Extension of the boundaries of the Cairngorms National Park

Public Consultation

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Consultation document
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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) Bill 2000 to make provision for the inclusion of parts of the Eastern and Highland Perthshire areas within the boundaries of the Cairngorms National Park.

This consultation paper gives some information about the proposal and seeks your views on it. After reading this paper, you are invited to respond to a series of questions and your views will be considered as part of the consultation process on the proposed Bill.

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.

The National Parks (Scotland) Bill specifies that the boundaries and other operational arrangements for a National Park shall be defined through secondary legislation. It is the exclusive right of the Scottish Executive to propose secondary legislation to Parliament. Therefore the only route available to amend the boundaries of the Park, by any party other than the Scottish Executive, is through change to the National Parks (Scotland) Bill.

This consultation paper sets out the background to the issue, makes the case for change and explains the mechanism that is to be utilised.
2 Background to the establishment of the Cairngorms National Park

The early development of the Cairngorms National Park was rooted in the Cairngorms Partnership which drew together a number of local authorities and organisations with an interest in the formation of a National Park. Perth and Kinross Council was one of the members of that Partnership. The Partnership undertook a great deal of the preparatory discussion in advance of the formation of the National Park.

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) Bill 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 co-ordinate local and community pressure to address this issue.
3 The case for inclusion

Scottish Natural Heritage [SNH] undertook an extensive consultation exercise on the issues relevant to the inclusion of the areas of Highland and Eastern Perthshire within the National Park. SNH examined each of the areas adjacent to the central core of the Park and evaluated the merits of the case for inclusion in the context of the objectives set for the National Park. SNH made recommendations on each particular sub-unit.

SNH recommended that the boundaries of the National Park should include The Forest of Atholl including Blair Atholl [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 around the A93 that includes Glas Tulaichean and the Spittal of Glenshee but excludes Kirkmichael.

The inclusion of the Forest of Atholl and Blair Atholl was argued for on the basis that Blair Atholl provided a natural gateway to the National Park both in terms of an economic opportunity for the village and the significance of the access route through Glen Tilt to the mountains.

The case was made for the inclusion of the hill area of the Forest of Atholl to encompass the Beinna’Ghlo and Drumochter Hill SSIs and the upland raptor populations. It was also argued that the area fulfilled the second condition of the Act in that it shared a distinctive character and coherent identity with the Central Cairngorms.

The mountain group to the west of the A9 in sub-unit 19 was argued for inclusion on the basis primarily of the landscape and ecological value of the Drumochter hills and the opportunity for integrated management of both the catchment and the visual envelope around the A9.
The inclusion of the part of sub-unit 15 around the Spittal of Glenshee was primarily considered on the basis of benefits for land management and the rural economy.

SNH argued “that the integrated management of these resources could offer significant benefits both to the areas themselves and to the adjacent mountain massif, notably through restoration of hill tracks and adjustments to grazing management to allow woodland and scrub regeneration.” SNH supported the inclusion of these areas within the Park on natural heritage grounds.

One of the key considerations on the question of inclusion of areas within the Park is whether areas exhibit a strong identity consistent with the core of the Cairngorms massif. In all of the above areas that were recommended for inclusion by SNH that central test was passed.
4 Issues arising from the current boundaries of the Park

The National Parks (Scotland) Act 2000 sets out four aims for the Park -

- To conserve and enhance the natural and cultural heritage of the area,
- To promote sustainable use of the natural resources of the area,
- To promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public,
- To promote sustainable economic and social development of the area’s communities.

These aims are central to the design and direction of the Park and any case for the inclusion of additional areas within the National Park must be consistent in delivering these aims. The arguments for inclusion of Highland and Eastern Perthshire are set out in the following points.

Firstly, SNH made a strong case that the areas they recommended for inclusion but were excluded in the final Designation Order were consistent with the natural and cultural heritage of the areas that were in fact included.

Secondly, SNH made a further case for the inclusion of Highland and Eastern Perthshire based on the advantages of sharing resources in order to achieve the appropriate land management approach consistently across the area.

Thirdly, one of the principal advantages of including the Highland and Eastern areas of Perthshire would be to ensure the many leisure and recreation opportunities that are currently experienced in this area can be managed within the Park. It will also have the advantage of creating a major and identifiable gateway to the Cairngorms National Park.
Fourthly, Highland and Eastern Perthshire offer identifiable gateways to the Cairngorms National Park. As a result the opportunities to pursue economic and social benefits for these areas are significant.

The current boundaries of the National Park and the exclusion of areas of Highland and Eastern Perthshire give rise to a number of issues.

There is a lack of consistency to the areas within the National Park. The topography and natural heritage characteristic of the areas within the National Park are entirely consistent with those that have been left out. No argument is being made for the creation of an extensive Park with an inconsistent topographical or natural heritage identity. The case is being made here that if topography and natural heritage character are to be major considerations in determining what areas should be included then those values should be applied on a consistent basis. That approach was taken by SNH but it was compromised by the final design of the Designation Order.

There is a lack of protection around the core of the National Park. SNH developed the thinking that it was essential to have a “buffer zone” around the core area of the Cairngorms National Park. That has been created in most areas but there is no effective “buffer zone” in Highland and Eastern Perthshire due to the exclusion of these areas.

There is a loss of economic opportunity for the Highland and Eastern Perthshire areas. Both offer accessible points in terms of road and rail connections that could be utilised to enhance economic development.
The village of Blair Atholl is a model of how an integrated approach to tourism and economic development can be successfully executed without damaging the fundamental character of the area. A new initiative to bring *Green Rail Tours* to Scotland involving charter trains for ecologically sustainable tourism is being developed at Blair Atholl and is entirely consistent with the vision of the National Park. The opportunity to build on this is lost by its exclusion from the National Park.

The establishment of clear and accessible gateways to the National Park through Blair Atholl would enhance the Park’s ability to undertake effective visitor management strategies. Blair Atholl is an identifiable point where visitors can be informed, educated and managed and provides excellent access to the mountain ranges.
5 Proposals to change the boundaries of the Park

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.
Approximately 1,000 citizens from Angus are included in the National Park and Angus Council has one member on the Board. It is estimated that the number of citizens from Perth & Kinross that would be included in the Park would be 1,000. It would be consistent with the approach to establishing the Park that Perth & Kinross Council would also be entitled to one member of the Board. One of the key questions in this consultation document is how membership of the Authority should be re-configured to deal with this change.
6 Conclusion and how to respond

Thank you for reading this consultation document. Supporters of the proposed Bill hope that you have been persuaded that there is a powerful and clear case for including Highland and Eastern Perthshire within the boundaries of the Cairngorms National Park. This step would create opportunities for economic and social benefit in these areas and would also create a more coherent and consistent identity for the National Park.

You are now invited to respond to this consultation paper by answering the questions in section 7, and making any other comments that you consider appropriate. Responses, which should be submitted by 31 January 2006, may be sent to –

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Please make it clear whether you are responding as an individual or on behalf of an organisation. If you wish your response to be confidential, please say so, otherwise it will be available for public inspection, in accordance with the principles of transparency and freedom of information. Confidential responses will be included in any summary or statistical analysis but this will not reveal the identity of any respondent who has requested confidentiality.
7 Questions

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

What economic, environmental or social benefits would be created by extending the boundaries of the Park?

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

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

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

If so, how should this be accomplished?

What additional costs may be incurred by this proposal?

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

Do you have any further comments to make?
8 Distribution and Consultation List

Aberdeenshire Council
Angus Council
Highland Council
Moray Council
Perth & Kinross Council

Cairngorms National Park Authority
Scottish Natural Heritage
Visit Scotland

National Trust for Scotland
Ramblers Association
Mountaineering Council for Scotland
RSPB
WWF Scotland
John Muir Trust
North East Mountain Trust
Rural Scotland
Scottish Council for National Parks
Scottish Countryside Activities Council
Scottish Native Woods
Scottish Wildlife Trust
Scottish Wild Land Group
Woodland Trust Scotland
Munro Society
Badenoch & Strathspey Conservation Group

Blair Atholl & Struan Community Council
Killiecrankie and Fincastle Community Council
Rannoch & Tummel Community Council
Mount Blair Community Council
Strathmore and the Glens
Highland Perthshire Communities Partnership

Blair Atholl & Struan Tourism Association
Atholl Estates
Atholl Mercantile Association
Pitlochry Civic Trust
ANNEX 1

PERTHSHIRE ALLIANCE FOR THE REAL CAIRNGORMS (PARC)

PARC is campaigning for the boundaries of the Cairngorms National Park to reflect the recommendations made by the Scottish Natural Heritage to the Scottish Executive. These recommendations included some 700 square kilometres of Highland Perthshire within the Park boundaries.

PARC is a non-political body seeking support from all political parties.

Aim of PARC

To ensure that the Cairngorms National Park boundary incorporates those parts of Perthshire recommended for inclusion by Scottish National Heritage.

Rationale

The current Park boundary:

- Does not reflect the coherent natural heritage identity of Cairngorms as a whole, as identified by SNH
- Will not protect the distinct wild and natural character of the southern Cairngorms
- Dissects important European nature conservation sites at Drumochter and Caenlochan, making integrated conservation difficult
- Severs historic routes through some of the wildest and most remote areas of the UK, making integrated recreational management difficult
- Will not allow for the co-ordinated management, including associated transport links, of the Glenshee ski slopes
- Misses the opportunity to use the natural gateways and existing infrastructure in Athol and upper Glenshee to provide the best welcome to visitors to the Park from the South
- Will not spread the economic and social benefits of the National Park to the whole of the Cairngorms
- Results in a lost opportunity for core-zoning of such an important central mountain plateau.
Map 1: Sub-units used for the assessment exercise for the proposed Cairngorms National Park