

Forestry and Land Scotland, the public interest and the outsourcing of public assets – the Glenmore campsite in the Cairngorms

Description

'Left out in wilderness'

Anger after community bid for camp park doesn't make shortlist

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A COMMUNITY group which was bidding to take over the running of Badenoch and Strathspey's largest camping and caravan park has not even made the final shortlist.

Aviemore and Glenmore Community Trust (AGCT) had tendered for the long-term lease put out by the government agency Forestry and Land Scotland (FLS) for Glenmore campsite.

They have been left frustrated and infuriated by the snub which they believe flies in the face of Scottish Government policy.

AGCT director Mike Dearman told the Strathy: "We hear an awful lot about engaging and empowering communities but the practical reality is that unless you want to take on public toilets or a piece of forest somewhere, it is just not possible."

The trust said the tender contained "exciting" proposals to resolve some of the challenges at Loch Morlich and Glenmore with the help of the local community.

These included a ranger base to monitor fires and dirty camping at the beauty spot where there have been regular problems with anti-social behaviour.

The group also wanted to create a budget eco back-packers area with communal facilities such as covered cooking areas to entice people away from "wild" camping in the forest and on the beach.

FLS said it will confirm the successful parties for all three of the CiF (Camping in the Forest) sites very shortly. They were put out for tender at the end of May.

FLS said a total of 11 bidders showed interest in the Glenmore site.

The community trust believes that those shortlisted are essentially the highest bidders.

Mr Dearman said: "We are hugely frustrated by this decision. We knew there were commercial operators that could put in large bids but we really thought the value in our tender was the community element."

"We are battle-hardened so we did not believe it would be a shoo-in but we thought we would at least get the opportunity to discuss any concerns and potential solutions."

"So to not be shortlisted or even have the chance to discuss the bid has really thrown us; we are bitterly disappointed."

"We have had a small amount of feedback which states that essentially those making it through were the higher commercial bids."

Talks to be held on trust's issues

FLS chiefs have said they will be meeting with the trust next week to discuss their concerns.

A spokesperson said: "All parties were advised of the commercial bidding process and the evaluation process in advance."

"As well as commercial considerations, an equally important aspect of the evaluation process were future plans for the campsite, that were to align with FLS objectives with the intention of making a positive contribution to the local tourism economy and the community."

"Additional community benefits – and plans for engaging positively with the local community – accounted for 20 per cent of the scoring process."

"Only those bidders that had scored highest across all the criteria were shortlisted for further clarification of their proposals."

"We are aware that AGCT is disappointed that they were not successful and are arranging to meet them next week to discuss in further detail why they were not successful."

The other CiF sites are Coshel campsite on Loch Lomond-side and Cobleland near Aberfoyle.

AGCT director Mike Dearman at Glenmore campsite by the shores of Loch Morlich.

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Strathspey and Badenoch Herald 8th September

Just four months after Forestry and Land Scotland (FLS) bought back the lease for an undisclosed sum from the Camping and Caravanning Club ([see here](#)), the Strathy has revealed in an excellent article that this arm of the Scottish Government has not even shortlisted the Aviemore and Glenmore Community Trust (the AGCT) to operate the campsite in Glenmore. This post will explain why this is a public scandal of the first order and a prime example of the the Scottish Government and its agencies ignoring their own policies and the public interest.

FLS's policy position community engagement and empowerment

The AGCT was spot on in their criticisms in the Strathclyde of the FLS's failure to engage with them and the local community about the future of the campsite. This is what FLS say about their commitment to empower local communities in their corporate plan 2020-25 ([see here](#)):

As Scotland's largest land manager we are in a unique position with regard to the Scottish Government's land reform commitments. We have a particular role in encouraging local communities to consider opportunities to own, lease or use land. We work actively with communities that want to get more involved in their local forest or woodland. There are a wide range of options and models for greater involvement, from consultation and partnership, through to community-led projects. Communities also have the right under the Community Empowerment (Scotland) Act 2015 to use or buy land through our Community Asset Transfer Scheme. We want to increase opportunities for communities to benefit from the national forests and land, ensuring that more people benefit directly or indirectly.

Those fine words are clearly worthless. Every one of those policy commitments has been ignored by FLS when it comes to the Glenmore campsite but, as I pointed out in post of 4th July (link above), that didn't stop FLS issuing a news release on 30th June claiming to be leading the way on community empowerment in Scotland.

The hypocrisy perhaps corruption is a better word for an organisation that says one thing and does the opposite runs very deep. In May FLS launched a 12 week consultation on its draft communities strategy ([see here](#)). That consultation closed on 23rd August and what has happened at Glenmore suggests it was a complete sham:

Our priorities

- Maintaining walking and biking trails to promote fun in the outdoors, focussing on improving entry level experiences for everyone to enjoy and gain health benefits
- Continuing to remove barriers to ensure that people from all backgrounds can and do access the full range of benefits of the national forests and land
- Enabling outdoor learning and encouraging schools and community groups to make use of the national forests and land
- Facilitating renewable energy opportunities in order to encourage community benefits
- Incentivising renewable developers to offer community ownership opportunities in renewable energy developments on the national forests and land
- Continuing to engage communities in decisions relating to the management of the national forests and land
- Continuing to support community empowerment by enabling communities to make use of the national forests and land to benefit their communities

There has been no engagement or support for community empowerment at Glenmore. As I asked in my July post why didn't FLS engage with the AGCT to see if they wanted to take over the management of the land before marketing the Glenmore site?

The overarching purpose of Forestry and Land Scotland's Community Strategy is:

To fully realise the contribution of Scotland's National Forests and Land to building vibrant, sustainable, wealthier and resilient communities, recognising the rights and responsibilities of all to work together to sustainably manage our forests and land.

To achieve this, we set out below Forestry and Land Scotland's key principles for our work with communities to inform, engage and to support sustainable and thriving rural communities. Looking forward, it is important that our principles contribute to the ongoing development of land reform and community empowerment legislation, and strategies to support community wealth building, the transition to net zero and restoring biodiversity.

The key principles therefore that provide the framework to develop our strategic priorities for the Community Strategy are:

- **Principle 1 - Supporting the transition to a fairer, greener Scotland**
- **Principle 2 - Supporting sustainable and thriving rural communities**
- **Principle 3 - Informing and Engaging Communities in decision making**

These principles support delivery of Forestry and Land Scotland's duties and obligations under the Forestry and Land (Scotland) Act 2018, Scotland's Forestry Strategy 2019 to 2029 and sustainable forest management standards, and contribute to the Scottish Government's National Outcomes, including Communities.

The talk of rights and responsibilities of all is meaningless. If the AGCT had any meaningful rights, there would be a simple mechanism by which they could stop the whole outsourcing process and force FLS to engage. There isn't and local communities effectively have no rights of redress. Mike Dearman was quite right when he told the Strathy *“unless you want to take on public toilets or a piece of forest somewhere”* [he might have added *“which FLS wishes to get shot of”*] *“it is just not possible”* (for local communities to take over the management of FLS land). FLS practice bears no relation to its policy pronouncements.

What Success Looks Like

Communities have a stronger connection to Scotland's national forests and land, and are empowered to make more use of their local resources to contribute to community-led place plans for development, regeneration and transition to net zero. Communities are also working with Forestry and Land Scotland in new and innovative ways to sustainably manage existing national forests and land and to increase new woodland creation. Communities are increasingly engaged in land use decisions through our Land Management Plans to maximise the contribution to strengthening communities and National Outcomes.

What we will do:

- **Enabling communities:** continue to provide opportunities for communities to own, lease or use forests and land which can contribute to their community's wellbeing and future development
- **Innovation:** explore innovative ways of working with communities to manage existing forests and land to deliver social, economic and environmental outcomes, and identify opportunities for the creation of new local woodlands
- **Increasing collaboration:** promote an inclusive and open culture that supports and enables staff to respond positively and constructively to community led initiatives to increase the social, economic and environmental benefits of Scotland's national forest and land and support sustainable economic growth

None of this has happened with the Glenmore campsite where the AGCT made a number of innovative proposals, including an eco-backpackers area, had secured financial backing from Wildland Ltd and had committed to investing any profits back into the local area.

Forestry and Land Scotland's Corporate Plan 2022-2025 set out our responsibility to manage the national forests and land for multiple outcomes, in particular for communities:



Outcome 1: Supporting a Sustainable Rural Economy

FLS supports a sustainable rural economy by managing the national forests and land in a way that encourages sustainable business growth, development opportunities, jobs and investments.



Outcome 3: National forests and land for visitors and communities

Everyone can visit and enjoy Scotland's national forests and land to connect with nature, have fun, benefit their health and wellbeing and have the opportunity to engage in our community decision making.

Communities across Scotland are key to delivering these outcomes, through greater engagement in decision making on how the national forests are managed for the benefit of communities and activities that support sustainable and thriving rural communities.

MSPs should now be asking Scottish Ministers why FLS, having bought out the leases for not just the Glenmore but also the Cobleland and Cashel campsites in the Loch Lomond and Trossachs National Park, completely failed to engage local communities before deciding to outsource these facilities to private interests.

The procurement process

AGCT's mistake has been to engage in good faith with a procurement process that was fundamentally corrupt and incompatible with community involvement. However good the bid submitted local communities in such circumstances and the AGCT's appears to have been excellent public authorities like FLS are able to construct their tenders so that local communities and social enterprises rarely have a chance.

While procurement is supposed to be an open and transparent process, in this case the tender documents are not public, which makes it impossible at present to consider in detail how FLS stacked the process (FOIs to follow). But it is clear from FLS's statement to the Strathy that they decided to prioritise rental income over any community benefit (just 20% of the score). This effectively meant that AGCT's bid didn't have a chance.

Part of the reason for the lack of transparency is that a loophole in the procurement rules means that leases don't have to be advertised by public authorities in the same way as other public contracts (i.e there is far less transparency). This allowed FLS to market the leases for its three campsites through CDLH, a commercial organisation, instead of the Scotland Contracts Portal where detailed information about contracts is publicly available. Among the public assets that have been outsourced in this way have been the ski operation at Cairn Gorm, Scottish Enterprise's land at Balloch (Flamingo Land) and Scottish Canals holiday properties (also outsourced to Natural Retreats, a scandal that has never been properly investigated [see here](#)). All have had disastrous consequences and not been in the public interest.

The wider problem is that land is not treated like other public assets when it comes to outsourcing. Under the procurement rules and guidance before any public authority decides to outsource a function they are supposed to conduct a strategic procurement exercise (for social care services it is called strategic commissioning) which is meant to involve consultation with stakeholders to determine what is the best way to provide services so as to meet the public interest. Had FLS done that with Glenmore, it would have been very clear that they needed to engage with the local community BEFORE embarking on any tender exercise and that consultation I believe would have resulted in a negotiated solution to the future of the campsite not a tendering exercise.

FLS are now trying to cover up that failure by claiming in the Strathy that *“All parties were advised of the commercial bidding process and the evaluation process in advance”* to mislead people into thinking that the process was fair rather than stacked from the start. HIE did exactly the same when they and their commercial advisers constructed the disastrous tender which resulted in Cairngorm Mountain Ltd being outsourced to Natural Retreats in such a way as to exclude the Cairngorm Ski School, a local organisation, from the process.

The financial drivers behind the decision

There are lots of good people working in public authorities, including FLS, and most don't willingly decide to ignore their own policies and undermine the public interest without reason. In my experience the main reasons things go wrong is because staff lack resources and are under constant pressure to balance the books. That appears to explain what is happening at Glenmore.

In response to an FOI request I submitted in 2020 [rents response to Mr Kempe SEC-20-177](#) FLS stated that in 2006, when they first agreed the lease with Camping in the Forest, the rent for Glenmore was £35,000 and this had been uprated in line with the Retail Price Index to £53,669 by 2020-21. The AGCT in their tender offered a minimum of £2.3m over a 15 year period, ie an average of £153k, three times what FLS has been receiving. No less than £130k of that annual rental was guaranteed by Wildland Ltd owned by billionaire Anders Povlsen. But that was clearly not enough for FLS and suggests that their staff have been driven by massive holes in their budget. If that is the case, FLS should be forced to come clean about what is really going on when it comes to their financial position.

The responsibility of the Scottish Government for the debacle

On 4th July Mairi McAllan, Minister responsible for the Environment and Land Reform (a portfolio which includes responsibility for FLS and Scottish Forestry) launched a consultation on land reform ([see here](#)) the purpose of which she claimed was:

- to increase diversity of landownership;
- to bring about changes in land use; and
- to create more opportunities for communities to engage in decision making about the land around them, and share in the benefits it brings.

That has clearly not been happening in a department for which she is responsible.

If FLS's failure to involve the local community at Glenmore has been driven by lack of funds, however, ultimate responsibility for that lies not with Mairi McAllan, a junior minister without much power, but with the Government Ministers responsible for deciding how finances are allocated.

'We have been left out in the wilderness'

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Mr Dearman continued: "We have been in touch with a number of politicians as it does not feel right to us.

"It is Scottish Government policy to have more engagement with communities and there is a huge focus at present on community wealth building.

"We had huge support from other partners - public agencies, local businesses. We thought our tender had huge merit so to be told we were not offering enough is infuriating.

"This is Scottish Government policy which is not being fulfilled. It says to us that community groups will always be outgunned by commercial interests."

AGCT chairman Duncan Swarbrick said the group had put forward an "honest and well-costed bid based upon professional advice and surveys from leading experts in the field".

He said: "Our tender would have returned a minimum of £2.3 million in rent payments to FLS over the 15-year period. It would have generated £3.5 million which could only be



Glenmore campsite on the shores of Loch Morlich was taken over by FLS after a big row. Then owners the Camping and Caravanning Club refused to open up after Covid restrictions were lifted in summer 2020 causing major problems in the Glenmore area with dirty camping.

reinvested into the campsite or spent on local community projects.

"We are grateful for the support from Wildlands Ltd who kindly offered to guarantee £130,000 a year towards rent payments for the first three years as part of our proposals.

"We had the support of the Cairngorms National Park Authority and Highlands and

Islands Enterprise for our tender. We secured finance in principle of a further £500,000 towards our proposals."

He said their proposal was aimed at forming a successful partnership between community and public sector.

Mr Swarbrick said: "We would have ensured the Glenmore area was developed in a sustainable and sympathetic manner with

input from community and local agencies alike. Solutions to complex access and visitor management issues could have been worked on in partnership.

"Investment in facilities at the park would have been based on sound long-term vision for the area, not for short-term profit."

Badenoch MSP Kate Forbes said she was surprised by the group's omission from the shortlist: "With the Glenmore campsite sitting right next to Loch Morlich, on paper it certainly looked as if it would be a highly competitive process.

"Prior to submitting a bid, the trust had gone to significant lengths with their preparation work and I understand also commanded the support of the national park authority, the council and HIE.

"I certainly share their surprise and disappointment that they did not progress further in the shortlisting process.

AGCT has already funded and run the successful return of a community ice rink in Aviemore.

If I am right about this, the comments of local MSP, Kate Forbes, to the Strathy appear totally disingenuous. As Cabinet Secretary for Finance and the Economy she is the second most powerful person in the Scottish Government, it was her budget that determined how much money was allocated

to Forestry and Land Scotland and the junior Minister responsible for procurement, Ivan McKee, is responsible to her.

While the Scottish Government is generally strapped for cash one of the exceptions is forestry where they are using Scottish Forestry to disburse huge sums of public money (£75m a year) to private interests to plant trees. As a perfect illustration of what is wrong, Kate Forbes need only look over to the other side of Strathspey from the Glenmore campsite to Kinrara. There BrewDog recently started work on planting the first phase of its so called "Lost Forest" ([see here](#) for excellent blog and photos from Chris Townsend). This has been funded by the Scottish Government to the tune of £1m so far and to a business that now, according to the Guardian ([see here](#)), "denies it intended to claim a tree would be planted at Kinrara for every sale of Lost Lager" but still maintains it wishes to invest in mitigating climate change.

Kate Forbes should take BrewDog at its word, pick up the phone to Mairi McAllan and ask her to transfer all future monies that would have been given to BrewDog to Forestry and Land Scotland. That would enable the tender process to be stopped and the Glenmore campsite to be handed over to the the local community. Any money that was left over could then be used to cull deer rather than being wasted on paying landowners to erect yet more forest fencing.

The wider context and what needs to happen

On 6th September FLS awarded another contract to CDLH, worth £9750, for "sales and marketing advice" for visitor attractions ([see here](#)). That suggests that there are more sales to come and more communities will be ignored contrary to the Scottish Government and FLS's own policies. While the way the AGCT has been prevented from taking over the Glenmore campsite is scandalous, it illustrates a much wider set of problems:

- how, despite all the policy pronouncements, local communities have almost no power at present that needs to be fixed through the land reform legislation and local communities given real and easily enforceable rights;
- how decisions to outsource services are driven by money rather than the public interest that in the case of land, we need a new system where public authorities are forced to engage proactively with local communities before deciding to sell or outsource any public assets;
- how the current forestry system is designed to channel public money to private businesses and landowners rather than for the benefit of local communities and the general public

I understand the local community in Glenmore is now in uproar and so should everyone from the outdoor recreation community who are likely to be hit with even more extortionate campsite charges but nothing will change unless ordinary people put real and sustained pressure on our politicians to reform the current system.

And if Kate Forbes and Mairi McAllan believe that it is FLS's management, rather than the misallocation of public monies, that has caused the problems in this case, they could sort everything within a week. If, as has been reported today, Liz Truss can transfer the longstanding head of Treasury on the basis she doesn't like them, Nicola Sturgeon could tell Simon Hodgson, the Chief Executive of FLS, to abandon the tender exercise now and negotiate an agreement with AGCT within the month.

Category

1. Cairngorms

Tags

1. climate change
2. Deer
3. Forestry and Land Scotland
4. Local communities
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