Extension of the boundaries of the Cairngorms National Park

Response to Public Consultation

8 June 2006
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1 Introduction

John Swinney, Member of the Scottish Parliament for North Tayside, intends to introduce a Bill in the Scottish Parliament to amend the National Parks (Scotland) Act 2000 to make provision for the inclusion of parts of the Eastern and Highland Perthshire areas within the boundaries of the Cairngorms National Park.

The purpose of the Bill is to extend the boundaries of the Cairngorms National Park to ensure the Park includes the areas of Eastern and Highland Perthshire that were recommended, after extensive public consultation, to be included in the Park but were excluded in the final Designation Order.

A consultation paper was published on 4 November 2005 and distributed to 34 organisations and individuals. It was also made available on-line on the Scottish Parliament website and from the constituency office of John Swinney MSP.

The paper set out the background to the issue, made the case for change and explained the mechanism that is to be utilized to change the legislation. Respondents were invited to express views on a series of nine questions set out in the consultation paper and on any other matter which was felt relevant to the legislative proposal.

The consultation closed on 31 January 2006 and responses were received from 27 sources -
This Consultation Response Report provides a summary of the key issues presented by respondents.
2 Legislative and policy background

The Scottish Executive proposed the establishment of National Parks in Scotland and pursued the issue through the development of the National Parks (Scotland) Act. This was agreed by Parliament and the National Parks (Scotland) Act specified that Designations Orders created by secondary legislation would be used to specify operational details of any proposed National Park. Two Designation Orders have to date been advanced to establish National Parks in Loch Lomond and the Trossachs and in the Cairngorms.

The Scottish Executive invited Scottish Natural Heritage [SNH] to consult on the boundary and operational arrangements of the proposed Cairngorms National Park. SNH undertook an extensive and widely praised consultation exercise that engaged communities, drew together wider considerations about the environment and defined a comprehensive proposition for the boundary of the Park. The Scottish Executive considered this proposal and published a Draft Designation Order.

The Draft Designation Order differed from that proposed by SNH and excluded areas of Angus, Eastern and Highland Perthshire. The Draft Designation Order was considered by the Rural Development Committee of the Scottish Parliament. The Committee took evidence on the proposed boundaries and recommended that the boundaries be changed to include all of the area specified by SNH plus the parish of Laggan.

The Scottish Executive responded by extending some of the boundary to include the area within Angus and Laggan but the areas of Highland and Eastern Perthshire remained excluded. Parliament agreed to the Draft Designation Order on 12 December 2002. Concern has persisted within Highland and Eastern
Perthshire over their exclusion from the Cairngorms National Park and various initiatives have been taken through the parliamentary process - including parliamentary questions and motions - to address the outstanding anomaly. Perthshire Alliance for the Real Cairngorms (PARC) has been established to coordinate local and community pressure to address this issue.
3 The policy proposal

The Cairngorms National Park was established through secondary legislation by the Scottish Parliament. The opportunity is not available for individual Members of the Scottish Parliament to propose secondary legislation; that responsibility rests entirely with the Scottish Executive.

It is therefore proposed to amend the terms of the National Parks (Scotland) Act 2000 to give effect to the extension of the boundaries as proposed in this consultation document.

The Bill would propose that the boundaries of the National Park should be established in Perthshire consistent with the recommendations of Scottish Natural Heritage. The proposal would mean that the areas to be included would comprise the Forest of Atholl including Blair Atholl [part of sub-unit 17], the Beinn Udlamain mountain group to the west of the A9 [part of sub-unit 19] and the northern part of sub-unit 15 that includes Glas Tulaichean and the Spittal of Glenshee but excludes Kirkmichael.

The Bill would propose that one member of the Authority be appointed by Perth & Kinross Council. Each of the local authorities that comprise the National Park are entitled to membership of the Park Authority. The number of members participating in the Board of the Authority reflects the size of the population that each Authority contributes to the National Park.
4 Analysis and Key Themes

The consultation document included a number of questions that were answered specifically by the majority of respondents. In this section the key themes that respondents highlighted will be discussed for each question.

**What impediments do the existing boundaries create to achieving the objectives of the National Park?**

The National Parks (Scotland) Act 2000 sets out four aims for the Park and these aims are central to the design and direction of the Cairngorms National Park. 80% of respondents to this question stated specifically that the current boundaries impede delivery of the aims in various ways. Others believed that the boundary drawn up was purely for political reasons not based on the best interests of the Park. Only Scottish Natural Heritage (SNH) and Aberdeenshire Council felt that the existing boundaries did not impede the park meeting its aims although other respondents made no comment on this point.

RSPB Scotland, National Trust for Scotland, Badenoch and Strathspey Conservation Group along with the Munro Society all stated that Aim 1 of the Park, which is to conserve and enhance the natural and cultural heritage of the area, was compromised by the current Park boundary.

The point was made that the boundary restricts the coherent identity of the area and does not protect the distinct wild and natural character of the southern Cairngorms. The current boundary divides existing areas designated for nature conservation and landscape interest, splitting Natura 2000 sites and SSSIs, notably at Drumnochter and Caenlochan which are internationally designated for
conservation. This hampers effective integrated management of the natural and cultural heritage for landscape, wildlife and biodiversity objectives.

RSPB Scotland consider the primary objective for the Cairngorms National Park, which was the conservation and enhancement of the area’s natural heritage, has been made more difficult by the splitting of conservation areas, deer management groups and National Scenic Areas. In their opinion, it has increased the complexity of the management, whilst reducing the total biodiversity resource of the Park. Another respondent pointed out that there has been no adherence to the biological, climatic and geological realities of the area with the existing boundary.

Many respondents highlighted that the current boundary passes through the summits of several Munros and the Munro Society believe that the boundary weakens the protection of the core mountain zone of which the head of the Bruar, Tilt and Tarf form part. Concern was also expressed by other organisations at the lack of an essential “buffer zone” around the core mountain area of the park. The John Muir Trust considered the current boundary to be artificial and supported the original SNH proposition.

Aim 2 of the Park is to promote sustainable use of the natural resources of the area. Badenoch and Strathspey Conservation Group argue that Aim 2 is not being met because the boundary divides areas that demonstrably form a single unit in terms of the natural resources.

The National Trust pointed out, along with Perth and Kinross Council, that the existing boundary severs historic routes through some of the wildest and most remote areas such as Glen Tilt and that this hampers integrated recreational management. The Munro Society made the point that the boundary is contrary
to the historic mountaineering concept that Atholl, Glen Tilt, Glen Fearnate, Glen Ey, and Glen Shee areas were always known as an integral part of the Eastern Grampians known as the Cairngorms.

Badenoch and Strathspey Conservation Group believe that Aim 3, to promote understanding and enjoyment of the special qualities of the area by the public is not being met as the boundary divides areas that demonstrably share special qualities. RSPB Scotland felt that promoting understanding of the special qualities of the Park is hindered by the incoherent boundary. The Blair Atholl Area Tourism Association claim many visitors are confused by the fact that when they arrive in Blair Atholl they have not yet arrived in the Park.

Many of the respondents particularly felt that Aim 4, to promote sustainable economic and social development of the areas communities was not being achieved. The National Trust for Scotland feel that it is a missed opportunity for coordinated management of the Glenshee Ski area along with its southern approaches and that the existing boundary fails to use natural Gateways. It also fails to utilise existing infrastructure in Atholl and Glen Shee to provide best services for visitors. The Munro Society claim resentment has been created because many people feel their representations have been ignored with the existing boundary.

Rural Scotland expressed support for SNH’s view that the original proposed boundary would create a more coherent and consistent identity for the park and create more coherent economic and social benefits to the area.
What economic, environmental or social benefits would be created by extending the boundaries of the Park?

94% of respondents to this question believed that by extending the boundaries of the National Park a more coherent identity would be created and various environmental, economic and social benefits would be achieved. It was felt that an extended boundary would rectify the shortcomings of the current boundary and therefore the National Park would be better able to fulfil its economic, environmental and social objectives.

Many organisations pointed out that by extending the Park boundaries this would enable designated areas and entire mountain summits to be managed in a more consistent manner. Rural Scotland highlighted the point that the remote mountain landscape the boundary currently dissects, could meet strategic environmental assessment tests more effectively and would be unlikely to do so under the current boundary.

The National Trust stated that it is an important aspect of international best practice in management of protected areas to ensure that core areas, designated for protection benefit from a surrounding buffer zone. This buffer zone would protect the “core” and better manage principal access routes leading to it. This is currently lacking at the southern boundary.

By extending the Park boundary, this would enhance opportunities for more integrated management of the natural and cultural heritage. Deer management in the core area would be extended to cover outer zones to provide a sustainable and cohesive strategy for management over a wider area. The RSPB believe that it would also help ensure uniform delivery on biodiversity. These issues, the
National Trust for Scotland believe, are important ingredients as part of efforts to secure World Heritage Site Status.

93% of consultation respondents to this question specifically mentioned that extending the boundary would have economic and social benefits. The National Trust for Scotland in particular feels that extending the boundary would spread tourism benefits of the National Park to whole of area recognised as the Cairngorms Area. Increased tourism would bring economic benefits to Bed & Breakfasts and restaurants in places like Blair Atholl and Spittal of Glenshee. The Munro Society highlighted that it would bring an increase in walking & climbing and other recreational activities to a wider area. The Kirriemuir walking festival was flagged up as how suitable recreational activities bring in commercial benefits, which do not detract from conservation activities but rather encourage such work.

Rural Scotland made the point that the boundary change would afford more effective geographical reference points and “gateways” for visitors entering from the south of the Park. Perth and Kinross Council, along with Aberdeenshire Council, believe that Blair Atholl and Spittal of Glenshee would provide the obvious “gateways” for visitors. Aberdeenshire Council also thought that it would help sustain and enhance employment prospects in these settlements, and highlighted that Green businesses would then be able to benefit from the Cairngorm Brand. They also pointed out that social and community economic development benefits will derive from inclusion within the Association of Cairngorms Community Councils and access to various grant schemes and integrated actions across the Park would be delivered.

Scottish Natural Heritage believe that there may be long-term advantages to the area from extending the boundary in terms of effective integrated management
of visitors, access infrastructure, landscapes, wild land, catchments, grazing impacts and for restoration of networks of upland and woodland habitats.

**What impact would there be of extending the boundaries of the Park as proposed?**

Overall the respondents who answered this question believed that it would have a positive impact. The Mountaineering Council believes it would remove the ridicule brought on the park by the current boundary and that it would make sense to bring those who live and work on the southern slopes into the same planning and support system.

The National Trust believes it will enable “gateway” facilities for the Cairngorms National Park including interpretation, orientation and visitor management to be provided in the most appropriate locations from the southern slopes. Ramblers Scotland believe people entering from the south would have a clearer idea of how the park relates to the Cairngorms Mountain massif itself.

From an environmental point of view, the Badenoch & Strathspey Conservation Group feel it would have a positive impact on promoting the area’s special qualities and consistent, coordinated management of the area. It would reduce discrepancies between the Cairngorms LBAP area and the National Park boundaries and thus it would improve the reputation of the park and its prospects of achieving World Heritage Status.

Rural Scotland think the extended boundary would allow the corridors and passes that cross the mountain massif to be maintained in a more consistent manner from the point where they climb into the mountain terrain that qualifies the landscape for National Park status. Aberdeenshire Council also thinks that
the Park brand might be strengthened by the inclusion of scenically important parts of Perthshire.

Scottish Natural Heritage, Aberdeenshire Council and the Cairngorms National Park Authority, all foresee extending the boundary having an impact on the Draft National Park Plan and the Draft National Park Local Plan. They suggest these plans would have to be reviewed and amended to accommodate a new area. Extra resources would be required for necessary consultations on the new arrangements and there would be additional costs associated with the Park covering a larger area. Scottish Natural Heritage also highlights a concern that there would probably be disruption to practical progress on the ground across the Park arising from short-term diversion of resources to planning for a new area. Existing projects would probably require to be reviewed and possibly amended as a result. They also feel that membership of current Advisory Forums and other working groups would need to be amended to include representation from Perthshire. This would be likely to disrupt existing work that is underway.

Atholl Estates expressed a fear over Highland Perthshire being controlled by a politically dominated administration and Aberdeenshire Council expressed concern for Glenshee Ski Centre because the “gateway” point would be moved to Spittal of Glenshee and this could reduce the long-term sustainability prospects of the Centre.

**What advantages and benefits would there be of expanding the Park and including another area from another local authority?**

The view of the respondents to this question appeared to be that extending the boundary would create a more coherent National Park boundary which would be
better enabled to deliver on the Park’s objectives. It was felt that there would be more balanced and inclusive decision-making by the Cairngorms National Park Authority by involving all those who have been resident for many years in places considered to be part of the Cairngorms. Rural Scotland feels that there would be better provision of reception points for those approaching via A9 and A93 from the south.

The inclusion of another authority is believed by Scottish Natural Heritage to result in a greater likelihood of positive and long-term involvement in delivering the objectives of the National Park from organisations covering the Perthshire area. It is believed that Perth and Kinross Council could bring in considerable experience in countryside management and tourism experience.

Badenoch and Strathspey Conservation Group believe that significant benefits from additional voluntary and professional human resources, in depth and breath of experience, would be gained from extending the boundary. Aberdeenshire Council believes that the advantages are likely to be similar to those environmental opportunities identified in the original consultation by SNH. However, they feel that it would be debatable whether the extension of the boundary would provide overall benefit to those currently within the Park.

**Is it necessary for the membership of the Cairngorms National Park Authority to be re-configured to accommodate a member appointed by Perth and Kinross Council?**

61% of respondents who answered this question believed that re-configuration was required to accommodate a member appointed by Perth and Kinross Council. The RSPB believe that this will be required under the National Parks (Scotland) Act 2000. Another respondent highlighted that Blair Atholl and Glen
Shee along with lowland areas of Perthshire have their own unique culture, history and interests and so these factors should be reflected in the management of the Park with a representative from that area.

Aberdeenshire Council do not think that reconfiguration is necessary but that an additional member from Perth and Kinross would not greatly affect the workings of CNPA. The Council also points out that it is likely to also need agreement on community representation.

Ron Greer believes that the present National Park structure and management approach needs to be replaced by a National Park Service run by the state in a land area owned by the state and managed to meet a national agenda. The agenda should include removing planning responsibility from local authorities and transferring it to The Scottish National Parks & Wildlife Service that should replace CNPA, SNH and other quangos. This approach would create a more effective, coherent and sustainable National Park.

**If so, how should it be accomplished?**

The majority of respondents to this question felt that the most equitable way of accommodating a member nominated by Perth and Kinross Council would be to reallocate one of the positions nominated by Highland Council. Cairngorms National Park Authority believes that one of Highland Council or Aberdeenshire Council seats would need to be substituted to allow Perth and Kinross a seat. The Mountaineering Council wondered if Scottish Ministers could surrender one of their seats.

It was also felt by the majority of respondents that residents in the areas brought into the Cairngorms National Park would be entitled to vote in the direct
elections to the CNPA. Badenoch and Strathspey Conservation Group think their locally elected members should be reduced by one as they are not in favour of the number of board members being increased. Perth and Kinross Council think the board member number could be extended. The point was made that this could be achieved at the 2007 elections.

The Cairngorms National Park Authority made the point that unless the number of directly elected members was increased, one or more of the existing wards would need to be extended. They feel that it is possible that increased membership (which they point out would require change in the primary legislation) could make workability more difficult simply because of the logistics of dealing with a larger number of individuals on the board.

Highland Council stated that any boundary extension should not be at the expense of the five members of the Authority presently able to be nominated by the Highland Council. However, if it is reduced from 5 to 4 members then, in the matter of direct elections, three wards should remain solely to cover the Highland component and the additional area could be added to Angus/Aberdeen ward.

**What additional costs may be incurred by this proposal?**

82% of the respondents to this question felt that any costs incurred would be very minimal. The Cairngorms National Park Authority stated that there would be additional office, travel and staff costs. Also one-off costs such as changes to major pieces of work which the CNPA has currently underway need to be readdressed for example the National Park Plan and Local Plan. Scottish Natural Heritage think that costs would depend on initiatives and programmes that were proposed for the park following more detailed examinations of options.
Two respondents highlighted that there would likely be staffing demands for Blair Atholl and Glen Shee and communication costs with new communities. Highland and Aberdeen Council think the Scottish Executive need to apportion extra funding to cover any enlarged area, so that resources do not have to be diluted within the present area.

**Do you believe any equal opportunity questions arise from this proposal?**

No respondents felt that any equal opportunity questions arose from this proposal although Scottish Natural Heritage stressed the importance of equal opportunities issues being taken fully into account in all key decision making. Mountaineering Scotland felt funding for all-abilities facilities might conceivably be easier within the Park.

**Do you have any further comments to make?**

Most respondents used this question as an opportunity to state that they are in favour of extending the Cairngorms National Park boundaries. Scottish Natural Heritage feels a key issue to consider the timing of introduction. They think there are several possibilities, for example, as part of the park planning process (during its first review), as part of a 5 year review of the Park performance, or in 10+ years as long term benefits are identified. Factors to consider in evaluating these options might include the desirability of avoiding wasted investment, avoiding disruption at this important early stage in life of the Park, and the urgency of the issues and opportunities that would be tackled by extending the Park.
Highland Council wished to comment that any extension of the boundaries should not be to the detriment of future efforts to bring economic benefits to Dalwhinnie area which has “gateway” potential with the current boundary.

The Cairngorms National Park Authority stated that it took a neutral position on the boundary believing that to be a matter for the Scottish Parliament to determine. The Authority did however state that it would continue to work “across” the boundaries to ensure linkages are made with neighbouring areas. The National Trust for Scotland stated in response to this question that the consultation carried out by Scottish Natural Heritage was exemplary both in its engagement with local communities and in its consistent, logical, and coherent conclusions. They look forward to the day that its recommendations are implemented. They also added that it had been a privilege to work with PARC.

The Munro Society argues that glancing at the Ordnance Survey Landranger Map Sheet 43 makes the case for the inclusion of Highland Perthshire more succinctly than words. They also argue that in the Blair Atholl, area the established attraction of Blair Castle, the huge commercial success of the House of Bruar, and the close proximity of the National Trust Killiecrankie site makes Blair Atholl an ideal focus for a “southern gateway”. They also feel this in itself would provide an opportunity for the National Park to play a cohesive role by the provision of a modest visitor centre in keeping with the preservation and enhancement of the southern aspects of the National Park.

Mount Blair Community Council held a public discussion on the subject. The overwhelming majority of those who attended supported an extension of the boundary of the Park although they were equally split between whether the boundary should be extended to the Lair as outlined in the consultation document or to Bridge of Cally including Strathardle.
Blair Atholl and Struan Community Council also debated the proposal and felt that some of the advantages of membership of the Park may have become less significant given the operational performance of the Park since its inception. Atholl Estates sought reassurance that the positive advantages of Park membership in relation to the development of affordable housing for example would not be undermined by any possible obstructions to commercial or residential development initiatives.

From an ecological point of view they argue that flora and fauna do not change throughout the greater area as originally proposed by SNH and the sustainable use of natural resources does not change at the boundary either. Also cross-country routes through the mountains show that three major Cairngorm Passes lie half in and half out of the park which will detract from future consideration of access and possible path restoration.

One respondent made the point that there should be a much clearer statement confirming that maintaining and enhancing environmental integrity is given a higher priority than socio-economic activity.

Aberdeenshire Council stated that now the park is in existence they do not see what would be gained by extending the boundaries. In their opinion the impact on existing communities and organisations in the Park is likely to be detrimental in the short to medium at least.

However, Perth and Kinross Council, Ramblers Scotland, Rural Scotland, the Mountaineering Council for Scotland, Badenoch and Strathspey Conservation Group and Ramblers Association all took this question as an opportunity to state that they strongly support the revision of the current Park boundary at the
earliest opportunity. The Mountaineering Council stated that they hoped Scottish Ministers will be sufficiently impressed by the arguments put forward in this consultation and that they will undertake to introduce a Designation (Amendment) order to achieve the purpose.
5 Conclusion

The aim of the consultation paper was to find out the views of interested parties regarding the current boundaries of the Cairngorms National Park and the proposal to extend the boundary to include areas of Perthshire. The majority of respondents felt the current boundary impedes the aims of the National Park and that extending the boundary would bring economic, environmental and social benefits.

It was felt that extending the boundary would have a positive impact, removing anomalies that have been created by the current Park boundary and would enable better Gateway facilities in approaching the National Park from the South.

There was general consensus that Perth and Kinross Council would require a seat on the Cairngorms National Park Authority Board but there were divided opinions on how this should be achieved.

There were some concerns expressed that the operational performance of the Park to date had undermined some of the advantages of membership of the National Park.

Overall, the strong message that came through from this consultation was that there is a great deal of support for expansion of the Cairngorms National Park boundary to include areas of Highland and Eastern Perthshire that were originally included in the boundary proposals from Scottish Natural Heritage.
6 List of respondents and further information

Atholl Estates
Blair Atholl and Area Tourism Association
Alyth Community Council
Blair Atholl and Struan Community Council
Mount Blair Community Council
Association of Cairngorms Community Councils
Badenoch and Strathspey Conservation Group
Garry Stagg on behalf of the Atholl Mercantile Association
RNIB
Woodland Trust
Munro Society
John Muir Trust
Rural Scotland
Mountaineering Council for Scotland
Cairngorm Campaign
National Trust for Scotland
Ramblers Scotland
RSPB
Perth and Kinross Council
Highland Council
Aberdeenshire Council
Angus Council
VisitScotland
Cairngorms National Park Authority
Scottish Natural Heritage
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