

Name: Bohenie Woodland Crofts

Place: Bohenie, Roy Bridge, Inverness-shire

Headline: Creation of new woodland crofts by third sector NGO – a new avenue for land reform

Keywords: woodland crofts; family forestry; land reform; crofting; housing

What is the context?

In late 2010 Alan Reeder, the owner of Bohenie Woodland (a 40ha conifer plantation outside Roy Bridge), approached the then Woodland Crofts Officer employed by FCS/HIE for advice and support in the creation of new woodland crofts. This officer primarily had a community focus, the role having been established to support the roll out of woodland crofts following the 2007 Crofting Act and subsequent revision to the National Forest Land Scheme; however, it was agreed to support Alan on account of the social benefits likely to arise – his aspiration was to make the crofts affordable.

The woodland was an unthinned mixture; mainly Sitka spruce, but also comprising areas of Lodgepole pine, larch and pockets of broadleaves. At that time some windblow was developing; non-woodland interest on the site included some ruined shielings and a section of the Parallel Roads of Glen Roy.

Key neighbours included a local crofter, to the west, over whose land access to the wood lies, and to the south, a crofter forestry scheme: this part of the common grazings had previously been planted up as a native woodland scheme by the local sheep stock club, Galmore (GSSC).

What was the initial aim?

The initial aim was to create 3 woodland crofts and a common woodland area from the existing woodland; then let them to crofters with appropriate skills and proposals for the woodland. Planning permission would be secured, then crofters would self-build houses using timber from the site where possible, and manage the woodland under a small-scale, hands-on approach.

What actually happened and what has been achieved?

A number of difficulties with the original proposal quickly became apparent:

- The presence of unthinned mature timber on site, beginning to blow, meant that trying to convert to continuous cover management more appropriate to a woodland crofts approach was not feasible;
- The value of that timber on site meant that it would be difficult for the (then) owner to realise the value of the timber eg through sale to the crofters, and still make the woodland crofts opportunity affordable (*NB when a new croft is created, existing timber remains in the ownership of the landlord and needs to be transferred to the tenant under a mutually acceptable arrangement*)
- Although the owner's motives were genuine, and he had a track record in 'alternative' approaches to forestry, as an absentee landowner there was a degree of suspicion from neighbours who did not fully understand the woodland crofts model that this was 'development' by another name;
- Whilst initial enquiries by the Woodland Crofts Officer to the planning authorities had

resulted in a cautiously positive response, as a new model it was likely that obtaining planning approval would require a good deal of groundwork, which was felt to be best done in advance of offering croft tenancies, rather than leaving this to the new crofters. It was also likely that a co-ordinated approach to planning for the site overall would be preferable, rather than piecemeal applications by individual crofters.

These factors resulted in a re-thinking of proposals, with the following outcomes:

- The wood was clearfelled and timber extracted and sold to local processors. This unfortunately removed the opportunity for new crofters to work with existing woodland from the outset. However, the positive aspects included the opportunity for new crofters to shape the restocked woodland according to their own aspirations ('a blank canvas'); and the realisation of the timber value in this way meant that the new crofts could be offered on an affordable basis;
- The Highlands Small Communities Housing Trust (HSCHT), then leading the Woodland Crofts Partnership, offered to take on project development. This brought a number of benefits:
 - As experienced developers of affordable housing with an existing relationship with the planning authorities, they were ideally placed to secure planning approvals for the site;
 - The reduced value of the site following harvesting made it feasible for the Housing Trust to consider purchasing it and recovering the cost by selling crofts on to owner-occupiers on an affordable basis. Their experience in pioneering the use of Rural Housing Burdens meant they could secure the community benefit of the crofts even under an ownership model;
 - Their status as a community-focused charity could bring welcome credibility to the project and reduce concerns that this was speculative development being carried out to benefit the landowner.

To date, progress has been slow. Six years after first contact from the owner, crofts have yet to be created and a number of difficulties remain unresolved. However a woodland crofts workshop held locally confirmed demand for the crofts once created; design and feasibility work for the housing has been completed, allowing a planning application to be made as soon as appropriate.

Evidence of outcomes

Project still under development!

What factors contributed to those outcomes?

In addition to all the usual problems pioneering a new model where those involved have many other calls on their time, two particular issues have arisen which have thwarted progress, both of which came as a surprise:

- Neighbouring crofters have collectively not been immediately supportive of the project, nor has the neighbour to the west (though other individual crofters have expressed strong support). Both the neighbour and the GSSC have found it difficult to recognise the benefits of woodland crofts, to offset their understandable concerns about a new development and the potential impact on their activities. In this they appear to be at odds with the wider community, who are working with the Housing Trust to explore the potential for new (mainstream) affordable housing; the primary school, previously threatened with closure is down to 6 pupils, and the wider

community recognise action is needed to safeguard their future. In this context, 3 new families (and their children) living on the proposed woodland crofts could give a material boost to both the school and wider community.

- It was discovered that, possibly due to a past conveyancing error, a strip of land a few metres wide between the wood and the neighbour to the west remains under estate ownership, and forms part of the crofters common grazings. It is believed that existing access rights are sufficient, and the only need for new agreement relating to this strip is for a powerline wayleave to bring power to the new croft houses. Although there is a statutory mechanism for this, it was decided to approach the estate as the simpler way to negotiate agreement. However, the estate owner (an absentee) responded with considerable hostility and efforts to get Scottish Land & Estates (of which he is not a member) to mediate for the good of the wider landowning sector have failed. There remains the statutory route to securing the wayleave; but the actions of an absentee landowner to hinder rather than help the project are a reminder of why the wider land reform agenda is still needed.

How replicable is this experience; what is its potential as an element of a better approach to forestry?

In principle, the experience would be readily (and more easily!) replicable elsewhere. This project arose in reaction to a specific opportunity, whose site came with certain constraints which were not obvious at the outset and now are needing to be worked through. A more proactive, strategic approach would identify the most suitable sites and progress these, reducing the likelihood of difficulties such as those outlined above.

The model, involving a social enterprise approach to land reform, represents a key opportunity for future land reform where a community of interest takes forward proposals rather than just a geographic community. The provisions of the Community Empowerment Act will in future enable this to happen on public land as well as private, potentially opening up (in a forestry context) the National Forest Estate to such an approach. As such, this project is a key 'test bed' for a potentially much wider movement – not just for forestry projects, but wider land-based ones too.

If rolled out more widely, the model can play a key role in increasing the numbers of woodland crofts available – at present (known) demand outstrips supply by a factor of at least 10 to 1.

Key messages

- Build the widest community support you can for a new project.
- Clearfell sites may not be ideal from a new crofter's perspective but have the advantage of being available and affordable (and indeed attractive for landowners to pass on, along with their restocking obligations.....!)
- Woodland crofts can be a great solution where there are access problems for conventional forestry, but are not immune to access problems of their own. Check these at an early stage!
- Land reform needs to involve a range of models: the traditional 'community' approach is just one, and sits at one end of a wide spectrum. Third sector 'communities of interest' need to develop their own approach to take advantage of the opportunities afforded by recent legislation.