



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

PENTLAND HILLS REGIONAL PARK BOUNDARY BILL COMMITTEE

Thursday 29 October 2015

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PENTLAND HILLS REGIONAL PARK BOUNDARY BILL COMMITTEE
2nd Meeting 2015, Session 4

CONVENER

*James Dornan (Glasgow Cathcart) (SNP)

DEPUTY CONVENER

*David Stewart (Highlands and Islands) (Lab)

COMMITTEE MEMBERS

*Alex Fergusson (Galloway and West Dumfries) (Con)

*Mike MacKenzie (Highlands and Islands) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Ian Aikman (Scottish Borders Council)

Chris Alcorn (West Lothian Council)

Robert Barr (NFU Scotland)

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP)

Anne Gray (Scottish Land & Estates)

Colin Keir (Edinburgh Western) (SNP)

James Kinch (Midlothian Council)

Alan McGregor (City of Edinburgh Council)

Malcolm Muir (South Lanarkshire Council)

Helen Todd (Ramblers Scotland)

Janice Winning (Scottish Natural Heritage)

CLERK TO THE COMMITTEE

Claire Menzies

LOCATION

The David Livingstone Room (CR6)

Scottish Parliament

Pentland Hills Regional Park Boundary Bill Committee

Thursday 29 October 2015

[The Convener opened the meeting at 09:30]

Pentland Hills Regional Park Boundary Bill: Stage 1

The Convener (James Dornan): Good morning and welcome to the second meeting in 2015 of the Pentland Hills Regional Park Boundary Bill Committee. I ask everyone present to switch off mobile phones and other electronic equipment, as they affect the broadcasting system. Some committee members may consult tablets during the meeting, because we provide meeting papers in digital format. I welcome Christine Grahame, who is the member in charge of the bill. Colin Keir MSP is also in attendance. Both will be allowed to question the witnesses after committee members have asked their questions.

Our only item of business today is evidence on the Pentland Hills Regional Park Boundary Bill. Our first panel represents local authorities that are affected by the bill. I welcome Alan McGregor, regional park manager with the City of Edinburgh Council; Chris Alcorn, principal planner, planning and economic development with West Lothian Council; James Kinch, land resources agent with Midlothian Council; Ian Aikman, chief planning officer with Scottish Borders Council; and Malcolm Muir, countryside and green space manager with South Lanarkshire Council.

Under the Parliament's standing orders, committees cannot meet at the same time as the Parliament and therefore the meeting must come to a close at 11.35 at the latest. It would therefore be helpful if members could keep their questions brief and if responses could be concise. Due to time constraints, we will not have opening remarks but will move straight to questions. That will allow everybody an opportunity to contribute. As I said, I intend to allow Christine Grahame and Colin Keir to question witnesses once committee members have concluded their questioning.

I will start. Are any of the witnesses aware of any demand for an extension to the Pentland hills regional park?

James Kinch (Midlothian Council): No. We are not aware of any particular demand for an extended regional park, although we might not be the natural people to speak to.

The Convener: Are any other councils aware of a demand?

Ian Aikman (Scottish Borders Council): Scottish Borders Council is not aware of any demand. As we go through the normal planning process, such matters are identified through main issues reports, either for the south-east Scotland strategic development planning authority—SESplan—or for the local development plan. Extending the park has not been an issue of particular relevance to the Borders community.

Malcolm Muir (South Lanarkshire Council): South Lanarkshire Council has had no indication of demand.

Alan McGregor (City of Edinburgh Council): The City of Edinburgh Council is not aware of any direct demand but, in its capacity as a manager of the existing regional park, it recognises that recreational use of the Pentland hills extends beyond the existing boundary. However, that has not been expressed directly in terms of a demand to extend the boundary at this stage.

Chris Alcorn (West Lothian Council): Like Scottish Borders Council, we have recently produced our main issues report. The Pentland hills were mentioned, but there was no substantial response, other than from, I think, Kirknewton community council, which was split on whether it was a good thing or a bad thing to extend the park. However, that community council was split on a number of issues.

The Convener: I have been a member of community councils, so I know how that works. Was that the only organisation that mentioned the extension of the park?

Chris Alcorn: Yes.

Mike MacKenzie (Highlands and Islands) (SNP): Good morning. How effective is the current park in meeting its various objectives, which include retaining the character of the area, protecting and enhancing it and encouraging responsible access?

Alan McGregor: It is approximately 27 years since the park was designated, so there is a fair track record of providing visitor management services in the northern area of the Pentland hills. To an extent, it is for others to judge how effective the park is. I am speaking in my capacity as an employee of the City of Edinburgh Council, which is the lead authority for the existing park. Over that period, we have certainly endeavoured to provide effective visitor management services. The core of that is around catering for the visiting public through things such as access points, footpaths, rights of way, signage and waymarking, visitor centres and information and advice about where to go and how to enjoy the hills responsibly.

About 27 years of incremental work has been done in that regard, and I would like to think that those services are fairly evident to visitors to the existing regional park. It is a managed landscape from the point of view of the facilities that are there to enable visitors to enjoy the countryside responsibly. That is on top of the existing land uses such as farming, military training and water supply. All along, the idea has been to provide a level of service to assist visitors to enjoy the hills responsibly while managing the landscape and the impact on existing land uses.

Mike MacKenzie: As no other witnesses appear to want to comment, I will move on to my next question.

I interpret what has been said as being largely positive. I want to explore the extent to which the objectives of the park might already be being met in the area that is currently outwith the park but within the scope of the bill. Any or all of the witnesses might care to comment on that.

Ian Aikman: I will respond from the perspective of Scottish Borders Council. In the area of the proposed extension of the park in the Borders, we have a series of core paths and promoted paths, and there is also a series of environmental designations. As far as the environmental quality of that area and people's access to it are concerned, those things are already available. We balance that provision with the provision in the large area that we deal with in the rest of the Borders.

Given that there is already access to the area, we need to ask whether its designation as part of the park would change that or assist with meeting the objectives, many of which are already being met.

Malcolm Muir: From the South Lanarkshire perspective, we would concur with that exactly. We have core paths in the area and we cannot see what real advantage there would be for public access or natural heritage protection under regional park designation that cannot be delivered under existing legislation.

Of course, there is the matter of resources, depending on the scale of facilities that we would want to put into such an area. The provision of such facilities must be dictated by the presence of significant populations. We understand the situation at the Edinburgh end of the regional park, but our main populations, where there are health challenges and so on, tend to be on the fringes of Glasgow, and this is a very peripheral area for them.

Mike MacKenzie: Thank you.

Chris Alcorn: On the West Lothian side, a very small extension of around 22km² is proposed,

which includes six or seven properties, a couple of farms and one business. Scottish Water has the reservoir, although it is looking to sell it, and Forestry Commission Scotland has a number of woods that it is looking to sell. There are no core paths and one right of way. The key thing from our perspective is probably the presence of an area of special conservation—Craigengar moss, which is quite a large moss right down in the corner of West Lothian as it abuts on to Scottish Borders and South Lanarkshire.

You could say that the area in question is the remotest part of West Lothian. We have had a number of wind farm proposals in the area. The Scottish ministers refused the Fauch hill wind farm proposal last year. That farm is now up for sale. As far as recreational impact is concerned, if a wind farm had been there, there would have been a significant change, but now that that possibility has receded, there is very little pressure on the area. There are no plans, and no budget to spend anything on it.

Mike MacKenzie: I have a brief follow-up question. To my shame, I have never been to the Pentland hills regional park. I represent the Highlands and Islands, and as I stravaig about the Highlands and Islands I sometimes put myself in the mindset of a tourist or visitor to the area in an effort to gain an understanding of it from that perspective.

As a member of the committee, I will make a point of visiting the park. As a visitor, will I notice any difference between the experience that I have in the existing park and the one that I have in the proposed new area? I appreciate that this is difficult territory. The question is maybe a bit subjective and it might be more fitting to ask a poet to write about it—I am sure that Wordsworth would have covered it adequately. However, do you understand what I am getting at? What difference would I notice as a visitor?

Alan McGregor: An existing aim of the current regional park refers to the park's "essential character", which I think is important as a starting point. The aim of the existing park is not to change the upland landscape and the Pentland hills from being a working landscape that is largely farmed. People have been walking there for many years, and the important essential character of a visit to the area is the value of the recreational experience. I therefore imagine that should the park boundary extend further into the southern hill range, the essential character would be the essence of what the park attempted to try to conserve and look after for current and future generations. In a sense, it would be subtle, and I suspect that the facilities and the level of visitor management that would be provided in the

extended area would be sensitive to that subtle essential character.

Mike MacKenzie: Great. Thank you.

Alex Fergusson (Galloway and West Dumfries) (Con): Good morning, gentlemen. I have a brief supplementary question. I find this issue quite interesting. I think that it was Mr McGregor who described the current park as providing a slightly more managed recreational environment, if I can put it that way. I do not want to put words in his mouth, but I think that he referred to an increased level of management. I can absolutely understand the need for that because of the pressure that comes from a park being in very close proximity to a city, which the current park is. However, "pressure" is the operative word here. There has been mention of the current legislation on access and core paths, which provides a level of management, but it is managed in a sort of unmanaged way rather than in the way that something in the regional park would be managed. My question is whether, in the proposed extended area, the pressure of recreational use is such that, in your view, an increased level of management would be required?

Ian Aikman: The short answer is no.

Malcolm Muir: The answer from South Lanarkshire is no.

Chris Alcorn: Certainly, West Lothian cannot see any pressure there at all.

Alex Fergusson: I think that that answers my question. Thank you.

David Stewart (Highlands and Islands) (Lab): I have a general question for all the witnesses about finance, which is obviously key. The committee read all your written evidence with lots of interest. The existing situation across the board in local authorities and beyond is that finance is a big constraining factor—we all appreciate that. Can the witnesses tell me a little bit more about the problems, constraints and opportunities with regard to financing for the existing regime? Perhaps Mr Alcorn can start.

Chris Alcorn: Obviously, we have only 10 per cent of the existing park area. As part of the memorandum of understanding that was drawn up in 1986, our proportion of the budget is related to that. I think that at the moment, we spend about £15,000 or £16,000, which amounts to about half the cost of a ranger's post. Our access budget for the whole of West Lothian is a £60,000 capital budget. We used to have a revenue budget of £32,000, but that has recently been halved to £16,000—again, that is for the whole of West Lothian.

There are no core paths in the area concerned, so it has had no priority at all. Currently, we do not

have an access officer in post. We hope to recruit one, but that has been the case for three years now. The existing three-year settlement, which the council has just agreed, does not make any provision for expansion or additional staff or resources for access or environmental work in the proposed extended park area, let alone the existing park area.

David Stewart: Would you say, then, that you are not meeting some of the current objectives that you have set yourselves, or is it that your head is just above water in terms of how the finance operates for your authority?

Chris Alcorn: In relation to the area in question, I am chair of the Harperrig reservoir local nature reserve management committee, which involves residents, landowners and land managers. Their view is that there are quite a few issues there. However, supported by the City of Edinburgh Council and the ranger, we have been able to work through the management plan for that area. Because visitor pressure is light in the area, that is mainly about farm-specific environmental issues rather than issues that are related to a large number of visitors. Without the City of Edinburgh Council contributing to the park and without the staff resource from the Edinburgh natural heritage service working in the area, our existing countryside services could not provide ranger cover there.

09:45

Alan McGregor: I will comment from an Edinburgh perspective, although I imagine that the situation is similar for the majority of, if not all, the partners. It is no secret that local authority budgets are under strong pressures. The current funding arrangement depends on the three local authorities providing revenue funding to provide an integrated service in the park, so it is no surprise that that, too, is under pressure.

David Stewart asked whether we are keeping our heads above water. The answer is yes, although historically there has been a decline in the overall budget for the park in terms of staff numbers, staff input and funding for projects and doing things on the ground, so it has been a challenge. A credible and viable service is still provided thanks to the continued partnership of the three local authorities, but it is a challenge to maintain the service. I think that that will continue as we look ahead to the years to come.

David Stewart: Your authority is the lead authority, is it not?

Alan McGregor: Yes.

David Stewart: Do you find that there is any creative tension with your colleagues, with people

saying, "We've spent money and you haven't"? Local authorities do not get exactly the same funding settlements. Are there any tensions that you can reveal to the committee?

Alan McGregor: We have a management group for the regional park, which is attended by officers from all three authorities, and we regularly discuss the programme of works that we are doing. The concept of the park is that it is managed as an integrated area across local authority boundaries, and I would say that, through the work of the management group, the joint committee and the annual reporting on outputs from the budget that we have, we make a pretty good job of managing it as a whole. The output is reasonably fair across all the local authority areas.

James Kinch: Midlothian Council contributes about £60,000 a year to the Pentland hills natural heritage service budget. Alan McGregor is right to say that the service is keeping its head above water in terms of staffing. However, we all recognise that the infrastructure of the hills—that is, the paths system—is costly to maintain, and budgets are not available for that at present. The local authorities are looking at other mechanisms to fund that, and work on that is continuing.

There are two aspects. The service is doing a good job, but it does not have the budget or the resources from the local authorities to fund all the costly path works that are required to make the whole path network sustainable. We do not even know quite what the cost will be over the next five years. Those comments might bring some perspective.

David Stewart: That is helpful.

Malcolm Muir: We have no budgets committed to the proposed extension area. Over the past five or six years, we have dealt with a couple of minor right-of-way issues, as we would do anywhere in the council's area. Four or five years ago, we assisted Friends of the Pentlands with moving a footbridge, and last year we helped it with a leaflet to the tune of £200. Apart from a small expenditure of staff time and the odd piece of help for community groups, however, there has not been much else.

Ian Aikman: I think that we provided some information on estimated costings. We spend about £5,000 a year on core paths and the promotion of paths. That is taken out of our wider budget for the whole of the Borders. We cover more than 4,700km² and we maintain a wide range of footpaths and suchlike, and our core team of five access rangers and two path wardens provide support within that wider area, including, occasionally, in the park. However, there is no specific budget for the area. The money is taken from our broader budget as necessary, and the

figure that I mentioned is a broad estimate of what we think we have spent per year in the area.

David Stewart: Finally, on the proposed extended park, what funding sources would be available to each of the witnesses' councils for, say, parking, signage and path resurfacing? I appreciate that you would need to do some creative accounting to find some of that funding.

Perhaps I can start with Mr Alcorn.

Chris Alcorn: As I have said, we are now in year 2 of the agreed three-year capital revenue cycle for West Lothian. We could use the likes of Central Scotland Green Network Trust, which tends to do a lot of our green access works, but the problem with a lot of external funding is the match-funding element; the council is finding it increasingly difficult to find match funding, be it 20 or 50 per cent. A number of community development trusts such as the Kirknewton and West Calder and Harburn trusts that lie adjacent to the extension area have access to funds, but we are not picking up that they are considering this to any degree. No internal money has been allocated for the bill in our existing financial settlement.

I know that the likes of the Scottish rural development programme get bandied around a lot of the time, but that amounts to only £1 million for the whole of Scotland. It also takes time to apply for external grants, let alone to manage them. As I said, it is also becoming increasingly difficult to find match funding.

Alan McGregor: I would echo Mr Alcorn's comments. SRDP funding is potentially available to land managers—and, to an extent, to local authorities—for works on land, and there is also the Heritage Lottery Fund. However, they relate largely to capital works such as path improvements and access infrastructure. The challenge for the existing park, which would also apply to an extended park, is funding the bread-and-butter, day-in and day-out visitor management services, management and upkeep of access points, car parks, information and visitor centres, and providing staff on the ground to advise visitors, to engage in conflict resolution and to deal with farmers and landowners about issues of access to their land.

All of that is, as I have said, very much bread-and-butter routine service provision, and it is quite difficult to see how that would be provided other than through local authority revenue. In the current climate, it is difficult to see how that might be extended. It is important that we see the distinction between the potential to get money for works on a project-by-project basis, and the funding of on-going bread-and-butter services, which would create revenue budget pressures for local authorities.

David Stewart: As I understand it, the additional funding sources require to be matched. There would also be an opportunity cost; in other words, you would have to allocate staff to work on applications, which would take them away from other tasks. Do not match funding and staff time need to be taken into consideration as well?

Alan McGregor: Indeed they do. I would add that staff time is spent not only on the project management that you have just highlighted but on provision of visitor management services and on interaction with the public, farmers and landowners.

James Kinch: Alan McGregor is right. The second issue of revenue funding for on-going maintenance management is a trick that needs to be sorted out, but I am not quite sure how that would be addressed. I imagine that the local authorities whose representatives are sitting to my right would need to do that.

The issue of capital funding is perhaps a bit more straightforward. If the bill goes through, the local authorities will be able to work with groups such as Friends of the Pentlands and other organisations to get money. Funders are more likely to give funding to independent organisations than to local authorities; that would be one of the ways in which I would be looking to get money into the Pentland hills for car parks and path system improvements.

Malcolm Muir: I see no flexibility whatever in South Lanarkshire's existing core operational budgets to fund that work. The budgets are very small, and we already deliver a fairly extensive and—I like to think—quite innovative programme that is based largely on supporting and empowering communities and other groups, and on developing partnerships with, for example, NHS Lanarkshire. Most of our operational delivery comes through such streams; the council has no such funding focused on this area of work. As I said, it is peripheral to the health improvement of our core populations. Although we are more than happy to continue to work with the Friends of the Pentlands on things such as infrastructure improvement—just as we do with groups all over South Lanarkshire—I cannot see where any additional funding would come for that area, and we do not see it as a priority.

Ian Aikman: I echo what Malcolm Muir has just said. Our budgets are incredibly tight: I spent most of yesterday going through further budget trimming. There are several budgets that are vulnerable in many respects: access is one of them. We have a limited team that covers a wide area, many core paths, the Scottish national trail and the rest of it. We would have to divert scarce resources away from our key priorities and priority areas—central Borders and the Berwickshire

coast, where there are population pressures on access—to an area that is peripheral to us. We do not see recreational need or demand in that area of the Borders.

David Stewart: Thank you.

Alex Fergusson: One or two of the witnesses have mentioned SRDP as a possible source of funding, as have others. Can you confirm that the amount of SRDP funding that is available through the improving public access pot—which is what I think we are talking about here—has been reduced and is now about £1.2 million a year, for the next five years?

Malcolm Muir: I am not sure what the overall amount is.

Alex Fergusson: So, no one can confirm that. My understanding is that the improving access pot averages out at £1.2 million over five years. It would be useful to find out, because if the amount is reducing that clearly adds to the pressure.

We were talking about revenue costs. Has anyone estimated the increased revenue costs if the park were to be increased in size? Could the costs be met from current budgets? I think that I already know the answer to that one.

Alan McGregor: It is my understanding that a detailed estimate of the additional costs that might accrue has not been carried out. From the City of Edinburgh Council's perspective, that makes it quite difficult to assess accurately the financial impact. There is perhaps a need for more detailed investigatory work into the envisaged level of service provision for an extended regional park. From that, we would be able to estimate the likely revenue that would be required to provide those services. To date, that work has not been carried out.

Ian Aikman: Among the concerns that we have raised are the lack of clarity on how the park will deliver, and the issues in terms of its financial position, organisation, governance and so on and how that translates to an extended area. Significant consideration of the park and the extended park is needed before we can know what the implications will be. We do not think that there is enough clarity to enable us to support the plan.

Malcolm Muir: I agree. We found nothing in the financial memorandum that would allow us to make reasonably accurate predictions.

Alex Fergusson: You have already given us a picture of the current budget as being pretty well stretched in terms of providing the required objectives, so I take it that an extended park could not be covered by current costs. Is that the answer to my second question?

Alan McGregor: An extension could not be covered by current budgets.

The Convener: Mr Aikman talked about the future staffing costs. Could you give us a wee bit more detail on what those staffing costs might be?

Ian Aikman: We are saying that we do not have clarity on the nature of the proposal, including the organisation, staffing costs and implications, which is why we are expressing concerns.

10:00

We have a small team of five access rangers and two wardens. Our budget for the whole of the Borders is £409,000, of which £236,000 covers our staffing costs, so our spend is limited. We deal with a large area with many miles of footpaths. Until we know what the implications would be, we cannot make an assessment of whether we could deal with the proposal within our existing budgets, because we do not have enough information.

As I have highlighted, our existing budgets are likely to be trimmed over the next period. We are looking at and planning for years 1 to 5, and there are significant cuts coming our way. Over the next five years our budgets will be reducing, so we need to know what additional pressures the proposal may bring. There is a lack of clarity, so far.

The Convener: Do you have any feel for the sort of extra services that you may be asked to provide if the extension goes ahead?

Ian Aikman: There is reference to a warden in the submissions, but again, until we know what the organisation will be and what we are expecting, and until—as I have mentioned—we have a detailed analysis of the proposal and how it will work, we cannot come to a conclusion. We would be making a guess, essentially.

The Convener: One of the suggestions involves the possibility of moving to a trust model. What are your views on whether such a model would work for the extended park in terms of governance and helping to relieve financial pressures?

Malcolm Muir: Again, we would need to know where the core funding for the trust was going to come from, because exactly the same principles apply. There is usually an expectation with such trusts that local authorities are co-funders, but there is no money.

The Convener: Does anyone have a different view?

Alan McGregor: I do not have a different view—I just want to reiterate one point. There was a meeting of the existing Pentland hills regional park joint committee in January last year to address the issue. We had some input from

Scottish Natural Heritage and others on the models that operate to provide similar services elsewhere, and there was discussion of how that might translate to the regional park and to an extended regional park. The consensus at this stage is that, although there are some potential benefits from a trust-type model, such a model typically requires local authority core funding.

The provision of revenue-funded services remains a challenge. A trust-based approach may be quite good at bringing in external funding from other sources that are not necessarily available to local authorities for infrastructure works, but day-to-day visitor management services tend to be revenue funded; it is difficult to sustain that with a trust model in the longer term.

One of the outcomes of the discussions was the suggestion to work with existing trusts to increase the work that we are doing on footpaths and access infrastructure in the Pentland hills. We are looking at working with Edinburgh and Lothians Greenspace Trust and with the Cairngorms Outdoor Access Trust on a project to raise funds, to deliver upland footpath improvements and to lever in investment in a way that we have previously been unable to do. That model would not involve setting up a new bespoke trust for the regional park, but would instead involve working more constructively with existing trusts and leaning on what they are good at in order to provide improvements. That is one example of how a trust-type model may work.

The feeling at this stage, however, is that to provide the whole integrated management of a regional park—either existing or extended—through a trust-based model, is unlikely to be effective in the longer term.

The Convener: My last question is pretty straightforward. Would you support the bill if no additional funding were to be available?

Ian Aikman: No.

Malcolm Muir: No.

James Kinch: I would need to get approval from the council to answer that, but at the moment I cannot see that we would want to go ahead with the bill without extra funding.

Alan McGregor: My answer is no, but the caveat is to ask where the additional funding would come from. Further work may be needed to explore that. It may come from the Scottish Government or other sources. However, my answer is no: we would be unable to support the bill without additional funding.

Chris Alcorn: My answer is similar. The bill is not in our existing financial strategy, so there is no support for it, at this stage.

The Convener: Thank you.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): I will return to the bill itself. It has one aim: to extend the boundary of the Pentland hills regional park according to road outlines—although local authorities could tweak that if they wanted to—over two years. Do you agree that that is all that the bill would do? I cannot see anything in the bill about local authorities having to pay anything, or anything about management. The bill would just extend the boundary.

Ian Aikman: The bill would extend the boundary, but what would that achieve?

Christine Grahame: Thank you for that; that is a good question. I am paraphrasing, but Mr Aikman and South Lanarkshire Council said that the bill would make no difference; it would be neutral. Moving the boundary would make no difference to what you already do.

Ian Aikman: If it is just a line on the map, and if there is no governance or provision to deliver anything, what will be the point?

Christine Grahame: Although it would simply be a line in the map, it leads to a lot of interesting, if tangential, debate—and this is part of it—about the need for additional funding if local authorities are required to do something. Do you agree that the existing arrangement between local authorities is contractual?

Alan McGregor: Yes, it is. That is expressed through a minute of agreement.

Christine Grahame: If the bill succeeds and gets royal assent, it will have a two-year run-in period. This is not the bill's purpose, which is just to extend the boundary, but do you agree that it would, in that period, be possible for local authorities and others to negotiate other contractual arrangements among themselves or with other organisations and charities? If nothing happens in that period, nothing will be gained or lost and we will have just put a line on the map. Is that correct?

Ian Aikman: Yes—you will have put a line on the map.

Christine Grahame: My point is that although the debate about additional funding is very interesting—I am interested in and I have attended many meetings about additional funding—we have a Pentland hills regional park that is not the Pentland hills regional park, because it does not take in the whole range. The bill will bring in the entire range and put the line on the map.

What I am trying to say, gentlemen, is that I see the bill as an enabling bill. It sets out a boundary within which, if you are minded—and I am

absolutely aware of the budget difficulties across local authorities—focus can be put on how the northern part and the southern part can be managed. I am hearing you say that you will oppose the bill if there is no extra funding. You are opposing a line on the map. If it is just a line on the map, why oppose it?

Ian Aikman: If you put a line on the map there will be a public expectation that something will be delivered. If the bill is not passed, local authorities will still be able to come to the same arrangements and promote access if they believe that there is a need to do so. From our point of view, to say that unless you go through that exercise of—

The Convener: My question is for the councillors sitting to my left. The bill's policy objectives say that in the long term, things would be

“guided by the Regional Park principal aims”.

Would that mean that there would be more responsibility for the two councils that now have limited or no responsibility, and would that therefore bring an extra cost?

Ian Aikman: There is potential for that. I have to say at this stage that it is potential, because we do not have clarity as to what the implications would be.

Malcolm Muir: I take the point that any form of boundary or designation generates among actual and potential users expectation as to the level and quality of infrastructure that will be put in place and—just as important—among those who manage the land. We are not in a position to commit to landowners to maintain the sorts of infrastructure that they discuss in their responses to the consultation.

Christine Grahame: I am talking about the actual costs. It is the bill that we are discussing and nothing else; not how the land will be managed later or anything else. The actual cost of the boundary being changed is pretty well peanuts—it is a very low amount. There was the £2,000 that you mentioned, and the possibilities of wardens and car parks are mentioned in the financial memorandum, but they are just possibilities. The actual cost will simply be for information to the public; is that not correct?

I am asking you about costs based on what is in the bill and that is it: what would boundary change cost you? That is it. All the other stuff, which is very important and interesting, is not pertinent to the bill. There is nothing in the bill that says that you have to set up another management arrangement. There is nothing that compels local authorities to do anything other than what they are doing now. It simply puts a line on the map. That is

why I am concerned that we are not discussing the bill.

Alan McGregor: The position with the existing regional park and the underlying legislation is as you describe it: there are no duties on local authorities to do anything, but there are powers that provide for integrated management. I agree that there is a range of levels at which additional services may or may not be provided at a later stage, and a range of what the costs may be. I agree that there is discretion as to the level of input that might be required at a later stage.

Christine Grahame: I appreciate your concerns, all of you. I appreciate that there are funding difficulties. That is why the bill is drafted as it is, why it does not make any compulsion on local authorities to do anything and why it does not touch on management. That is why it is simply about drawing a line on the map and enabling, over the course of two years, if it can be achieved, a different management setup that will encompass the entire hill range. If the bill is passed and that does not happen, there will still be a regional park and there will be no compulsion on local authorities. I allay your fears, gentlemen, that you will suddenly have those demands made of you; there would have to be consensus among you.

Ian Aikman: There can be consensus at present; that is the point. If we in our communities feel that there is a desire, need or pressure for that type of facility we can come together to do that. There has not been that desire or need. From our point of view there is no need to put the line on the map in the first place.

Christine Grahame: With respect, I do not think that the community has necessarily been to the planning office to tell them that they have an interest in such things. People such as the West Linton ramblers have come to me about it. In Mr Aikman's part of the world, in Carlisle, they call themselves the gateway to the Pentlands: there are advantages to it.

Ian Aikman: They can do that already, through the promoted paths that they have.

The Convener: Do you have any more questions, Christine?

Christine Grahame: I hope that the gentlemen agree with me that it is simply a line on the map, that the costs are as designated in the financial memorandum and that all the other issues are extraneous to the bill. I ask them to answer that one by one, as you did, if I may.

Ian Aikman: I think that I have answered the question as thoroughly as I can.

Christine Grahame: So the other funding things are extraneous to the bill.

Ian Aikman: No. I am saying that I will stand by the response that I have already made.

The Convener: I am not convinced that the witnesses can answer that question completely. We are getting some information that says that there would be financial commitments, because it is a regional park. I would rather look into that before I ask witnesses to commit themselves to something that might be erroneous.

Christine Grahame: I beg your pardon, convener. Is the financial memorandum being challenged?

The Convener: That is what it says in our briefing. We can discuss the matter later.

Christine Grahame: That has rather taken me aback, because the issue has not previously been raised with me.

The Convener: Colin, do you have any questions for the witnesses?

10:15

Colin Keir (Edinburgh Western) (SNP): I should first explain why I am here. Between 2007 and 2012, I was a member of the Pentland hills regional park joint committee; I was its convener from 2010 to 2012. I am attending the meeting because of that background.

I am a little bit disappointed with the way things are going. I ask Mr McGregor, who was my lead officer back then, to confirm that we were looking at the issue of declining funds; at the view—certainly prevalent among visitors to the regional park—that it did not cover the full hill range; and at the relationships that had been built within the park to make it a living, breathing organism, not just with regard to visitor numbers and those people using the park for recreational purposes. As a result of that management, the park grew over the years to be a large success—

The Convener: Colin, could you ask a question, please?

Colin Keir: If you could confirm that, Mr McGregor, that will take me on to my second question.

Alan McGregor: When the park was originally designated back in the days of the regional councils, the concept was always to include the entire hill range, because it is an integrated landscape feature and because people who enjoy recreation in the Pentland hills use the whole range. It has different characteristics to the north and the south, and people who enjoy recreation there do so in different ways and at different levels of intensity. However, as I have said, it was always the concept to include the entire hill range as an integrated landscape feature and a place that

people visit. In the discussions that we had around what was provided within the existing park boundary, it was felt that some of the benefits could accrue to the entire hill range and that there would be merit in that. I am putting to one side everything that we have said so far about the funding pressures on local authority budgets and what we can and cannot do. As a concept, a regional park covering the entire hill range has many merits, and I think that that continues to be the case, notwithstanding the pressures that local authorities find themselves under with regard to service provision.

Colin Keir: In that case, do you agree—the other witnesses might wish to comment on this—that given the strains on local authority budgets, which everyone accepts, this bill might act as a stay that would allow us to find the correct management model for taking things further? My fear is that, if we lose this, the old pressures, strains and stresses of the visitors coming to the park and the businesses that work in the park will just come together. When we dealt with the park, there were not only farmers and visitors, but the Ministry of Defence. Given that a light-touch management function and consensual working have proved highly successful in dealing with all the different pressures, we should give ourselves time to find this new model and therefore take the strain off local authorities.

Alan McGregor: As a representative of the City of Edinburgh Council, which is the managing authority for the existing park, I could not say with confidence whether a negotiated position on providing service is achievable with the five local authorities. However, we could certainly contribute positively, with reference to the 27 years of experience of the existing park. There have been successes and challenges, but there is a track record to show what the regional park can deliver in the existing boundary. Some of the lessons could usefully be applied to providing a service across a bigger area, and we would be happy to contribute positively to discussions on that.

Although the City of Edinburgh Council is the lead authority, it does not by itself have a locus to influence the outcome of that. Clearly, that would be a matter for negotiation at a later stage.

Colin Keir: To go back to my earlier point, does the bill not give us leeway and time to try to find a new model consensually? Having heard what we have heard, I ask all the witnesses that question.

Chris Alcorn: In many ways, we are still in the dark about certain issues, whether on access, biodiversity or habitat in the extended area, and about the staff and revenue and capital consequences of that. It is a bit like turkeys voting for Christmas. We are not completely clear on what the issues would be.

On going into the new territory of a trust model, my comment would be: if it ain't broke, don't fix it, and it does not seem to be broken at the moment. There is a concern that local authorities might lose involvement in such a trust. A number of trusts dealing with environmental issues are struggling to retain staff and provide services in these times.

Ian Aikman: I endorse the points that have been made.

The Convener: Does anyone else want to respond to Mr Keir?

Alan McGregor: The answer to his question is that the bill has the potential to give that leeway, but we have to have reference to the position that we find ourselves in at this stage.

Colin Keir: As a final point, I will say that, in my opinion, time is required simply to hold discussions to see what is possible. The line on the map point that has come across is perfectly valid. I am clear that it is worth continuing with the bill and looking for an option to take forward the park.

The Convener: Thank you, Mr Keir. You have made your position very clear.

Alex Fergusson has a supplementary.

Alex Fergusson: I admire Christine Grahame's tenacity and reasoning in trying to find time to look at a different model, but the only different model that I have heard suggested is a trust model. I have some knowledge of trusts, although I am no expert. Can anybody tell me of a trust model that, if we take local authority funding out of it, still does not depend heavily on publicly funded bodies such as SNH, the Forestry Commission or VisitScotland? Can anyone highlight an example of a trust that does not depend heavily—not solely but heavily—on the public purse, particularly for revenue funding?

Ian Aikman: I am not immediately aware of any.

Malcolm Muir: I cannot think of any.

Alex Fergusson: I am not aware of any, but I just wondered whether the witnesses were, from their experience. I think that that point has some bearing on the issues that we are considering.

The Convener: I have a final question for Mr McGregor, which kind of comes from the question by Colin Keir. Can you say what actions have been taken over the past 27 years and speculate about whether similar ones would follow in the new area if the park was extended?

Alan McGregor: As I understand it, the starting point for the suggestion that a regional park should be set up, which arose back in the 1970s, was that it was a landscape that people visited in numbers. People were looking to enjoy the Pentland hills, and that in itself was creating opportunities but

also pressures. It is largely a farming environment with an urban fringe, particularly near the Edinburgh area, and there were issues that needed to be managed. That drove the initial designation of the park. There were opportunities and pressures to manage.

In an extended park that went down into the Borders and South Lanarkshire, the pressures and opportunities would be quite different. It is fair to recognise that some areas in the Pentland hills are under greater pressure and are more heavily visited, whereas other areas are much quieter and have a different character. That would need to be respected.

The Convener: When the park came into being originally, what actions did you have to take because it became a regional park and because of the expectation that was put on you as a result?

Alan McGregor: At that stage, the park was very much about providing a level of visitor and countryside management services. At the time, the Countryside Commission for Scotland funded the regional park fairly heavily, and that carried on through to Scottish Natural Heritage funding, up until relatively recently. The expectation was not to create a designation for designation's sake; it was about public recreational enjoyment of the upland landscape, and the expectation was that services would be provided to enable public enjoyment, to provide support for the farming and landowning community that live and work in the hills and to integrate the two. That was the ethos—it was about service provision. The boundary and the park designation were precursors to enabling that service provision. The two go hand in hand.

The Convener: We have come to the end of the session. I thank the witnesses for their time and for their full responses.

I suspend the meeting for five minutes before we hear from the next panel.

10:26

Meeting suspended.

10:31

On resuming—

The Convener: I welcome the second panel of witnesses, who represent key stakeholder organisations. We have in front of us Robert Barr, from NFU Scotland; Anne Gray, the policy officer for environment at Scottish Land & Estates; Janice Winning, the operations manager at Scottish Natural Heritage; and Helen Todd, the campaigns and policy manager for Ramblers Scotland. I will start by asking the panel the same first question that I asked the previous panel. Are you aware of

any demand for an extension of the Pentland hills regional park?

Helen Todd (Ramblers Scotland): No, we are not.

Janice Winning (Scottish Natural Heritage): No, not in the southern part of the park. However, we are aware that there are some pressures at particular times of the year in the existing park, at honeypot sites, and pressures for events throughout the year.

Anne Gray (Scottish Land & Estates): No, we are not aware of any demand for that at all. No one has come to us expressing a demand for an extension of the park.

Robert Barr (NFU Scotland): We see no demand for the park at all. From a farming point of view, we are vehemently opposed to extending it.

The Convener: My next question has already been answered by Mr Barr. Do you think that an extension to the park is needed to meet aims such as the protection of the landscape, the encouragement of access and the co-ordination of multiple uses of the land in the areas that are currently outside the park? Do you want to answer that, Mr Barr?

Robert Barr: I feel that the management of the park has dropped off significantly over the years. The education that we used to do has all dropped off and, without that, I do not think that we should be looking to extend the park. I feel very strongly that, if you designate the park as Christine Grahame described earlier, by putting a line on the map, that will encourage people to go there, which will increase the need, and, if we do not have the funding to comply with that designation and work with it, that will cause more bother for all the land managers in the area.

The Convener: Can I ask you about the anticipated additional revenue costs of extending the park? Do you have a view on that subject? I do not know whether you heard the previous panel's answers.

Robert Barr: Yes, we did, and we have a very strong view. As I mentioned, the funding for the original park has been depleted over the years and we have seen the services being depleted along with it as the need for those services has grown because of the increased number of people coming to the park. We feel that there should be a feasibility study to show where the funding is coming from, because it is obviously not coming from councils.

Anne Gray: We do not see how the objectives of protecting the landscape, encouraging access and co-ordinating different land uses will be achieved. I presume that in this context we are talking about a potential conflict between access

takers and existing land management. We do not see how any of the objectives will be achieved simply through extending the boundary by creating a new line on a map. Achieving any of the objectives would require resources, funding and management. It is difficult to see how the bill would achieve its aims without considering a funding model.

Janice Winning: I do not think that the boundary extension is necessary in order to provide landscape protection and allow recreational opportunities. There are existing policies that allow for landscape protection and for enjoyment of the hills and the natural heritage. We stated in our consultation response that there were opportunities for slightly more landscape protection and for managing the whole Pentland hills range for nature, people and recreational enjoyment, with land management of that area. However, those opportunities could be taken only through local authority support and stakeholder buy-in. It is quite obvious from the consultation responses that we do not have those final elements.

The Convener: Can you explain the existing legislative protections?

Janice Winning: There are protections for the area of the Pentland hills through local authority planning policies in terms of their landscape designations and natural heritage designations.

The Convener: Thank you.

Helen Todd: I gave a fairly blunt answer previously, saying that we had not come across any particular desire from our members or others to extend the park. We start from the principle of looking at the landscape as it is. We were very much involved in the Cairngorms national park extension into highland Perthshire. As you will recall, the geographic extent of the Cairngorms was sort of severed by a political boundary.

If we were starting a Pentland hills regional park from scratch, we would look at the whole area. As Alan McGregor said earlier, there is merit in that. There has been a lot of talk about visitor management and visitor pressure, but we could flip that round and look at the opportunities that come from visitor pressure. Obviously, there are lots of people at one end of the park but not so many visit the other areas. Visitor pressure, with the management that that requires, brings a lot of economic benefit to businesses around one area of the park. In our view, that could be spread further to the other end of the park.

Visitor pressure might be seen as bad news, in the context of having to repair paths, for example, and to ensure that visitors are managed—of course, there will be other land use concerns—but it also offers opportunities. A study that was

referred to in one of the papers for this meeting involved a council looking at the social return on its investment, which has not been mentioned so far. However, the council found that for every £1 investment that it puts into the Pentland hills regional park, it gets up to £13 return on social investment in the health benefits that people get, the volunteering skills that they learn and so on. Those benefits are not inconsequential and they could be spread to other parts of the park.

David Stewart: Helen Todd has just touched on my question, which was that Ramblers Scotland has said that in the longer term, economic opportunities will open up for businesses in the new section of the park and that that will offset any additional funding that is required in the short term. What do the other witnesses think of that statement?

Robert Barr: If you look around the park at the moment, you will find that there are very few businesses that have jumped on the bandwagon and used the park as their means of business. Swanston Farm is about the only business that does that. There were numerous pubs in the area, but they have all closed—I think that there are only one or two left.

Anne Gray: There is a bit of a mismatch in what the Ramblers Scotland statement suggests, because it will be private businesses that could accrue benefits, if those opportunities are there to be had. Managing the park would require input from public funding. That increased investment may provide some business opportunities and may be offset in other ways, but we still need to find that investment and it does not appear to exist at the moment.

There is nothing to prevent people from taking business advantage of the southern part of the Pentland hills at the moment. Outdoor recreation businesses could use that area—some do—but it is not clear that bringing that area into a regional park would in itself create additional opportunity. Such opportunities are about location, accessibility and the type of activity that people want to carry out in that area. I cannot help but feel that if that demand existed, such activity would already be happening.

Janice Winning: There might be some small opportunities for rural economic development and businesses based on tourism. However, they would be relatively small scale and limited to certain communities, such as West Linton, which happens to be more of a gateway to that southern part of the park.

There is a model elsewhere in Scotland—the Loch Lomond and the Trossachs Countryside Trust—where businesses in the national park can voluntarily provide income for the running of the

park. That is the kind of business model that we would like to see contribute to the wider infrastructure. Many businesses would be needed to reach the required revenues.

David Stewart: I move on to my second question in order to let Helen Todd speak. In your submission, you mentioned the importance of a trust model and how that might work in an extended Pentland hills regional park. How do you see the trust model working?

Helen Todd: I do not think that I have anything to add to what was discussed earlier. As Alan McGregor said, lots of different models have already been discussed in the joint committee. We do not have expertise in that area. However, I know from seeing the Upper Deeside Access Trust become the Cairngorms Outdoor Access Trust, and as Janice Winning mentioned, the start-up of the Loch Lomond and the Trossachs Countryside Trust, that this is more and more a model that is used to get access management funded. We have seen it throughout Scotland.

At the moment, it is true to say that not very much recreation happens in the extended area of the park. I have looked all over the place for examples of where I could go for a walk, but there really are not that many promoted routes. There would be real potential for the discussion about an extended boundary to add to the opportunities for promoting that area much more and making the communities in the area think, "Oh gosh, how can we get people to come here? It's a really nice place and they could go for a walk." It is not just about building paths; it is about telling people what is there already. What is there already is not well known.

David Stewart: Notwithstanding your comments on the trust model, do you think that the trust model would help in any way with costs? That was a key aspect of our earlier discussions.

10:45

Helen Todd: Yes, because there are a lot of funding sources out there. The focus is on local government and national Government and what can be provided centrally, but there are a lot of other funds. The Pentland hills are absolutely teeming with cultural heritage, so the Heritage Lottery Fund might be one example.

I appreciate that nothing is easy and everything takes time. However, Anne Gray and I are on the Scottish outdoor access network committee and we recently had an event on different funding sources that highlighted a wide and growing range of opportunities that local authorities, working with communities and others, can tap into.

David Stewart: Can the other panel members talk about their view of the trust model?

Janice Winning: SNH gave advice to the joint committee and talked about the pros and cons of different trust models around Scotland. The joint committee's conclusion was that setting up another trust would clutter the landscape of trusts that already operate with regard to the Pentland hills. There is the Edinburgh and Lothians Greenspace Trust, the Central Scotland Green Network Trust and the Friends of the Pentlands, all of which are able to access external funding and carry out projects on behalf of the landowners and visitor management in the park. The view was that having another trust layered on top of that and competing for funds might not be the best use of time and money, and that it would be better for us to work with the existing trusts to deliver the projects that we want. Hence, SNH has put up money to show that we are willing to develop a path development project that will be taken forward by Edinburgh and Lothians Greenspace Trust, with advice from the Cairngorms Outdoor Access Trust.

David Stewart: You have partly answered the question that I was going to ask you. Could you ask the existing trusts to have an extended role in the extended park so that they can access other funds through their trust role?

Janice Winning: Yes, that is a possibility. In fact, Friends of the Pentlands operates fully across the Pentland hills at the moment.

David Stewart: So, instead of creating something new we could use the good skills that we already have and take advantage of the good work that is already done by existing trusts.

Janice Winning: Yes.

David Stewart: That is useful to know.

Anne Gray: I am not an expert on trusts but I am certainly aware of other trusts that have operated successfully throughout Scotland. The Cairngorms Outdoor Access Trust is an example of one of the better ones. Others have struggled and have not quite got their model right but, on the whole, it is a valid thing to consider.

My slight concern is that the trusts' revenue funding tends to come from some element of the Scottish public purse, and that source is being squeezed. It will be interesting to see how the existing trusts cope with that pressure from their main funders.

There is certainly successful leveraging in of match funding and capital funding, but that requires a basis of staff, officers and revenue funding that sits under that if it is to work. There is no harm in considering it, certainly within the existing park, but it seems a little bit like putting

the cart before the horse to consider extending the boundary before we have explored how it could be funded. The trust model could be one option, but we would want that work to be done, and to be confident about it, before the extension was put in place. Further, the arrangement should be considered in the context of the existing park before we think about applying it to an extension.

Robert Barr: I do not know an awful lot about trusts, but I see that trying to get funding for what we have at the moment is difficult. I know a lot of members of Friends of the Pentlands personally. They are lovely people and they do a great job, but they struggle to get volunteers to do administrative work at the moment and I do not know what would happen if they were handling an awful lot more money.

Another point is that the Pentland hills regional park looks over a good part of the financial district of Edinburgh, and there has never been much money forthcoming from there for any of the projects in the past. I cannot see that changing in the future.

David Stewart: So, we should not start calling it the Royal Bank of Scotland regional park or the Standard Life regional park.

Robert Barr: I sit in my house and watch the money being spent—

David Stewart: On that note, I had better hand back to the convener.

The Convener: I wish that you had handed back a few seconds ago. [*Laughter.*]

Alex Fergusson: Let us move on to a slightly different topic. You all heard the previous evidence session, in which a number of, if not all, the witnesses said that it was quite difficult to answer some of the questions because of the lack of detail on or knowledge of what would be involved in the extension of the park. Indeed, West Lothian Council's submission highlighted the need for a feasibility study, if the proposal were to go ahead, to look into the ins and outs and the pros and cons. West Lothian Council has suggested that SNH would be best placed to carry out that study. What is your view of that? Has any initial work been done on the feasibility—including the financial feasibility—of extending the park? Where does SNH stand on that?

Janice Winning: We are aware of the call for SNH to carry out a study. However, it would not be right for SNH to carry out work to take forward a proposal that does not have, as became apparent from the responses to the consultation, the support of all the local authorities. Instead, we have tried to focus on the financial security and management of the existing park, which is why we looked at the different trust models. Instead of

looking at feasibility, we looked more at security of funding for the existing park, to see whether a funding mechanism could be found that could be rolled out to an extended park in future, should that be required.

It is difficult to know what resources would be required as a result of demand. That would require visitor studies, and at the moment neither SNH nor the park has funding or the resources to carry them out. In order to work out the costs, we would need to work out what the demand might be and what facilities might be needed. It would be difficult to do that, so we have moved away from looking at feasibility to looking at sound financial management and money for projects.

Alex Fergusson: I hear what you are saying. Forgive this question, but it is born out of ignorance on my part. If there were to be a feasibility study, who would initiate it? Where would the original call for that come from?

Janice Winning: I think that it would come jointly from all the local authorities involved. They would put the finance behind it as well.

Alex Fergusson: They would put the finance behind it. I will say no more. Sorry—that may have sounded a bit flippant, and I do not mean to be flippant. You are saying that, so far, you have concentrated not so much on feasibility studies as on how the existing park could be made to work better and—if necessary and if the financial security for that could be put in place—the park could be extended thereafter. Is that a fair summary?

Janice Winning: Yes. That is correct.

Alex Fergusson: Thank you very much.

Mike MacKenzie: I represent the Highlands and Islands, and I get a number of letters from constituents who are farmers and crofters and who are concerned about issues of conflict between them and walkers or people who use the countryside recreationally. A particular case comes to mind that involved a crofter on the island of Iona who was driven mad—I see Christine Grahame nodding. When I ask whether any conflicts have arisen in the park over the past 20-odd years, the first thought that occurs to me is that such issues are not unique to parks.

What conflicts have there been in the park to date, and what have been the implications with regard to their management and resolution? What would be the implications of extending the boundary as far as conflicts are concerned? We should bear in mind that such issues might not be unique to this park and this situation.

Robert Barr: I do not have enough time to go through all the conflicts, as Christine Grahame, who has been up to visit, will tell you. Indeed, I

invite anyone who so wishes to come up and see the park; we can show them round and let them see a lot of the conflicts.

I will list just a few, starting with what is a major one for me. I am on the doorstep of Colinton; a lot of dog walkers there use the hills below and above the park designation line, and we have a terrible amount of sheep being worried by dogs. Indeed, just this week, I had a sheep chased into Torduff reservoir by a dog that was totally out of control. By the time that I had got there, dog and person had gone. As for reporting these matters to the police, I have been moaned at and told that I should report every case in order to get the statistics up, but doing that would just take too long.

Other areas of conflict are about the ways in which the park is used. The honeypots have already been mentioned, and trying to get a combine or a tractor past some of the parked cars on a glorious Sunday in the summer is nigh on impossible.

I have found that the people who use the park have changed over the years. In the late 1970s and early 1980s, when I was a young boy on the farm, those walking in the hills were usually birdwatchers or people who were just out for a walk. They did not need a countryside access code; they knew the code of conduct, and they were more helpful than anything else. However, those people have moved; they probably now live in the area that the bill wants to extend the park into—indeed, they might have moved there for a bit of peace and quiet. We now have coming to the park more cyclists, horse riders and families out for a walk in the countryside, and the problems that we have arise as a result of ignorance with people climbing fences and dykes. They might cause only a small amount of damage, but it mounts up over time.

Those are just a very few of our problems.

Mike MacKenzie: Thank you.

Anne Gray: The areas of conflict tend to be of the sort that can be seen right across Scotland and include gates not being left as they were found or being blocked; dog fouling or dogs worrying sheep; and littering. The more people who enjoy recreation in a certain area, the more these types of pressure arise; where you do not have the same pressures, the conflicts tend to be less obvious.

The ranger service in the existing regional park has been instrumental in managing those conflicts. It is, of course, not just down to rangers, but they can help to put in place infrastructure that helps with management. Whether we are talking about dog poo bins, better paths—after all, people tend to stick to a path once they are on it and wander

less—or information about existing land management, not letting your dog worry sheep and so on, all of that understanding, education and infrastructure can be put in place and built up by a decent ranger service.

The existing ranger service has come under pressure and has become a bit diminished in recent years, which is a great shame, and it remains to be seen what types of pressure would exist in the extension area. If one of the aims is to encourage access and if active effort is put into that, you will expect more people to come to the area, which means that you will need a ranger service and facilities there. If we see the increase in recreational activity that we might expect in an extended park, it will need to be accompanied by something that helps to manage that pressure.

Mike MacKenzie: Do any of the other witnesses wish to respond?

Janice Winning: Anne Gray has already said this, but I would like to repeat that the natural heritage service in the park provides an excellent mechanism for managing the conflicts between different user groups and the recreational pressures on land management activities. It does that through the provision of advice and information and lots of promotional work, and it is doing a really good job.

11:00

Mike MacKenzie: If the service is doing a very good job, why does Mr Barr have the concerns that he expressed a few minutes ago?

Janice Winning: There will be the odd incident that escapes ranger activity, but we hope that the number of incidents will reduce rather than increase over time. That would be a question for the regional park to answer, but I am not aware that the pressures are increasing.

Mike MacKenzie: If I understood Mr Barr correctly, from his perspective the pressures have increased over the years. That was my interpretation of what he said.

Robert Barr: Yes.

Mike MacKenzie: I am bound to take those concerns seriously. I am not doubting anybody's intent—I am sure that everybody has excellent intentions—but I am interested in finding out what we can learn. There is an inevitability about the pressures. People want to use the countryside more and whatever Mr Barr might feel about the matter, those pressures will not go away.

Given that we are discussing the subject, is there anything new that any of the witnesses can bring to the table on how we can manage the pressures better? What opportunities does the bill

present to shed light on our understanding of how to do that?

Helen Todd: There is perhaps nothing new that can be done. It is obviously not just an issue in the Pentland hills regional park. As you said, conflicts are widespread across Scotland. As a society, we want more people to take exercise and enjoy outdoor recreation more often, because we know about the benefits that that brings for health, as well as the economic benefits that it brings for the rural communities concerned. It is a national Government priority that more people get into the countryside—that is one of the indicators in the national performance framework. Given that we are talking about a national priority, our organisation continues to make the case for more national funding to be spent on access staff in local authorities and so forth.

As Anne Gray said, with the Pentland hills regional park, we have ranger services that can provide that level of service. Some of the documents for the meeting mention the benefits that landowners get, including the fact that they receive a slightly higher level of service from the local authorities because of the Pentland hills regional park management team.

The issue that you raise is an on-going problem. It is a question of educating wider society, but at the same time we do not want to stop people coming out into the countryside. That must be recognised as a national priority and funded as such.

Mike MacKenzie: I have one final question, if the convener does not mind. Mr Barr touched on an interesting point when he said that the nature of the people who use the countryside has changed over the years. I wonder whether, through management, we are almost destroying what it is that attracts people to the countryside. I am thinking of the Wordsworth poem that starts,

“I wandered lonely as a cloud”.

To what extent are we destroying what people seek from the countryside when we attempt to manage the situation?

Anne Gray: I think that you perhaps get to the heart of the conflict that exists. People want to recreate in the countryside.

Mike MacKenzie: Did you say “recreate”?

Anne Gray: Yes. [*Laughter.*]

Mike MacKenzie: Thank you.

The Convener: I wish that I had not let you ask that last question, Mike.

Christine Grahame: What does he have in his water?

Anne Gray: Land management also goes on in the countryside. Food and timber are produced, and all sorts of economic activity takes place.

The two things—recreation and land management—do not naturally always sit that well together, although they can where recreation is light and the whole thing can then be managed quite well.

The countryside is the factory floor of farmers and foresters, and those who recreate in the countryside are an outside pressure who come on to that factory floor. I guess that the type of recreation has changed over the years. Mountain biking came in from probably the late 1980s or early 1990s onwards. Before that, it was not done by any great numbers of people. Such things place a different type of pressure on the countryside. We have also become a more urbanised society and people have less of a natural connection to the types of things that go on in the countryside so, as Bob Barr said, people perhaps naturally have less of an understanding of the types of land management activity that take place.

Maybe a whole range of factors contributes to that conflict being more prevalent now than it appears to have been in the past. It might just be that more people are getting out into the countryside, which is no bad thing for health and lots of other different reasons, but that means that we have to give some support to those who live and work in the countryside, gain a living from being in it, and want a bit of privacy when they are out there. That requires resources and management, whether in providing waymarked routes so that people avoid potential areas of conflict, through education and things such as ranger services, or in providing facilities for dog walkers, such as dog poo bins. It is not impossible to manage those conflicts, but resources are required.

Alex Fergusson: I have a follow-up question that stems from the question from my colleague Mike MacKenzie about how the pressures that Mr Barr referred to can be better managed. If the designated area of the regional park is increased, something of a magnet will be created for people to go and enjoy the facilities in it, whatever they may be. The number of people increases the pressure, which requires management and resources to avoid conflict. Is that roughly the equation?

Anne Gray: Yes. That is absolutely right.

Alex Fergusson: The potential danger of increasing the designated area in the regional park without having the resource to manage the pressures suggests to me that the existing park, in which there is a degree of management, might be

diminished if that management is not replicated in the rest of the park. Is that a reasonable concern?

Anne Gray: Yes. The resource can be spread too thinly if the existing resource needs to manage the extended area as well, or we can concentrate on the areas of greatest pressure—that is probably the existing part, as it is closest to Edinburgh—so facilities would not be provided in the extended area. Assuming that there is an increase in the number of people who want to use the park, which is a reasonable expectation if a new boundary is created and the area is extended, public expectation will be raised. The public will expect to go to that area and see waymarked routes and the other things that they can see in the other part of the park. If they are not there, the people who want to recreate there will potentially be disappointed, and the support that land managers need to make the whole thing work will not be provided.

Alex Fergusson: I am fine with that answer. Does anyone else want to comment?

Robert Barr: Yes please. A couple of points have been raised. I must commend the ranger service, which does a great job with the resources that it has. However, at 4 o'clock in the afternoon, when the schools get out and the kids arrive, there are no rangers there. The service stops at 4 o'clock, because of funding constraints, I am sure. Very few rangers cover the area—it is a massive area to cover—and they will not always be on hand when they are required.

The biggest problem is that we have lost the educational side of the ranger service. Rangers used to take school classes round and educate young people on how to behave in the countryside. That no longer happens. That is a problem not just for the ranger service but for schools all over Scotland.

The point that I really want to make is that I have seen what has happened in the existing regional park. The increase in pressure has spoilt the wildlife and the habitat areas. In Bonaly there is an area called Sanctuary wood, where a lot of birdwatchers went to watch the birds. Now so many cyclists and dog walkers go through it that the rarer birds are just not there any longer; they have moved on. Scottish Water has now opened all its reservoirs to the public, because they are not used for drinking water any more, and the issue is exactly the same in the woodland around those reservoirs. At Harlaw, it is just like walking down Princes Street some days, and at Clubbiedean it is exactly the same. My concern is that the people who used to enjoy the wildlife have had to move further afield—to the periphery of the regional park and possibly into the area that we are speaking about—to see the rarer wildlife. We are soaking up the pressures, and something

needs to be done about it. If we move the boundary, we will just push the pressures further out.

The Convener: Christine Grahame has a question. I ask you and the witnesses to try to keep everything as concise as possible.

Christine Grahame: I can see the time. Thank you, convener.

Robert Barr, thank you very much for taking me to your farm. I thought that you were trying to cause a by-election by perching me next to a precipice. However, I gave you the benefit of the doubt.

I accept everything that you have said, in particular about the changes over the decades—changes in usage and so on—which are of particular interest to me. I have ranted a wee bit about what the bill is about. We all accept that it just changes a line on the map, it does not put any obligations on local authorities or anybody else to do anything in particular, and it would not come into effect for two years after gaining royal assent. Let us just pop that there; that is all that it does.

My question is tangential to that. I was well aware of the difficulties relating to the existing park. Since I proposed the bill, has there been any change in the focus of the various agencies on the existing park, regarding funding issues and pressures? Has the bill been a bit of an agent provocateur with regard to that?

Robert Barr: It has. As Janice Winning said, we have had a meeting of the joint committee to talk about trusts. The more funding that comes in, the better, as far as I am concerned. I would like to see the regional park as it is being a success before we try to expand it.

Christine, you talk about the line. Changing the line is a provocateur to bring in more people. If the councils are not there to soak up the pressure, who is? The farmers, landowners and land managers will have to. People will see that.

We have three types of park: Bonaly public park, Bonaly country park and Bonaly regional park. However, if you ask any member of the public they will not know the difference.

Christine Grahame: Robert, you have made the point for me. People would not realise when they move from the current regional park to outwith it. However, there is a difference, as we are aware, between the management of the two areas.

What you say is absolutely correct. I should not ask a question that I do not know the answer to—that is what they tell you in court—but I will ask it anyway. Would there have been any movement on the financing and the concerns regarding

pressures on the current park in the way that there has been had I not introduced the bill?

11:15

Robert Barr: Restraints were always going to be put on funding, and that always creates discussion. However, you are right that the bill has acted as a catalyst to get things moving.

Christine Grahame: Does anyone else want to respond to that? If the bill were to proceed through the various stages and then to royal assent, implementation would be delayed for two years. My point is that, at the very worst, things would remain neutral, with just a line on the map and perhaps shrinking budgets for what was the former park but, in those two years, there would be pressure in relation to funding not just the existing park, but the whole park. We are looking decades ahead, and nothing has changed in decades so far. Do you agree that the bill would focus minds on feasibility studies or whatever for that two-year period and that, if the bill did not go through, that would not happen?

Helen Todd: I agree that the bill certainly has the potential to do that, even in the basic case of just mapping what is already there, such as car parks. We have heard from the local authorities that they already manage core paths and other routes as well as natural heritage sites in the area that would become part of the park. At the very least, there would be mapping of what is there already and perhaps a consideration of where improvements could be made—perhaps a car park could be extended or what have you.

Anne Gray: We need to be much clearer about a funding model before the bill proceeds. From what the local authorities have said, they cannot see a particularly viable funding model. If, two years down the line, we get an automatically extended park whether or not the authorities agree—which is what the bill proposes—the danger is that we will have raised public expectations by having an extended park, but we will not be able to meet those expectations because we will not have the funding for that. As I said, people will then be disappointed when they do not find the facilities that they think that they will get in a regional park, and the landowners will not have the support of the local authorities and a ranger service. They will then have to deal with the pressure of those additional people. I strongly feel that we have to be much clearer about the funding before the bill proceeds.

Christine Grahame: Can I just challenge you on expectations?

The Convener: I ask the other panel members whether they want to speak first, and then you can

come back in, Christine. However, we are getting close to the end of the session.

Janice Winning: The consultation and the bill have certainly focused minds. However, local authority budget pressures would have been such that we would have had to have a look at funding mechanisms anyway and consider how to fund the infrastructure in the park on a longer-term basis. The bill has focused minds, but that would have happened anyway.

Christine Grahame: Anne Gray said that having a park raises expectations. I have had that point thrown at me before, but Mr Barr made the point that people do not know when they are moving out of a regional park and into different kinds of parks—it is just all countryside to them. Perhaps informed people such as members of Ramblers Scotland know about that, but punters going out for a walk with their family do not really know about it. Mr Barr, do you disagree with Ms Gray when she says that having a park raises expectations? According to you, it makes no difference at the moment.

Robert Barr: That is not quite what I meant. I meant that different types of park do not make any difference. However, as soon as we put a line on the map and call something a park, whether it is a public park, a regional park or a country park, people feel that they can do what they like in it.

Christine Grahame: So that is a separate question. Okay—thank you.

Colin Keir: As far as I can see, Robert Barr and Anne Gray seem to be making my case for why we need a regional park. More than anything else, if we carry on with the unsustainable model for the present park, the situation will become a free for all and, in four or five years' time, everything will have collapsed and it will not matter which part of the hill you are on. The local authority will have to do something to help, because there will be stresses as the number of people using the area inevitably rises.

The bill has a two-year implementation period. Anne Gray talked about raising expectations and the financial situation being a threat to that. The present set up is unsustainable and who knows where local authority finances might be in two years' time? I certainly felt in my day as a councillor that the situation was very difficult. If we do not knock heads together over the next couple of years and force local authorities to talk to each other, facilitate the information and define the model, will we not end up in a position in which extreme measures will have to be taken to stop people using the land in whatever way they want?

Anne Gray: There is nothing to stop people from spilling out onto the whole of the Pentland range if they want to for recreational purposes—

the access rights give them that ability. If the demand is there, local authorities may well have to look at how that is facilitated and whether they provide an extended ranger service, whether they look at upgrading and improving paths and whether they put in signage and all the other things that might come with that. We do not need an extended boundary line to make that happen—that should be demand driven.

I suspect that the demand is at the top end of the Pentland hills regional park because it is so accessible from the Edinburgh bypass and from other surrounding places. We would have to do something to encourage people to use the southern end if we wanted to spread the demand. That would require resources. It does not require a line on a map to change; it would require us to identify that we would like to push people down there and spread the load, and to find the funding to do that. I do not know whether people are willing to move that far or whether they want to focus on the existing regional park for their recreation.

The trouble with the bill is that it raises all those questions. It is completely legitimate to have that discussion, but let us have the demand, feasibility and funding figures first before we go as far as putting an arbitrary line on a map.

Colin Keir: I know that we are pressed for time—

The Convener: Very.

Colin Keir: —but I have a couple of more questions. There are quite fundamental issues here. Are communities in the Borders—or anywhere else in the surrounds for that matter—not expanding over the next few years?

Anne Gray: They probably are, but from what we have heard from the local authorities, they do not necessarily see the demand for recreation in those areas in the Borders and South Lanarkshire coming to the southern end of the park. I think that they—

Colin Keir: I do not necessarily accept that as a premise, I have to say.

The Convener: Colin, it is not a debate—just ask your questions.

Colin Keir: I know Robert Barr from my days working on the Pentland hills regional park joint committee, so I hope that there is some agreement. However, from what I have heard, an element is saying, “There’s a need for management. The stuff that was being done in the old park has been really good, but we just don’t want it in our patch down here.”

Anne Gray: I do not think that that is true at all. Nobody here is saying that access should not

occur in the southern end of the Pentlands or that people—the landowners and those who live there—do not want others to enjoy that countryside. It does not need the boundary line to change for that to happen; what is needed are resources and financing. There is the potential for a clash. We need to minimise that; we need to make it work.

Colin Keir: That takes us to the funding aspect.

Anne Gray: But I do not know—

The Convener: Excuse me, but can we bring this to a close, please? I have a question for the panel and we are getting to the end of the session, so thank you very much, Colin.

Ms Winning, will you give me an idea of the additional responsibilities of the extended area were it to be designated as part of the regional park?

Janice Winning: Sorry, the additional responsibilities on?

The Convener: The additional responsibilities on local authorities, yourselves or whoever if the extended area became part of the regional park.

Janice Winning: There would be additional requirements for visitor management, the scale of which would depend on the level of demand. A solution for conflict resolution would be to ensure that we have the correct infrastructure there, so that we can manage people who want to go fast on their mountain bikes and separate them from those who want to take quiet enjoyment of the countryside. Resources would be required to create that infrastructure to prevent conflict.

The Convener: Does anybody else have any views on that?

Anne Gray: I endorse Janice Winning’s comments.

The Convener: Okay, thank you very much. We will draw the session to a close. I thank the panel members for their time and their evidence.

Meeting closed at 11:26.

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