ochils. There is no resident open-hill population.	Protection of the woodland during establishment
Deer			Impact on landscape
Site Access	Installation of forest road.	A forest road formation is essential for the safe movement of people, materials and machinery, at an appropriate intensity to allow cost-effective access, and which can service public access needs.	Impact on landscape and risk of diffuse pollution
Farm Economy	Impact on farm economy	Jerah supports one part-time sheep farmer.	Impact of conversion from farm to forestry

UPM Tilhill
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