

Land sales in our National Parks, just another commodity – the case of Auchreoch

Description

In the majority of National Parks across the world land is publicly owned but not in Scotland nor the wider UK. That might not matter so much if Scotland's National Parks had real powers to control how land is used and traded but their current powers are limited.

Just as importantly, neither the Loch Lomond and Trossachs National Park Authority (LLTNPA) nor the Cairngorms National Park Authority (CNPA) have shown much interest in promoting any land reform agenda within their boundaries, let alone monitoring what is going on or using the powers they do have. Both appear to accept the current system of landownership as it is, which helps explain why they have made so little difference: the conservation, forestry and sporting estates landowners all do what they were going to do anyway.

The failings of our National Parks are epitomised by what happen when significant areas of land comes onto the market. This post will take a look at Auchreoch, one of three significant landholding currently up for financial grabs.

The Auchreoch Estate – Strathfillan and Cononish Glen

AUCHREOCH, TYNDRUM, CRIANLARICH

A block of hill ground with stunning native pine forest and natural capital potential

Tyndrum 2.2 miles ■ Crianlarich 2.7 miles
Stirling 48 miles ■ Glasgow 60 miles

Offers Over £2,500,000

- Superb natural capital and amenity opportunity
- 320 acres of native Caledonian Pine Forest



Note the lack of any understorey in the Coille Coire Cuilc native pinewood – the reason why its been slowly dying for years

The Auchreoch Estate is being marketed by Galbraith at offers over £2.5m ([see here](#)). It is 615 hectares in size so well below the 3000ha threshold which the Scottish Government proposed last year should be subject to a public interest test before sale.

The public interest in this land, however, is very great: it includes a significant area of degraded peatbog, the second most southerly remnant of Caledonian Pine Forest in Scotland, Coille Coire

Chuilc, and land planted with conifers which, once felled, should be used to enable the native woodland to expand.

Auchreoch is therefore a key piece in the jigsaw of landscape scale conservation and provides a good illustration of the stupidity of setting size thresholds for public interest tests. The smallest Site of Scientific Interest in Scotland, Bo'mains Meadow, is just under 1 ha in size. Is the Scottish Government really saying there should be no checks on who can own such pieces of land?

The challenge at Auchreoch, as I explained two years ago ([see here](#)), is that despite 50 years of intermittent efforts by NatureScot and its predecessors, the Coille Coire Chuilc SSSI is still in poor condition as a result of grazing pressure.

In 2020 in yet another attempt to save the pinewood the LLTNPA decided to try and help by using "conservation" money from the Cononish goldmine to pay for yet more fencing around the SSSI, having also decided fenced an area adjacent to it.



Coille Coire Chuilc October 2023 viewed from track to goldmine. The younger and deciduous trees mark former attempts at conservation before the deer got back into the pinewood and stopped further natural regeneration. The black lines – on land owned by Cononish Farm – mark the approximate line of the new fenced enclosed which is being planted with pine trees as part of the Greater Cononish Glen Management Plan

The new fences, as I showed last week ([see here](#)), may have been misguided but they have fallen through not because they mark poor conservation practice but because Auchreoch has been put on the market. Mr Lewis' agents are now marketing Auchreoch for its "superb natural capital potential" at offers over £2.5m. If someone pays that price it will represent a financial return to Mr Lewis on his

original purchase price of 27.5% a year. While the Registers of Scotland shows that Major Cruickshank, the previous owner, had retained the right to buy back the property at its original price he died in 2019.

There is no evidence to suggest that Mr Lewis has left the land in any better state than he bought it. Instead, it would appear he has been subsidised through the Rural Payments system to continue grazing the sheep which have helped prevent the pinewood regenerate:

Payment Details

Beneficiary Code:

Beneficiary Name: MR RICHARD LEWIS

Town/ City: KILLIN

Postcode: FK21

Year: 2021

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MEASURE DESCRIPTION	PAYMENT
Payments to areas facing natural and other specific constraints	£2,227.13
Reimbursement of financial discipline	£196.42
Basic payment scheme - UK funded	£5,288.80
Greening - UK payments - UK funded	£2,382.72
Other direct aids - UK funded	£8,013.01

The LLTNPA was helping to use this rural payments system to contribute £20k towards the cost of a new fence around Coille Coire Chuilc with the remaining £10k coming from Scotgold's mine. So the state pays a landowner to keep sheep which have been destroying a SSSI and then would pay again to protect it from those sheep. This is complete madness and the LLTNPA board should have been leading the calls for reform: instead they have kowtowed to the farmers and landowners and reinforced the current system by playing along with it.

Payment Details

Beneficiary Code:

Beneficiary Name: MR RICHARD LEWIS

Town/ City: KILLIN

Postcode: FK21

Year: 2022

MEASURE DESCRIPTION	PAYMENT
Basic payment scheme - UK funded	£10,721.15
Greening - UK payments - UK funded	£4,816.23
Other direct aids - UK funded	£8,261.32
Payments to areas facing natural constraints - UK funded	£5,265.47

The public Defra payments data base does not show the details of what grants are for but so called Greening Payments, for example, can be made for retaining land as pasture

Having subsidised previous landowners to destroy the nature conservation interest at Auchreoch, it is likely that any new owner will be eligible for yet more Scottish Government grants for peatbog restoration and native woodland planting to restore the estate's "Natural Capital". That owner will then be free to trade carbon credits through the peatland and carbon codes, potentially making even more money. Hence why Mr Lewis can ask for £2.5m for land he bought for £240k 10 years ago.

All this system does is fuel land prices putting them well beyond what either local communities or public agencies can "afford". Under Paragraph 5 to Schedule 2 of the National Parks (Scotland) Act 2000 ([see here](#)) the LLTNPA has the power to:

Land

- 5 (1) For the purposes of its functions, an authority may—
- (a) acquire by agreement,
 - (b) if authorised by the Scottish Ministers, purchase compulsorily, any land situated within the National Park.
- (2) Sub-paragraph (1)(b)—
- (a) does not apply in relation to Crown land within the meaning of section 242 of the Town and Country Planning (Scotland) Act 1997 (c.8), and
 - (b) is subject to any other enactment conferring on the authority power to acquire land compulsorily.
- (3) The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 (c.42) applies in relation to the compulsory purchase of land under sub-paragraph (1)(b) as if—
- (a) that provision were contained in an Act in force immediately before the commencement of that Act, and
 - (b) the authority were a local authority.
- (4) The power to purchase land compulsorily under sub-paragraph (1)(b) includes power to acquire a servitude or other right or over land by the creation of a new right.

Two years ago I argued the land at Auchreoch needed to be compulsorily purchased. Imagine if ten years ago the LLTNPA had made the case to Scottish Ministers that Auchreoch should have been bought for £240K? At present staff don't even report what land is on the market to the LLTNPA Board.

While the £2.5m asking price might now be prohibitive, if the LLTNPA were to openly state it would NOT pay for peatland restoration (it is now responsible for those grants in its area) and would oppose any forestry grant applications, that would likely affect what potential new owners would be prepared to pay Mr Lewis considerably. The principle should be those who have damaged the land pay to repair it.

Unfortunately, the Scottish Governments proposals to reform National Parks ([see here](#)) includes no discussion on their role in relation to land, let alone any ambition to intervene in the land market or to control how land in National Parks is used (except for some new minor powers in respect of byelaws aimed at the general public).

It will be interesting to see if the LLTNPA in their response to the current consultation on biodiversity raise what is happening on estates like Auchreoch to make the case for reform – it would be a first. What should be clear, however, is that without fundamental land reform in our National Parks the mismanagement of land for private not public interests is likely to continue and both the climate and nature emergencies will as a consequence continue to get worse, not better.

Category

1. Loch Lomond and Trossachs
2. National Parks

Tags

1. conservation
2. land reform

3. LLTNPA
4. Scottish Government

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