



# Wanlockhead Community Trust

Scotland's Highest Village

Wanlockhead Stage 2 application.

We discuss here the assessment produced by the Scottish Land Fund and the decision to decline WCT's application for funds.

First we would like to say that our comments here should in no way reflect on the help and guidance WCT has received from the staff of SLF over the past 5 years. We are very grateful and pleased with the support freely given during that time. Many SLF visits to Wanlockhead and countless emails have played a major role in our journey. We would like to put on record our thanks to the SLF case officers for their support since 2015 when we started on this journey.

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Scottish Land Fund Assessment Report November 2020 URN 20149784

Not recommended for funding.

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WCT were advised in the first place by phone call, during which it was explained that SLF were faced with a position meaning if they approved Wanlockhead funding they would have had to decline 10 other projects. This is a reasonable decision to take and WCT can fully understand it, while of course, still being disappointed with the lack of funds. The assessment we are looking at here does however go a lot further than that. We are left wondering if it was produced after the fact to justify the decision that had been taken through insufficient SLF funds. Either way this report has the potential to cause much damage in our community relying as it does on information obviously received and inspired from a holiday home owner in Wanlockhead who WCT had to report to the police for his harassment untruths and internet stalking of two of our board members. The information he sent along with the other 5 he leads appears to have been taken verbatim with no effort at all to check its veracity. This impinges on

this report particularly on pages 5 & 6:-

## 1 b. Consultation engagement, research and level of support - WEAK

QUOTE:- {One of the concerns raised in recent correspondence to the FUND is that questions that were submitted to WCT via facebook were either ignored or were not fully answered with 'confidentiality' , GDPR or data protection sometimes being given as the reason.}

This could have been simply checked by looking at the facebook pages associated with the village. There you can clearly see the abuse from 5 people. The leader of this abuse, the holiday home owner referred to earlier, who we reported to the police, was the only one to articulate the information you describe to provide you with this 'information', which is how we are able to identify the complainant. He produced some of his work and used one of the villagers name as a cover for the fact that he was not a resident. WCT decided to not engage with these people and that was also the advice from the police. By this time at least 3 of our more vulnerable residents were experiencing mental health issues because of the nastiness of the facebook trolling. Prior to these facebook events considerable efforts had been made to engage with the 5 including one to one meetings. Their objections to the buyout? They didn't want it. Their reasons? They didn't want it.

WCT answered questions in as much detail as we could to all our residents and indeed to many from outside Wanlockhead including Leadhills. We have signed an NDA with Buccleuch so yes there were certain details we could not disclose and this we made clear. Suggestions that WCT were not transparent is at best mischievous and at worst mendacious.

It is disappointing, to say the least, after 5 years of engagement with our village we should be accused of not being transparent. You do mention in this report how we held numerous public meetings plus a monthly open meeting. There was plenty of opportunity to engage with the work WCT was doing but you cannot force people to attend. Inevitably when the ballot arrives we have residents who had never attended a meeting and really were not familiar with the concept of a buyout. This is the South of Scotland, there were no examples of community ownership 'down the road'. We have made considerable efforts over the last 5 years to first educate our board and then our village as to the exciting potential available to Wanlockhead if we could get the Duke to agree. He did, and our ballot produced a majority of 55.6% in favour. The total entitled to vote was 155 residents, of those 123 voted, that represents an 81.5% turnout which is extraordinary by any standards. The politicians who attended our ballot were impressed by the turnout and the security of the ballot. We had independent observers present all day including 2 of our most virulent

critics who also expressed their satisfaction with the process and the count. They were not happy with the result of course and have since decided on some Trump like tactics. Included in our observers were Oliver Mundell MSP who made a return journey to and from and back again to Holyrood to support our ballot as an observer. Also present as observers were local activist and former chair of Scotland's Rural Parliament Amanda Burgauer and Norma Slimmon- Convenor of Mid and Upper Nithsdale SNP Branch. In addition we had two highly respected residents of Leadhills and a local Policeman.

You cast doubt in your report on the veracity of our voting register. How did we compile it? First we asked D&G Council if they would run the ballot for us, they took over a month to reply and then wanted to hold a postal ballot only, with a date giving us only a few days to submit our Stage 2 Application. On top of which they wanted to charge us for doing it. We had no funds or anyway of knowing if we could get such funds. We had to decline as we realised that we had to run the ballot ourselves. We then purchased an official voting register from D&G Council Electoral Registration Office for £21.50. When we received it there were 46 names on the list. The rest of the voters had asked to be excluded, which of course is normal practice because councils sell these lists to, amongst others, business users. With the help of a number of local residents we used local knowledge to compile a complete list of 155 eligible voters. We believe this was a complete list. Not one person turned up to vote who was not on our list. With regard to the voting age of 18 there was some debate in the village, following our announcement of the ballot and it was overwhelmingly agreed that we could follow the precedent of the Scottish referendum and lower the age to 16. After all the buyout is primarily about and for our young people and their future. In addition we arranged that residents who although not there on the day, nevertheless wanted to vote, could have a proxy vote delivered by another voter from the village. These were delivered in sealed envelopes and placed in the ballot box by the voters proxy. We believe it is highly unfair that your report casts doubt on this highly secure process that went to great lengths to produce a fair and safe result. You further suggest that our ballot results are not showing enough support compared to other buyouts. Compared to what? Some communities held polls by facebook some communities achieved majority with low turnouts. We quote advice from the Highland Council on Community land buyouts:

“The community is taken as having given their approval for the purposes of section 51 if Ministers are satisfied that either:

1. At least half of the members of the community have voted in a ballot conducted by the community body on the question of whether the

community body should buy the land.

2. Where less than half of the members of the community have so voted the proportion which did vote is, in the circumstances, sufficient to justify that the community body buy the land.

In addition the majority of those voting have voted in favour of the proposition that that community body buy the land. “

Compared to that guidance we believe it's clear that Wanlockhead achieved a strong mandate to buy the land.

The final indicator you use for doubting our vote is referring to the closeness of Leadhills to Wanlockhead. Quote:-

“It is therefore surprising that Leadhills were not given the opportunity to vote at the ballot.”

For background Leadhills population is twice that of Wanlockhead 200 at 400.

So in effect you are advocating that Leadhills should decide the future of Wanlockhead? Keep in mind that Leadhills is in different County is owned by Earl of Hopetoun not Buccleuch and is also engaged in a buyout of it's own. It is true that there is an aspiration in the two villages to work closer and WCT fosters that where ever possible. We asked Leadhills Community leaders if they wanted to run our ballot or at least oversee it. They declined on the basis that they might not be seen as independent. To expect us in Wanlockhead to include Leadhills in our ballot is surely an unprecedented demand from SLF, it is also against our Articles of Association which state that only residents of Wanlockhead are entitled to vote. We assume you must have had complaints from Leadhills and that has prompted this comment. Please bear in mind that there are people in both villages who are coming from the perspective of loyalty to the Aristocratic land owners. The Earl of Hopetoun himself is not keen on buyouts and he has his supporters in Leadhills. You really cannot expect us to include Leadhills in our WCT ballots.

Pages 5&6 have been largely based on correspondence sent to SLF from people opposed to the buyout. To have cast doubts on the work of WCT without checking this information which as we have shown is largely inaccurate needs to be reviewed in our opinion.

## 2 a. Planning and Feasibility - WEAK

Your report highlights areas of concern;

**Wild Camping:** you point out that we do not detail a precise plan of how we could deal with this and the concomitant rubbish problem. You highlight this as a potential cost to the Trust. We understand that Buccleuch have an arrangement with D&G Council who use people on community service to clear it every Monday during the season. We are not aware of any large costs involved but are checking with Buccleuch to give you a more detailed response to this. WCT believe that discreet facilities providing showers and toilets, power points, possibly even electric vehicle charging points could provide income from the visitors. We will look into providing more details in a our next application.

Our business plan does not include a vanity project but focuses around many smaller projects. One of the genuine fears expressed by reasonable no voters are fears of change. Most of us live here because of the essential peace of the area I don't think any of us want to see Wanlockhead overdeveloped in a crass way. People fear tourism when it reaches levels like Skye for example. Our plan is based on offering facilities to our existing visitors and only looking for a modest increase in numbers. To this end our business plan is low key because it reflects what locals want. There are buyouts, that you will know, in the Hebrides for example, that have used a model of numbers of small projects to achieve sustainability and have done this successfully. Wanlockhead is using this idea so you have to look at the many projects we have potential for to understand how we will get to self sustainability. We will try to highlight this in our next application.

Your concerns re Pollution: We have answered this many times in the village as this was quite naturally a major concern of everyone who lives in Wanlockhead. The use of this as a reason to stop the buyout, used by our opponents flies in the face of the facts. Here is an extract from the latest report by SEPA dated September 20<sup>th</sup> 2020 (full report attached)

### **Next steps**

Our planned fieldwork for this year had to be postponed due to the Covid-19 outbreak. This would have provided additional information about the sources of metals in the Glengonnar Water, and the importance of the sources of pollution in different flow conditions in the Wanlock Water. We are hopeful that we may be able to complete this in due course.

We are currently carrying out some modelling using the data we have gathered to better understand what improvements may be achievable in the Crawick Water and River Nith were actions taken to implement remediation to reduce contaminant loading.

We are also supporting a number of bids for funding towards research in both minewater treatment and the growth of biomass crops and trees on sites where previous industrial activity prevents vegetation growth. Should these projects receive funding, there may be opportunities to deploy these in the area in future, with the agreement of the landowner. These projects have potential to

help to improve the water quality, and in the longer term also providing additional benefits such as scientific innovation, increased tree/vegetation cover and the associated carbon capture. All of this work is ultimately aiming towards improving or restoring the ecological status of the water courses by improving the water quality, both in the Wanlock and downstream rivers that are also impacted by the water pollution from the historic mining activities. SEPA is currently liaising with other public organisations about the opportunities that may be available to achieve this and would be interested to hear the views your organisation may have on improving the water quality and involvement as a stakeholder.

Yours sincerely

We have offered full co operation from WCT with this work. We see the buyout as an opportunity to improve things in a way that has not happened for some 50 years. The pollution has been there, of course for over 300 years. It should be noted that the most heavily polluted Queensberry Smelter area past Meadowfoot (which you mention in this report) is NOT included in the buyout just as the washer and crusher near to it is excluded. As your report has mentioned the landowner is not responsible for waterways. The land pollution is deemed low level risk. There is an extremely low risk. to WCT because as you can see SEPA is asking the landowner to allow the work, not pay for it. It is surely not reasonable to expect a Community Group to lead a risk assessment on Heavy Metal pollution, we have to rely on the experts. The risk here is against human health and the experts tell us that this is low level. Should that change the Scottish Government would be responsible for protecting the residents. A land owning community is more interested in improving the environment than an absentee landlord and represents a major reason to support community ownership in a place like Wanlockhead.

Finally you ask us to reconsider the area of land and downsize?

This again is surprising to hear from The Scottish LAND fund.

Let us quote one of our consultants:

“Reflecting on the lack of current income from the land, this might be seen as a reflection of the negative effects of the long term ownership pattern around Wanlockhead. SLF is part of a process seeking to put right this kind of blight, not perpetuate it.”

The land around Wanlockhead featured in the buyout is the land where we live. It is a damaged landscape that has been used by a family as a grouse moor and for grazing sheep. There are numerous ways the community could make money from this land, camping, birdwatching, wildlife preservation, carbon negative initiatives, hydro, wind, even some rough shooting. The reason we negotiated a licence for Buccleuch to operate sheep for the next 5 years and not a lease, is so that these projects could be initiated during

that 5 years. At the end of that 5 years Buccleuch will either move the sheep to other areas of their land or sell them. The community will decide if it wants an involvement with sheep at that time. We haven't mentioned tree planting and the creation of walks and mountain biking paths. In community ownership Wanlockhead and its surrounding hills will be a far more beautiful and productive place for residents and visitors alike. Having spent 4 years negotiating with Buccleuch Estates including many site visits with their Estate Manager, the area of land has been carefully considered and we stand by the decisions we have made in this regard.

This is WCT's initial response to what we find to be a very disappointing assessment from SLF Big Lottery. This should be looked upon as an introduction to our reapplication where we will take on board your comments on detail with regard to our business plan, we will endeavour to add more detail. We will leave it to others to judge the quality of the assessment and the veracity of our reply.

Wanlockhead Community Trust November 2020.