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FOR CUNNINGHAME NORTH

Consultation on the proposed
‘Protecting Scotland’s Regional Parks Bill’
**Foreword**

I believe that one of Scotland’s most treasured and valuable resources is its natural beauty. One of our most remarkable examples, Clyde Muirshiel Regional Park, has been the subject of considerable interest over the last five years from wind farm developers.

Various groups, with my support, have raised concerns at this ever-increasing interest and the current lack of protection. This spectacular landscape, visited by in excess of 1.5 million people annually, has already been subjected to invasive development. Therefore, in my mind, this cause deserves prompt and real action.

Our regional parks, at present have no governmental protection and therefore are not precluded from development activities which could be of severe detriment to them. Although Scotland has a culture of respect and preservation towards the environment, safeguards need to be put in place in order to protect and preserve our parks for future generations.

My Bill would prohibit any industrial development within regional parks that is contrary to assisting the Park Authority in achieving its adopted aims. This would primarily prevent significant adverse impacts from the construction and operation of wind farms. It would also support local councils in holding back the advances of other private interests, while allowing utilities to provide essential infrastructure where necessary.

This consultation document sets out my proposal and outlines my case for this bill. Before finalising it, I am keen to hear your views and experiences regarding industrial development, including wind farms, as it relates to the preservation of our regional parks. I look forward to meaningful engagement with you and/or your organisation.

Best wishes,

Kenneth Gibson MSP
Cunninghame North
Text of Bill Proposal

The text of the proposal for a Bill has been lodged as follows:

Protecting Scotland’s Regional Parks Bill

Proposal for a Bill to restrict industrial development within Scotland’s regional parks.

Summary

I intend to put forward a Bill which would legislate to restrict industrial development in regional parks.

My proposed bill would:

- Place a legal requirement on the Scottish Government to ensure that the natural beauty of regional parks is maintained by protecting them from intrusive industrial development, such as wind farms.

This consultation paper briefly describes Scotland’s three regional parks, sets out the background to the issue, briefly details the National Parks (Scotland) Act 2000 and makes the case for restricting industrial development in regional parks, specifically using Clyde Muirshiel Regional Park as an example. After reading it, you are invited to respond to a series of questions to assist me in finalising the approach I will then take. I hope you will take this opportunity to make your views heard.
Scotland’s Regional Parks: Their Purpose

Regional Parks may be designated by local authorities under powers provided in the Wildlife and Countryside (Scotland) Act 1981 and are subject to confirmation by Scottish Ministers. The act defines a regional park as "an extensive area of land, part of which is devoted to the recreational needs of the public".

Pentland Hills Regional Park

Pentland Hills Regional Park was officially designated in 1984. The park attracts over 600,000 visitors annually. Elected members from three local authorities (The City of Edinburgh Council, Midlothian Council and West Lothian Council) have an overseeing management responsibility for the Regional Park, which is guided by a minute of agreement between the authorities. The joint committee overseeing the park defines their aims as follows;

- To retain the essential character of the parks as places for the peaceful enjoyment of the countryside.
- Caring for the parks so that the landscape and the habitat is protected and enhanced.
- Within this caring framework to encourage responsible public enjoyment of the parks.

Lomond Hills Regional Park

Originally named Fife Regional Park and designated a regional park in 1986, it was renamed Lomond Hills Regional Park in 2003. Lomond Hills Regional Park extends over approximately 65 square kilometres of west central Fife, taking in Fife’s highest and most heavily used open countryside. This park entertains between 600,000 and 800,000 visitors each year. Lomond Hills Regional Park Partnership is a working partnership of landowners, estate managers, farmers, public sector agencies, individuals and organisations that have an interest in the recreational use and its impact on the day to day life, of the land within and adjacent to the Park boundary. Their objectives are as follows;

- The conservation of the natural, historical and landscape heritage of the area.
The integration and co-ordination of all activities to provide benefits for all users and occupiers of the Park in a balanced way.

The expression to the Local Authorities and other public bodies of the views of the Partnership in relation to those matters for which those authorities/bodies are responsible.

Clyde Muirshiel Regional Park

Clyde Muirshiel Regional Park was officially designated in 1990. It covers approximately 281 square kilometres and incorporates such natural activities as cycling, walking, water sports, wildlife and camping and attracts over 1.5 million tourists annually. The Clyde Muirshiel Park Authority is managed by a joint committee of eight councillors drawn from the three participating authorities of Renfrewshire, Inverclyde, and North Ayrshire councils, together with representation from Scottish Natural Heritage. The authority organises and manages conservation, recreation and tourism activities within the regional park. Their main goals are as follows;

- To conserve and enhance the natural beauty, biodiversity and cultural heritage of Clyde Muirshiel Park.
- To encourage and enable learning, understanding and enjoyment of Clyde Muirshiel Park.
- To promote and foster environmentally sustainable development for the social and economic well-being of the people and communities within the Clyde Muirshiel Park area.
**Background**

- Numerous development proposals continue to be presented to Park Authorities, which strain their resources and threaten to chip away at our regional parks bit by bit, destroying their aesthetic beauty.

- There are currently no statutory rights attached to regional parks in Scotland, therefore no protection is offered to them against industrial development.

- The lack of protection that regional parks endure has been highlighted by a multitude of concerned citizens affected by recent developments.

- While opposition to industrial development is strong, protesters repeatedly have to work long and hard to resist each and every proposal.

- The large majority, if not all, of recent build applications have been for wind turbines. However, private investors are only limited by the scope of their imagination and perhaps tomorrow we will begin seeing applications for other industrial developments, such as manufacturing complexes, mills, plants, quarries and mines.

As the First Minister said in the Scottish Parliament on 23 May 2007

“There is enormous potential for further wind power development in Scotland, but we must also be mindful that natural beauty in our environment is a scarce resource.”

**Scotland’s National Parks**

The National Parks (Scotland) Act 2000 states that the aims of National Parks are to:

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

The work of any national park authority, including the drafting of development plans and taking decisions on planning applications (if this is a function of the particular national park authority) is guided by these aims. The aims have equal status but where there is conflict between them, the Park Authorities must give greater weight to the first aim of conserving and enhancing the natural and cultural heritage of the area.

I have included the above in order to illustrate the position that national parks occupy. In contrast, regional parks are not afforded such a high level of protection but instead, planning authorities are currently advised to not unreasonably restrict national targets for renewable energy.

**Reasons for the Bill**

The following are some of the main concerns that organisations and local residents have voiced concerning regional parks and industrial development, particularly with respect to wind farms, though other developments, such as manufacturing complexes, mills, plants, quarries and mines, have identical concerns.

**Landscape and Visual impact**

Wind turbines are large, vertical and moving objects that will be placed among a horizontal, peaceful and serene area. Moreover, the materials associated with development, such as tracks, ditches, access roads and power lines, cause further visual impacts to the area.

**Noise Pollution**

Wind turbines and other industrial developments create noise that can be heard from kilometres away.
Wildlife Habitats

A regional park is home to many important and recognised habitats. Construction disturbs these habitats. Species may be lost locally due to foreign interference and the destruction of these habitats can adversely affect overall wildlife numbers.

Peat Slope Instability

Industrial development can cause slope instability (landslides) in distant areas. A landslide in Kerry, Ireland in 2008 was linked to the construction of wind turbines in the area.

Carbon Sink

A vast amount of regional park land is peat based. These areas are of integral importance because they act as carbon sinks, which reduce the emission of carbon dioxide into the atmosphere. Construction and damage to the landscape can readily allow emissions of carbon dioxide into the air, while at the same time, impair the positive properties of the soil.

Tourism and Recreation

Wind turbines and other foreign structures conflict with the natural beauty of regional parks and have been shown to deter visitors, negatively impacting local economies.

Finally, it should be stated that the points noted above are not all the reasons for the creation of this bill, they are the most important. The consequences are interlinked, for example, the loss of wildlife in an area diminishes the availability of wildlife viewing as a recreational activity.
Consultation Questions

I am keen to hear your views on the following;

• For what reasons should regional parks be afforded special protection?

• Do you have a view on what industrial development should encompass?

• In what ways have industrial developments adversely affected your visit to any of Scotland’s regional parks?

• Do you think the Scottish Government is doing enough to maintain and protect Scotland’s regional parks? If not, what are your recommendations?

• Do you foresee any unintended consequences related to the restriction of industrial development in regional parks?

• Any further comments you would like to make on my proposal?

Thank you for your consideration.

Please return your comments on this proposal to the following address by Monday 31 August 2009

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For further copies of this document, please contact me at: Kenneth.gibson@scottish.parliament.uk
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.

Additional copies of the paper or alternative formats can be requested using the contact details above and calls via Typetalk are welcome. An on-line copy is available on the Scottish Parliament website The Scottish Parliament: Bills - Proposals for Members' Bills.