



OFFICIAL REPORT  
AITHISG OIFIGEIL

DRAFT

# Rural Affairs and Islands Committee

Wednesday 2 April 2025

Session 6



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**Wednesday 2 April 2025**

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**RURAL AFFAIRS AND ISLANDS COMMITTEE**

**12<sup>th</sup> Meeting 2025, Session 6**

**CONVENER**

\*Finlay Carson (Galloway and West Dumfries) (Con)

**DEPUTY CONVENER**

\*Beatrice Wishart (Shetland Islands) (LD)

**COMMITTEE MEMBERS**

Ariane Burgess (Highlands and Islands) (Green)

\*Tim Eagle (Highlands and Islands) (Con)

\*Rhoda Grant (Highlands and Islands) (Lab)

\*Emma Harper (South Scotland) (SNP)

\*Emma Roddick (Highlands and Islands) (SNP)

\*Evelyn Tweed (Stirling) (SNP)

\*Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Mark Lodge (Argyll and Bute Council)

Grant Moir (Cairngorms National Park Authority)

Mark Ruskell (Mid Scotland and Fife) (Green) (Committee Substitute)

Gordon Watson (Loch Lomond and the Trossachs National Park Authority)

**CLERK TO THE COMMITTEE**

Emma Johnston

**LOCATION**

The Mary Fairfax Somerville Room (CR2)



**Scottish Parliament**  
**Rural Affairs and Islands**  
**Committee**

*Wednesday 2 April 2025*

*[The Convener opened the meeting at 09:06]*

**Interests**

**The Convener (Finlay Carson):** Good morning, and welcome to the 12th meeting in 2025 of the Rural Affairs and Islands Committee. Before we begin, please ensure that all electronic devices are switched to silent—that includes mine, which is pinging away. We have received apologies from Ariane Burgess and Tim Eagle. I welcome Mark Ruskell, who is attending as Ariane Burgess's substitute.

The first item on our agenda is a declaration of relevant interests by Mark Ruskell.

**Mark Ruskell (Mid Scotland and Fife) (Green):** Thank you, convener. I am an honorary associate member of the British Veterinary Association, I have an entry in the Scottish poultry register and I am a beekeeper, if that is in any way relevant.

**The Convener:** That is everything about the birds and the bees. Thank you, Mark.

**Natural Environment (Scotland)**  
**Bill:Stage 1**

09:07

**The Convener:** Agenda item 2 is an evidence session on the Natural Environment (Scotland) Bill with stakeholders representing national park authorities and local authorities that cover part of a national park.

I welcome to the meeting Grant Moir, who is the chief executive officer of the Cairngorms National Park Authority, and Gordon Watson, who is the chief executive officer of the Loch Lomond and the Trossachs National Park Authority. Joining us remotely, we have Mark Lodge, who is a senior planning and strategies officer from Argyll and Bute Council.

We have approximately 90 minutes for the session. Before we move to questions, I remind you that you do not have to operate your microphone. We have a gentleman here who will do that for you.

I will kick off with the first question. Do you support the introduction of statutory nature targets, recognising that those targets will be set in regulation? At this stage, how do you think the targets might impact you as public bodies?

**Grant Moir (Cairngorms National Park Authority):** The park authority supports statutory nature targets as a concept. The outline and principles are in the bill, but the important part is what the targets will be. The key thing for us is ecosystem health and that the targets do not focus too much on specific habitats or species; they should focus on the bigger picture of ecosystems in Scotland.

We are keen to see further details and what work needs to be done, but we support the bill and the framework that has been set out. Obviously, we must ensure that they drive the right sort of things; we do not want to end up driving things that are there just for targets. We must make sure that those things are real and on the ground and that they drive what we want to see in Scotland to meet our nature and climate targets for 2030 and 2045. It is key that the statutory targets, funding and everything else are linked. It is important that they are integrated and that it is not a case of targets here and funding there.

The bill is a good start, but it will be interesting to see the detail and how it is taken forward.

**Gordon Watson (Loch Lomond and the Trossachs National Park Authority):** The parks have their own nature strategies. We already

identify key species and habitats that we are trying to improve or extend the range of.

As Grant Moir says, to achieve change, we need forward planning to design significant programmes of work, which is difficult, particularly when working with landowners, if we are working from year to year with no certainty about resource and funding. We are able to deliver good projects, but we need to look at the long term, because these targets are for the years and decades ahead.

We have developed route maps to achieving targets to reach net zero, and we want to do the same for nature. There will be a lot of discussion about which targets are in the secondary legislation and how we can all play a role in the habitats and ecosystems that we manage and deliver nationally. That already happens with climate targets, and it is driving action to get a route map to achieving net zero by 2045. We think that national parks can be carbon sinks. If nature targets drive similar effort and momentum, that will be positive.

**The Convener:** We will try to move to Mark Lodge. He is not on the screen. Indeed, I am told that, unfortunately, we are not able to get him on screen at the moment. I will ask a supplementary question first and hope to come back to Mark to pose the same first question.

The nature targets will cover the whole of Scotland. There are concerns about how they might be viewed in national parks and about whether, in national parks, there will be more effort to ensure a gold standard approach, with everything done by the book, which might mean that the approach is far more stringent within national parks than outwith them. Could you see that happening in the future, whereby, once again, there is a difference between how legislation or its flexibility is applied in national parks and outwith them?

**Grant Moir:** Possibly, the opposite might happen. In applying the targets in a national park, there is an ability to bring in funding and resources to meet the targets using people on the ground. It is not so much about the legislation being tighter or implemented differently; it is more about being able to bring in the resources to do the things on the ground that count. It is also about having the right information to build on that.

The Cairngorms nature index that we are using is based on the Norwegian nature index. It looks at ecosystem health in the national park to give us as good a baseline as possible, so that we can know whether our investment will deliver in the long run. The stuff around statutory targets will also help with that. The national parks provide a very good place-based focus for delivery, because we can

bring in extra resources and funding from a range of places to deliver on the statutory targets.

**Gordon Watson:** The statutory targets are not about regulation. The designated site system is the same in national parks as it is elsewhere. In national parks, we work with people who want to take nature projects forward, whether they be landowners or communities. We work very closely with communities that are taking forward projects to restore nature in their area because they see how important it is for them and their community resilience in extreme weather events, flooding and so on. There is a keen interest among communities and landowners who can see that investing in nature is investing in their own resilience. Our work is very much about making things happen with people, demonstrating that this endeavour is supporting the future resilience of our rural communities. It is not about regulation and control; it is about action.

09:15

**The Convener:** We are having problems in getting our remote witness online. The first questions are about parts 1 and 2 of the bill. We will then move to part 3, which is specifically about national parks. I am quite sure that Mark Lodge will be able to answer questions that have already been asked, but I am concerned that we might lose—[*Laughter.*] Oh, there we are. I am delighted to see you online, Mark. I am sorry about the technical issues. Were you able to keep up and hear the questions as they were asked?

**Mark Lodge (Argyll and Bute Council):** Good morning, convener. Thank you for inviting me to attend virtually. I have been able to hear everything from the start.

**The Convener:** Okay. Do you have any comments about the introduction of the statutory nature targets in your local authority?

**Mark Lodge:** It is useful to have statutory targets so that we know the direction of travel, but there is a question of how much time it will take to get to those targets. We might need a longer-term view of the available funding to meet the targets and what projects we can undertake to facilitate nature recovery.

**The Convener:** We are all aware that there are capacity issues in local authorities across Scotland, particularly in planning. Do you see any capacity issues for local authorities if we have a new tranche of targets for them to police and monitor? Do we need to be aware of that?

**Mark Lodge:** Argyll and Bute has the Argyll and the Isles Coast and Countryside Trust, which works on nature recovery and, for instance, non-native species removal. If the targets are wide

ranging and require the planning system to monitor development proposals that come forward, there will be an issue with the resources that are available to ensure that we can work towards meeting the targets.

We have a biodiversity officer—just the one—who has to do the biodiversity plan while also working on planning application consultations to provide advice to development management colleagues. There is quite a lot of work involved in providing such advice. If there was also a question of monitoring, there might be an issue with what funding might be available to support it.

**The Convener:** Thank you. We will move on to a question from Beatrice Wishart.

**Beatrice Wishart (Shetland Islands) (LD):** Good morning. How might the specifics in the framework impact your role in monitoring targets that are set?

**Gordon Watson:** We will adapt what we already do. We monitor the delivery of our national partnership plans, we report progress on our future nature strategy to the board every year, and we monitor designated sites and the extent of nature restoration projects in the park. We do not have just one biodiversity officer; we have teams that are involved in peatland restoration, land use projects and so on, as well as those that are involved in advising the planning service. We already have frameworks in place, so it would be a matter of adapting them for national targets, as we already do for climate targets.

**Grant Moir:** My answer will be very similar. We renew our national park partnership plan every five years, and a big bit of work is done to see how we have done that previously. We have just produced a report on the past five years of the Cairngorms nature action plan, which is on our website. We also have a duty to monitor biodiversity. It should be relatively straightforward to add whatever is set out in the framework to the park's overall monitoring on statutory targets.

**Mark Lodge:** We would need to think about how to resource that work if there were targets. We are working on a local biodiversity action plan, which we will keep under review and might inform the monitoring of targets. However, Argyll and Bute Council covers a big area, and there are not a lot of resources for monitoring.

**Mark Ruskell:** I have a question about the target areas that are not included in the bill. The advisory group originally recommended targets on positive outcomes for biodiversity from public sector and Government policy—for example, on investment in nature. Do you have a view on those areas? Do you already set targets in those areas?

**Gordon Watson:** There is some discussion about whether the amount of investment is a valid measure. Resources are really important, and some certainty in that regard is needed to be able to plan, but resources do not by themselves demonstrate impact—they demonstrate input. If there are targets, there must be understanding of how they will be achieved and how public funding will be pointed towards meeting them. The amount of investment in itself is not a measure of positive change, other than on the input side. That is the only area about which I am aware there has been discussion.

**Grant Moir:** We must be careful that we do not end up with a sprawling number of statutory targets that cover a lot of different things; they must be quite specific. We must think about what they should be and ensure that they drive the right things at a strategic level; they should not get right down into the weeds.

The key target for me is on ecosystem health and integrity, because everything else should flow from that. If our work leads to better ecosystem health and integrity, we can start to see whether our inputs are having the desired effects. If there is no movement on those things, we are obviously not putting in enough resources or time, and we need to look at the associated policy levers.

Instead of increasing the number of statutory targets, we need to be quite clever in which ones we choose to set and ensure that they drive the right outcomes. That will, I hope, lead to the right inputs in the system, and we can hold people's feet to the fire on that.

**Mark Ruskell:** Do you already report to your board on areas such as the understanding of citizens and society? Are they already key performance areas in the park?

**Grant Moir:** A lot of work is done to include people. Under the Cairngorms nature action plan, there is lots of work to involve people and community groups. The Cairngorms 2030 vision involves new ways of doing things, including through citizens assemblies and citizens juries. A lot is being done on how we can involve more people in that work. Some really good stuff—some of the best practice in the area—is happening in national parks. That is a key area.

I am not sure that a statutory target is needed to drive such work. We should try to ensure that we are doing the right things, and statutory targets should help us with that, but they are not the be-all and end-all.

**Gordon Watson:** One of the pillars of our future nature strategy is about engagement. Every year, 4.8 million visitors come to our national park, so lots of people—including those in our ranger service and volunteers—interact with the public,

which provides an opportunity to raise awareness about nature and climate issues. We have volunteer programmes for young people, such as the national park junior ranger project. Since 2018, we have engaged with about 13,500 young people. We interact with the public and young people in a range of ways so that they understand the issues relating to the nature crisis.

**The Convener:** Will there be additional expectations for national park authorities to deliver when it comes to ensuring that they do everything that they can to meet future targets? Will there be gold-plated expectations for national parks? Will the expectations for Loch Lomond and the Trossachs and the Cairngorms national parks be higher than those for Argyll and Bute Council, for example?

**Grant Moir:** I hope that the expectations for national parks will be high when it comes to implementing biodiversity, because one of our key purposes is to enhance our natural and cultural heritage. I hope that the expectations on national parks to deliver that will be high, and statutory targets are part of that, but I do not think that it is about gold plating—I would not put it that way.

There is evidence that national parks have produced really good outcomes for nature over the past 20 years. We can think about the amount of land that is under ecosystem restoration in the Cairngorms and the significant amount of investment that has been provided to do certain things, including in relation to species. People would expect a national park to focus on those things and to do that work alongside our statutory duties.

**The Convener:** Mark Lodge, will local authorities that do not cover national parks be at a disadvantage in that, although they will have to make the same efforts to ensure that targets are met, they might not receive the funding that national parks receive?

**Mark Lodge:** There is an issue for local authorities, because we do not have the same statutory functions and requirements as national parks do. As well as our work to promote nature improvement, we rely on other agencies to deliver that. At the moment, local authorities certainly do not have as many resources as national parks do to deliver targets and promote the message about nature recovery.

**The Convener:** I will ask a final question about part 1 of the bill. What are your expectations on consultation prior to the first set of targets being introduced? We are not quite sure about the timing of their introduction. I believe that a 12-month period is specified, but there is nothing that suggests that a public consultation will be required. From the perspectives of national parks

and local authorities, what level of consultation should take place before the first targets are set?

**Gordon Watson:** There should be consultation. During the year, there has been quite a lot of engagement on all elements of the Scottish biodiversity framework, but the setting of the targets gets into the nitty-gritty. We have consulted widely on our national park partnership plans and our future nature strategy.

From a national park perspective, we would need to consider whether the national targets would cause any change for us that we would need to talk to people about, or whether they would map across quite readily. As I said, on monitoring or anything else, we should consider the opportunities for national parks in relation to whatever targets are set. It is for ministers and officials to consider what the consultation process should be, and national parks will do whatever we can do, with our stakeholders, to facilitate that.

**The Convener:** Should we, as parliamentarians, look for the bill to include a clear indication of the requirement for public consultation?

**Grant Moir:** I am not sure that that needs to be set out in the bill, but it needs to be clear to people how they can take part in the consultation process for the setting of the targets. Most of the interest will be in what the next bit is, because that will drive things in a certain direction, so we need to make sure that we are doing the right things. Consultation is therefore important. The biodiversity forum that is being set up as part of the biodiversity strategy will be an important mechanism for getting input from wider stakeholders. However, lots of other people in Scotland will be interested in these issues. It is key that the requirement for consultation is set out, but I am not sure that it needs to be in the bill.

09:30

**The Convener:** The national parks have a framework or template for consultation because they consult quite regularly. However, for local authorities, does the bill need to set out exactly how the Government should consult the public, or do they have a clear idea of how consultation should be carried out?

**Mark Lodge:** I am a chartered town planner and have experience of dealing with town and country planning acts, which set out, for example, the requirements for consultation on development plans. In relation to the work of the Scottish Parliament, I do not know whether the requirement needs to be in the bill. The Parliament has established protocols for carrying out consultations on bills and other things, such as the national planning framework 4. I think that following a



similar regime would be the way to go on targets for nature conservation.

**The Convener:** Thank you. We will move on to part 2 of the bill and a question from Rhoda Grant.

**Rhoda Grant (Highlands and Islands) (Lab):** Do you agree that there is a need for the Scottish ministers to take powers to amend environmental impact assessments and the habitats regulations through secondary legislation? Whether you agree or not, what are your reasons?

**Grant Moir:** Yes, we support those provisions. We need to look at flexibility with regard to designations in Scotland. There are 450,000 hectares of the Cairngorms national park, and 50 per cent of it is designated. Some designations are relatively old. Some of them are for a single species or a single feature in certain places. If we are looking at big-scale changes around ecosystem health and the change that we need to make because of climate change, or at what we want in terms of changing land use, the designations will need a bit of flexibility in them so that we can make sure that things happen.

An example would be a river system that is a special area of conservation and that needs riparian woodland planted on it to reduce water temperatures, so that salmon can survive. In an SAC open habitat that has no woodland features you can get into some strange conversations about how to make that happen. We need to think about flexibility within the system to make sure that we can look at an area and not just say, "Well, it was designated in 1975 and that's how it will stay forever." We need to think about the future. It is a changing landscape out there and a changing climate, and we need a bit of flexibility in the system, with the right checks and balances, to make sure that change happens. If we are to achieve our 2030 and 2045 targets for biodiversity, the designation system needs to have flexibility built into it.

**Gordon Watson:** Yes, the name of the game around nature is change and restoration. Focusing on designated sites and keeping them in good condition is only a small part of a bigger endeavour. As Grant says, change is happening, whether it is climate change or something else, and the situation is perhaps not the same for some types of designated sites that we were trying to keep and protect decades ago. A species may not be recovering or may not be able to recover because of climate change or whatever.

As Grant says, we need checks and balances—of course we do—but a degree of pragmatism is needed in looking at particular circumstances in which a designation made decades ago is now not so relevant to a wider endeavour for land-use change or nature restoration that might be

happening around that designated site. My reading of the provision is that it is filling a statutory gap and also giving us tools to deliver nature targets.

**Mark Lodge:** Given the need to allow flexibility, I understand why the bill provides for changing the regulations. There is no problem with that from our point of view.

**Rhoda Grant:** For clarity, can I check that the provisions allow changes in the designation but also in the management of the designation? I am picking up that you are talking about management—for example, putting trees in to cool rivers down and things like that. Is it about management techniques or the designation—that is, the thing that you were protecting is beyond repair and you need to change the designation? There seem to be two subtle issues at play. Can you iron them out?

**Mark Lodge:** Yes. It might be that the designation is only for certain features. If what you need to happen in that area to help biodiversity is not one of those features, putting those features into that designation becomes difficult. You may end up with strange things. You might not be able to put a riparian corridor along a river because the wider designation does not include that as a feature.

The way in which designations have been done has been based on individual species or plant communities. In future, you may be looking at landscape-scale restoration. In the Cairngorms, for instance, we have a native woodland that is a site of special scientific interest. It is regenerating on to an open habitat special area of conservation. You have to ask whether you should be allowing the woodland to regenerate there, even though that is a natural process and we are trying to encourage more natural regeneration in the Cairngorms. We want to make sure that the designations are not stopping ecosystem restoration.

**Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP):** What is your view of replacing the current main power, which can be used only to keep pace with European Union law with the proposed power, which could be used for a range of purposes, as set out in section 3 of the bill? You have already touched on some of those issues, thinking about climate change and net zero pursuits or new United Kingdom law that we might want to align ourselves with. Will the powers as set out benefit you and your organisations and help you to achieve your goals?

**Gordon Watson:** I think that Grant just described the benefits. He gave you examples of designated sites where we could end up with perverse outcomes when trying to achieve a bigger goal for nature. I am not close to how it will

all work in practice, but both national parks are engaged in discussions of many aspects of how the biodiversity framework will be delivered. We will be able to advise the Government about what works in practice. I am trying to envisage scenarios, but it is difficult. Grant may have some.

**Grant Moir:** I do not think that trying to adhere to strict alignment with the EU side of things is necessary. If we look at the more mature designations, we can see that they do not allow succession, but, if we are trying to restore ecosystems, we need to look at succession. We need to look at where we are trying to get to and not try to keep things in stasis, as they are.

The old way of looking at the matter was that designation, and nature conservation to some extent, was purely about protection: "Let's keep what we've got." We must do that—we must ask what we are trying to protect—but we must also ask where we are trying to get to, what enhancement we want and what will deliver the bigger benefits. Some of the changes in the bill will allow us to look at those things to see what the right mechanisms are.

The flexibility is definitely useful, but the key bit will be how the provision is implemented and whether it is done for the right reasons, to deliver on the bigger biodiversity targets that we may well have through the statutory targets. If we do not have that flexibility, certainly in upland areas, we will continue to come up against some fairly difficult decisions, because we cannot do things that we would naturally want to do in some areas because they were designated for a certain feature in 2000 or 1978 or whenever. We need to look at that.

**Elena Whitham:** Your example of a riparian corridor is a good one for us to think about.

There was a bit of unease in the consultation responses, given that the habitats regulations and environmental impact assessments have always been cornerstones of protection for species and environments and that anything that would affect them must be looked at very carefully. Are there any other examples from your perspectives—your park or local authority areas—that could expand on the excellent riparian corridor example? Are there any other examples that could allay the concerns that some organisations may have about such wide powers for change?

**Grant Moir:** I can send the committee information with examples of how the designations interact with each other within the Cairngorms. We have produced that information previously and are more than happy to circulate it if that would be useful. That is quite an issue. We have a target of 50 per cent of the park being managed principally for ecosystem restoration by 2045. We are

mapping that, and it comes out at roughly 28 per cent of the park that is currently being managed for ecosystem restoration. If you overlay that with where the designations are, the two things are not in the same places. There is some overlap, but if 50 per cent of the park is designated as "for nature", the question is why those two things are so dissimilar. There is a bit of work to be done there. I am more than happy to share that information, as I think that it would be useful.

**Emma Roddick (Highlands and Islands) (SNP):** In relation to the new powers, the Government has notably not included a non-regression provision. What are your views on that?

**Gordon Watson:** I am not sure that I have any.

**Grant Moir:** By non-regression, do you mean in terms of a piece of land that is designated and not allowing it to—

**Emma Roddick:** Yes.

**Grant Moir:** I suppose that it depends on what you mean by "non-regression". It may be that you lose some of the feature that was originally designated, but the overall biodiversity benefit is improved on the site. For example, the site may have been designated for a heathland feature of which you have a lot. Having the flexibility to allow, let us say, the regeneration of birch or Scots pine reduces some of the designated feature but increases the overall biodiversity benefit in that area. There is a greater variety of species and therefore greater bioresource of different habitats within the mosaic of habitats, although you may have regressed when it comes to the designated feature. I would say that that is a biodiversity gain, not a loss. That is where I would be worried if there were a non-regression provision, because that might mean keeping the stasis, in effect. Stasis is the issue in a lot of places and it is what we need to try to change. We need change. We need to think about non-regression. There may be another way to word it, but if it is trying to say that we will keep every feature exactly as it is, we are on a hiding to nothing and we will not deliver on the targets.

**Emma Roddick:** That is in situations such as those that you described earlier, where a reduction in protection on the face of it could improve the situation overall. Do you trust that those powers would always be used appropriately?

**Grant Moir:** That is an interesting question. A crystal ball is needed. I suppose that we have to ask whether we could put in any safeguards or limits to the change. Could you add certain things? That is worth thinking about. However, if we are going to tackle the nature and climate crisis, doing more of roughly the same will not deliver. We have to think a bit more radically and we are going to have to think about how our designation system

can help us to deliver those things, which might mean having to think a bit more about risk and about where risk management lies. I cannot believe that I am talking about risk management—that is something—but what is our appetite for risk? If we are going to try to meet some of the targets, we will have to take more risks in how we do some of those things. That is the key.

09:45

**Emma Roddick:** I suppose that what I am getting at is that the powers could be used for the sake of alignment rather than for the improvement of biodiversity. Should there be some kind of protection? Perhaps you would have to give an environmental reason for why that reduction in protection is beneficial or potentially beneficial to nature.

**Grant Moir:** Yes, I think that you should have to set out the reasons why you are doing something. It should not be just for the sake of it. If you can show that there would be an overall environmental benefit from the changes that you are making, I think that that is the kind of thing that you could set out. That should be relatively straightforward.

**The Convener:** I will expand on that. If you will bear with me, I will read out what the policy memorandum says. A non-regression provision was not included because it would

“significantly limit the flexibility of the power and therefore the Scottish Government’s ability to adapt to changing circumstances.”

It goes on to give examples:

“if amendments were proposed for net zero purposes that required a change or reduction in certain aspects of current environmental protections, in order to meet the Scottish Government’s overarching environmental goals, or if amendments were proposed that could be viewed subjectively as reducing environmental protections.”

It also states that such a provision

“may be seen to limit the ability to adapt the regimes to ensure developments which support offshore wind can go ahead”.

That all makes me think about a recent planning application for an overhead power line in Galloway, which will have a significant impact on the natural environment in some areas that have been designated, including the removal of native woodland. The application went to a public inquiry and the independent reporter suggested that the impact was unacceptable. However, the Scottish ministers overruled the reporter. Is it not the fact that, by not having a non-regression provision, the Government could do whatever it wished on the back of some other target—a target that is not necessarily specified? Do we not need some limitations? Grant Moir talked about limiting change in terms of non-regression. Do we not

need some safeguards? For example, the issue with the Kendoon to Tongland project was cost rather than an environmental impact, but the independent assessor said that the impacts were unacceptable. Do we need some protection in there to make sure that renewables, for example, do not have an irreversible and unacceptable impact on the natural environment?

**Grant Moir:** It goes back to the previous point. I think that you can write in certain safeguards; the question is whether you call it a non-regression provision. There is something in trying to make sure that you get the right language to allow you to make changes that are positive for the environment but that do not, for want of a better expression, end up doing things that damage it. It is about looking at what that wording might be. That is probably one of the key things: what would such a provision look like? However, I take the point. I am in no way an expert in offshore wind farms—we do not get any applications within national parks—

**The Convener:** That was just an example. The point could apply to any sort of infrastructure in a rural environment.

**Grant Moir:** Yes. It is about trying to make sure that we have the flexibility within the system to allow us to make changes that are positive for biodiversity and let us do things at scale. Within that, you also have to ensure that the basic protections are still there within the designation system. Some of these places were designated because of their importance to Scotland, so trying to get a balance is key.

**Mark Lodge:** The non-regression provision issue is causing some concern among the public. As a planning authority, we deal with EIAs for renewable energy developments, and one of the things that may be a bit of a concern is when the rush to net zero overrides environmental protections. We have seen that happen with peat and CO<sub>2</sub> emissions, using the carbon calculator. Any proposed renewable energy project will always save or reduce carbon emissions, which will more than offset damage to peat after a couple of years. It is a question of getting a balance.

I would like to see some safeguards to stop complete regression to no protection for designated sites and to look at what might be the environmental consequences of particular larger-scale projects.

**Mark Ruskell:** On the back of that, I am interested to know whether you think that there should be some form of non-regression provision in the bill. We might be talking about a vulnerable species with a poor conservation status, and there might be a very restricted range—it might be the last habitat. It would seem that a non-regression

provision could apply quite well in such situations. What Grant Moir is describing is more of a landscape-scale restoration scenario whereby there is a need for flexibility around different habitats and species. Is there a bottom line, and does the bill get it right? Should there be something in the bill that articulates non-regression in a way that protects the bottom line for species recovery?

**Gordon Watson:** The examples that we have discussed are about having the flexibility to enable a wider nature benefit and avoid perverse outcomes. Some of the examples are to do with the infrastructure that is needed for renewables and reaching net zero. However, it is a twin crisis, and infrastructure to deal with climate change should not come at the expense of nature. You gave an example of a very special habitat in which checks and balances would be needed. One national imperative should not override another, but I am not quite sure how that might be drafted.

**Grant Moir:** Rather than “non-regression”, “safeguards” is the word that I would probably go to. Having to set out the reasons for a change and why it is positive for the biodiversity side of things is an interesting way to think about it. It would mean setting out that allowing X, Y and Z to happen would positively impact at a wider scale within that place. It is not about non-regression. I worry that, as soon as you start talking about things such as non-regression, you go back to the side of things that is purely about protection, the stasis or the status quo. The status quo may stop bad things happening, but it does not necessarily encourage good things. We must try to find a way of making the designation system much more active in making good things happen while providing safeguards that do not allow things to happen in those places that we would not want to see for Scotland.

**Mark Ruskell:** Does Mark Lodge have anything to add?

**Mark Lodge:** Yes. I agree with Grant Moir about setting out the reasons for doing something and maybe saying that there are more benefits from accepting a negative effect than there are negatives overall. Let us allow things to happen if the outcomes are more positive than negative.

**The Convener:** National parks were landscape designations, and they focused on biodiversity. What happens when it comes to renewables and plans for 210m turbines? This may not be about non-regression, but, if independent reporters suggest that an impact is unacceptable, should the Government be able to overrule them? Should the Natural Environment (Scotland) Bill deal with that sort of impact? As far as I understand it, national parks do not have any wind farms but there will be times when they have to deal with applications for

overhead power lines and so on. Given that there is a race to having ever more renewables in our rural landscape, if nothing is set out and if there are none of the safeguards that Grant Moir touched on, do we need to focus a bit more on scenarios where Government ministers can effectively overturn independent EIAs? My question, which may be for Mark Lodge as well, is whether there should be some sort of safeguard or an explanation of the pros and cons of an application being approved.

**Gordon Watson:** I think that the safeguards are there, in that, of course, Scottish ministers can call in an application or an appeal decision. The Government can disagree with a reporter, but any decision must still be lawful and reasoned against national and local planning policy. If a development involves an EIA, any decision must comply with what that EIA says. I am not clear about whether the powers in the bill would change that. However, if ministers take a decision that cannot be justified against national policy or that does not comply with other regulations, they are exposed to challenge. I think that the safeguards are there. From time to time, ministers can and do overrule reporter decisions or call in planning applications for determination. Decisions can be challenged in court if they are not lawful, so those checks and balances are there. I have not picked up anything in the bill that would change that.

**The Convener:** Okay.

**Mark Lodge:** Most renewable energy developments will be EIA applications. Often, they are section 36 applications, so they are not in the planning system; they are subject to Scottish ministers’ decisions, and development plan approval reporters often look at those applications if there are objections. Larger turbines potentially have a greater impact. Although, at the moment, national parks and national scenic areas, as landscapes, are protected from development within them, the development of wind turbines on their edges could have impacts that must be carefully looked at. For example, aviation lighting might affect the night skies. EIAs for such developments are commissioned by the applicant. Often, they will come out as not having any major significant effects, or they will propose mitigation to reduce any effects. It is then for the decision maker to decide what balance to strike between the impacts and the benefits for net zero and so on. We need to be careful. If regulations are amended, there is the potential for the rush to net zero to result in greater impacts on wider areas.

**The Convener:** My point is about the lack of transparency when it comes to the role of the energy consent unit and the Scottish Government’s decisions in overruling EIAs. Do we

need to legislate to make the decision making more transparent at that level?

10:00

**Mark Lodge:** I think that, if a reporter's recommendation is departed from, there must be a clear explanation as to why. If an EIA says there are impacts and Scottish ministers decide that those impacts are acceptable, they should set out clearly the things that they have taken into account in reaching that decision in terms of the benefits and the negative effects.

**Beatrice Wishart:** Are you satisfied with the arrangements as set out in the bill for the consultation and parliamentary scrutiny that would be required to amend EIA legislation and the habitats regulations?

**Grant Moir:** To be honest, I am not sure that I have an answer to whether there is enough parliamentary scrutiny around that. You would want to make sure that there is enough, but I do not think that I have a view as to whether it is at the right level in the bill.

**Beatrice Wishart:** What is your view on consultation? What should that look like if significant policy changes are to be made?

**Grant Moir:** Transparency is key to making sure that people understand the reasons for changes. Within the national parks, we do a lot of consultation on a range of things. The more you can involve people, the better. The last time that we consulted on our park plan, we had 1,600 responses. In the fire byelaws consultation last year, we heard from about 1,600 people in the park out of 18,500—so, you get the idea that there is a fair amount of consultation and a lot of engagement with people. We try to engage with people, consult at the right level on the right things and make consultation easy. However, I do not have a view about whether what is currently set out is the right level of scrutiny. I am probably not best placed to say.

**Gordon Watson:** It is difficult to engage people on the quite technical process that is associated with planning and other things. We consult on visionary future nature strategies—where we want to get to and what it could be like—but whatever consultation takes place needs to set things out very clearly. There are technicalities about what appears in regulations or in a bill, but the most important thing is probably what change you are trying to achieve, and any consultation should make that clear. I am picking up from the questions that there is a lot of concern about the intent and what the practice might be in future. It would seem that, in any consultation or scrutiny that takes place, that should be front and centre

and that technical amendments should be scrutinised in that context.

**Mark Lodge:** I agree with what Gordon Watson said. I do not have a particular view on the level of scrutiny that is required, but that needs to be looked at. It is a question of finding a way—a level—for the public to understand the objectives.

**The Convener:** I am minded to suspend the meeting for five minutes for a comfort break. We will resume at 10 past 10.

10:03

*Meeting suspended.*

10:10

*On resuming—*

**The Convener:** Welcome back. We will move on to questions on part 3 of the bill, which is on national parks.

**Rhoda Grant:** What are your views on the changes to national parks' statutory purposes in the bill? What will be the practical impact of the changes?

**Gordon Watson:** In the consultation on the draft bill, the intention was to update the language of the aims to reflect what both national parks are doing. For example, there is an absence of references to tackling climate change, but both parks are very much engaged in that work. The bill clarifies how a range of national park activities relate to their aims.

Quite minor changes are being made to the aims in relation to cultural heritage, with the second aim being clarified, which is helpful. In relation to how the aims drive our work, I am not sure that there is massive change, but the bill provides helpful clarification. The national park partnership plans are the expression of how we deliver our aims. The bill reflects what national parks are trying to do. It pulls out things such as "wellbeing" and "sustainable tourism". Our work is very much about that, so it is good to have that reflected. Sometimes, when we make significant planning decisions, we assess how the applications sit with national park aims.

I do not think that the change to the aims will result in massive material change to decision making. The term "cultural heritage" appears in more aims than it did previously, but the overall effect will be quite minor. The changes will provide clarity on Scottish Government policy and on the direction that it wants national parks to take, and I think that it is helpful to reflect that in the bill.

**Rhoda Grant:** Is it a case of change for the sake of change? What was being stopped or impacted by the aims being set out as they were?

**Gordon Watson:** I do not think that anything was being stopped. However, in the National Parks (Scotland) Act 2000, the second aim—

“to promote sustainable use of ... natural resources”—

could be open to interpretation, because “natural resources” could mean mineral extraction, for example. Inserting the word “management” helps to clarify that we are thinking about things such as natural capital and how we manage natural resources positively for nature, climate, people and so on. The bill provides helpful clarifications that reflect how national parks in Scotland have evolved over the past 20-odd years, and I do not think that there is any harm in that.

**Grant Moir:** My position is the same as Gordon Watson’s. The bill provides some clarification on, and makes relatively minor changes to, the aims, but the aims will be relatively similar to what they were previously. Including the word “health” is useful, given the work that we are doing on the health side of things, but we might need to think about how the issue of landscape fits with the national park aims. Overall, nothing in the bill will fundamentally alter what national parks will do. We are trying to achieve those aims collectively, and that will still be key.

**Rhoda Grant:** To be clear, are you saying that the aims should include something on landscape?

**Grant Moir:** Proposed new section 1(2) of the 2000 act states:

“Without limit to the generality of subsection (1), those aims include”,

and paragraphs (a) to (f) are listed. I wonder whether we need to think about including something about landscape, but I do not have in my head what the exact wording should be. The convener said that national parks are, to an extent, a landscape designation, but landscape is not registered within the aims at the moment. It used to be, to an extent, through the wording on “special qualities” in the original aims, so we might want to think about how we reference that in the bill.

10:15

**Rhoda Grant:** Mark Lodge, do you have any comments on that?

**Mark Lodge:** The bill updates the aims by using slightly more contemporary language. Proposed new section 1(2) expands the aims by talking about

“restoring and regenerating biodiversity”

and

“mitigating and adapting to climate change”.

That all provides more clarity to the purposes of national parks. There are no issues with that.

However, paragraph (f) talks about

“promoting sustainable development activity which improves the health, wellbeing and prosperity of individuals and communities within the area”,

and I wonder whether “prosperity of individuals” is the right phrase to use. We would all support the prosperity of communities, but does that mean that we would support an individual becoming more prosperous? It is appropriate for national parks to support individual health and wellbeing, but the use of “prosperity of individuals” makes me slightly worried about an applicant providing a proposal that would make them a lot of money but would not do much good for the community.

**Rhoda Grant:** I suppose that it depends on the definition of “prosperity”.

**Mark Lodge:** Yes.

**The Convener:** Grant Moir touched on the point that, as soon as we create a list, what is missing from the list, not what is included, becomes the most important thing. Section 1(2) states:

“Without limit to the generality of subsection (1), those aims include”,

and, as has been said, landscape is missing from the list. I am not a conspiracy theorist, but that means that new national parks could have renewable energy developments as part of the mix. The Cabinet Secretary for Rural Affairs, Land Reform and Islands has suggested that a new national park in Galloway, for example, might be able to include wind farms or whatever as part of the mix. The absence of landscape as an important aspect of a national park makes me think that the door will be open to allowing developments that would not be in the spirit of the aims of national parks when they were first set. Should we have a list at all? Should we just take it out?

We always hear that national parks are set up specifically for their areas—Galloway national park would be for the people of Galloway, and Cairngorms national park is for the people of the Cairngorms. However, the bill includes overriding national priorities, and the exclusion of aspects such as landscape could limit what a national park board might be able to invest in or what parks could do compared with what was possible in the past.

Am I looking too deeply into the issue? Should we just get rid of the list altogether and ensure that national parks can address local priorities as well as national priorities?

**Grant Moir:** The aims have always been quite wide. The four aims were set in that way to cover just about anything that you could think of, and the whole point of national parks was to achieve them collectively. Only if there was a conflict between the first aim and any of the other aims was greater weight given to the first aim, and that still applies. The list clarifies that the aims include work on the things that are set out, but it does not say that other things are not included, because the aims are still very wide, as you said.

As Gordon Watson said, the key thing for us is that the aims of national parks have always been expressed in the park plans. The work that we do, usually for a good year or 18 months in advance of each iteration of our plan, involves speaking to as many people as possible to ensure that we include the things that we want to do on the ground in order to meet the aims collectively. The list provides a bit of clarity in that regard, because we will definitely need to touch on the things that are set out, but we do not see it as an exclusive list. There are other things that national parks will want to do that perhaps do not fit exactly in one of those nice boxes.

**The Convener:** However, the list will be in the bill. I mean no disrespect to planners but, following legislation, there is guidance and we know that planners like to reference guidance when recommending approval of an application. Might having a list affect planners' focus and result in their saying, "It's not on the list or in the guidance, so we're minded to refuse the application"? I am worried that the list being in the bill will limit what can be done.

**Gordon Watson:** This is where I fess up and say that I am a planner, too. I was previously the director of planning for the park authority.

I stress that the park aims come into play in the most significant planning applications, with an assessment being made of whether the first aim of national parks would be compromised by a development. A planning officer interprets how a development would support or not support a particular aim. In that regard, the provision helps to make that assessment. If a development will promote a wellbeing or tourism benefit, that will be taken into account in the assessment.

Ultimately, there will still be the duty to have regard to whether there is a conflict between the first aim and any others, and there is a duty to give greater weight to the first aim when there is such conflict. That will not change. The first aim still refers to "natural and cultural heritage", and landscape is considered to be part of natural heritage. What is set out does not exclude consideration of landscape, but, as you say, once you make a list, other people who give evidence

might say that they want other terms to be on the list.

For me, seeing the work that national park authorities do and the benefits that national parks deliver for people being expressed in the bill is positive. That reflects our discussion about national parks being places for positive change—it is very much the opposite of keeping everything the same and stasis—so it is welcome to see the work of the two national parks being reflected in the additions that have been made to the aims.

**Grant Moir:** You can clearly see that paragraphs (c) to (f) of proposed new section 1(2) of the 2000 act reflect the wording of the aims in section 1(1). However, the points about

"restoring and regenerating biodiversity"

and

"mitigating and adapting to climate change"

are not as clear within the aims, so the secondary list probably helps the most in that regard. Section 1(2)(d)—

"encouraging recreation in the area"—

obviously fits with section 1(1)(c), which talks about promoting

"public understanding and enjoyment of the area's natural and cultural heritage",

because that is how a lot of people do that. Some of the things on the list provide a bit more context.

Consideration of the climate has been missing from the park aims because, when the aims were written, in the late 1990s and early 2000s, the issue probably was not as much in the public consciousness as it is now. Therefore, the inclusion of the first two things on the list is particularly helpful. However, I take the point that, once you make a list, everyone wants their thing to be on the list, because that is how lists work, so it could grow arms and legs.

**Mark Ruskell:** The bill will change the duty on relevant public bodies. Currently, they have to "have regard to" national park plans, which will shift towards a duty to "facilitate the implementation of" the plans. I am interested in the perspectives of all three of you about what might change as a result of that.

Grant, I am aware of the long and difficult history with Highlands and Islands Enterprise in relation to the management of Cairngorm mountain. I am aware that there might be tensions in relation to Forestry and Land Scotland and that there are definitely tensions in the Loch Lomond and the Trossachs National Park and perhaps further afield. What will change as a result of the wording changing from "have regard to" to "facilitate the implementation of"?

**Grant Moir:** I think that it will be very helpful. “Have regard to” is a fairly passive term. You can have regard to a number of things, but that does not necessarily mean that you will do anything. In the creation of the national park partnership plans, I suspect that it means that partner organisations and public agencies will scrutinise what is put in the plans more carefully, to ensure that the plans contain things that they are willing and able to help to implement.

I will give an example. In the current national park partnership plan, there is a target for the deer management groups to achieve five to eight deer per square kilometre in the national park. It will go into a slightly different place if we move from NatureScot or us having to “have regard to” that to having a duty to help to implement it.

Making the wording more active will mean that people will get more involved in the development of the national park partnership plans. They are already heavily involved, but this will make it crystal clear that, if we put something in the plan, it will have to be implemented and delivered. The scrutiny of it will be slightly different, which will be welcome from our point of view in terms of the interaction with other public bodies in Scotland.

**Mark Ruskell:** How will that change the dynamic in relation to HIE specifically? In your example, you are talking about areas in which there is already a degree of consensus—changes that need to happen with deer management—so you are pushing public agencies to deliver similar objectives. I am interested in the areas in which there might be tension between a commercial interest and the aims of the park. Will the change in the law change that dynamic?

**Grant Moir:** I am not sure. We have a good relationship with HIE, but it is about what is put in the plan that HIE then has to help to implement. It comes back to what we say after doing all that consultation and gathering all that evidence—the plans are based on a huge amount of evidence. We might say, “This is what we want to do on that,” and, if a public agency then says, “We do not want to take that forward in that way,” there can be a fairly honest and robust conversation between the park authority board and the board of that organisation or the local authority about what we can put in the plan, what we want to stretch on and things about which we can just say, “Fair enough—we take your point and we will adjust that.”

Such conversations about resources and funding will probably make it slightly more real to people. There might be policy or regulatory things that we need to see changed. It will push discussions into a more interesting place, especially as it is coming up to 25 years for the National Parks (Scotland) Act 2000. A huge

amount is done through partnership and working together, but such conversations might bring some of the thornier issues to the fore a bit more, and we might find resolutions to some of those.

**Gordon Watson:** As Grant says, the bill would change the current wording in the 2000 act from something that is quite passive to something active.

There are lots of positive partnerships across different public bodies delivering good things, but, if we talk about place-based approaches, there can be times when we need to find solutions that fit with a place and the opportunities or issues that that place has. That is what national park partnership plans are about.

The crunchier issues come when you ask a national partner or local authority to consider taking a slightly different approach and when you try to do something new in a national park to find a solution to a problem. Sometimes, there can be reluctance, or people do not feel empowered in their own organisation to be able to do that.

As Grant says, the duty to help to enable will perhaps result in more focused and closer discussion about what goes into a park plan, as well as trying to ensure that partners support and deliver the plan once it has been approved. Remember that park plans are approved by Scottish ministers, which give them some weight. However, the duty is passive.

Place-based approaches apply outside of national parks. National park partnership plans are a good expression of what a place-based approach can look like. The proposed change through the bill will highlight to partners what is expected, whereas, at the moment, the signal is just to have regard to park plans.

10:30

**Mark Ruskell:** Will the provision implicitly change the status of the park plan? For the Loch Lomond and the Trossachs National Park, for example, what would come first: the park plan or Forestry and Land Scotland’s plan for its own estate within the park? Which will have primacy?

**Gordon Watson:** There are caveats, recognising that other public bodies have their own duties, which cannot be ignored. There is a duty in the bill to deliver national park plans, but there is also a duty to have regard to national park aims.

When another public body undertakes a plan or a project, they will have given that some thought. We talked about energy infrastructure earlier. Transport Scotland undertakes road projects and so on, and, at the moment, it does not have a duty to have regard to national park aims when going



about such projects. The bill will not take away Transport Scotland's responsibilities as a public body, but it will make it clearer that its officials have to think, as part of their process, about how a project or plan sits with a national park plan or national park aims.

We have dialogue in any case, but, sometimes, the dialogue comes a wee bit too far down the line and we have to say, "Hang on a minute—have you thought about this or that impact?". I hope that, as Grant said, the bill will bring such conversations a bit further upstream so that people take more seriously how they input into and respond to consultations on the national park partnership plan, especially when their organisation is named. We try to be very clear with our partners; we cannot do everything and we need partners for certain things.

**Mark Ruskell:** Mark, what does this look like from a local authority perspective?

**Mark Lodge:** The duty to have regard is one thing, because there is a bit of discretion in what you do with it. However, being tasked with implementing the park plan will mean that we need to look carefully at the national park partnership plans. I am a planner; I believe in plans and that people should work towards delivering them. We need to get the message to our service departments that they need to think about what is in the park plan and raise issues about where their planning might go.

Timescales are an issue. A park plan is a long-term vision and, sometimes, planning at services level is a little bit shorter—they do not always match up. The bill will emphasise to local authorities the importance of looking carefully at the park plans.

We already have dialogue with the national park, and lots of implementation is done jointly. Both we and the park are in our local housing partnership, for example, and we are both in the Clyde marine planning partnership. We work together now and will do so in the future in nature networks and that sort of thing. Quite a lot of joined-up work is currently taking place. The bill will emphasise the need to continue that and to look carefully at what is in the plan.

There might be some issues in prioritising which elements of the park plan and the authority's plan happen first. I suppose that the local authority could still look at that and say, "We have a duty to implement the park plan, but we also have these things we need to do outwith the park, and these may have to take priority." There will probably still be a little bit of flexibility in that, but the provision will highlight the importance of the park plans and of taking them into account when considering projects.

**Emma Roddick:** Does anyone have any views on whether there are further opportunities for public bodies to be more involved in the national park plan creation process or to align themselves more closely with it?

**Grant Moir:** We usually have a group that helps to develop the national park partnership plan, which includes all the key local authorities and public bodies and the wider non-governmental organisation community. Then there is a load of consultation and engagement with people around that. That part is relatively robust. Then you have the park authority boards, which are made up of people from different backgrounds. We get a good number of views.

There may be issues where something sits between the park authority and a local authority. Housing is a good example. As a planning authority, we might be allocating the land and also trying to make certain things happen with communities, but we are not the housing authority—that sits with the local authority. I suppose that we want to make sure that everyone can sign up to what we put in the park plan and help to implement it, which is why the wording in the bill is quite good.

For instance, at the moment, the Cairngorms national park has a 45 per cent affordable housing rate in four of the areas within the national park, and our park plan aspires to take that up to 75 per cent by 2030. That is quite a policy change, and we were in discussions with the local authorities that cover the national park, but, if we put that in the next national park partnership plan and people have to help to implement it, we will have to make sure that that number is doable and robust and that the local authorities will sign up to help us to do that. The provision might help us with things like that, where the responsibility is shared between multiple organisations.

**Gordon Watson:** A plan is not created by national park staff locked in a room. It is a huge engagement process, particularly with partners and stakeholders who have a role in delivery, because there is no point in having a plan that folk are not sighted on or have not had some input into. That happens on a number of levels. We have themed groups around nature, tourism or whatever, where engagement happens in the creation of the plan, and then, as we are moving to finalise it, I will be talking to my opposite numbers in different public bodies to say, "Here is where we have got to," as a reassurance piece.

We put our hearts and souls into it, because the park plan is not the plan for the park authority; it is the plan for the place in terms of the topics that it covers. I take Mark Lodge's point. We cover so many topics and, if you are a local authority, making sure that all the different service

departments have some input and are sighted is not always easy, but we often have relationships between our officers and officers in other public bodies, and we make those work. We put quite a lot of work into that, but, as I said earlier, sometimes a few crunchy issues need a wee bit more discussion around how the objectives or the targets that a public body may have nationally sit within a national park context.

**Emma Roddick:** I imagine that it is easy to come up against those conflicts when a body has other aims and strategies that it is working towards, which may not align with those of the national parks. What are the most common conflicts?

**Gordon Watson:** We have to recognise that we are also part of delivering national targets. We set out in our plans where we contribute to whatever it is—our tourism economy, biodiversity and climate targets and so on. We all do that.

It goes back to having to make sure that you tune that work to the place. Forestry and Land Scotland was mentioned, and in our national park we have a huge chunk of national forest estate. A lot of that was productive spruce timber, and there has been a massive amount of harvesting, as well as quite a lot of positive restocking of native woodland and so on. If you are a community living within a heavily harvested area, there is a debate about having the right tree in the right place. FLS has national targets—it has to achieve income from timber and so on as well as other targets around biodiversity and tourism. We use some of the national forest estate for visitor management. That is an example of us asking a national body that has a lot of land assets whether we can use them in different ways to support national park aims. For us, visitor management is a big issue.

I would not want to present that as a conflict or anything like that, but there is a debate when you have teams that are delivering national targets and we are trying to say, “Could we look at this a bit differently? Could we look at this opportunity?” Mostly, we get to a good outcome. The forest manager has targets that they are trying to achieve, and we are looking for other things and the question is how that sits within the forest manager’s priorities. We mostly get there, I would say.

**The Convener:** I have a quick question. Where does affordable housing sit within the national park objectives? I do not see anything at all. Do the national park authorities have to be aware of the impact of the park on the market? The lack of affordable housing is controversial, because the narrative is that national parks create a housing market that means that locals are priced out. Affordable housing is not one of the aims and objectives of the national park, but it obviously

features quite prominently in the Cairngorms. Why is that sitting within the national park plan when it is not one of the aims and objectives?

**Grant Moir:** I suppose that we see that as one of the fundamental parts of the fourth aim of the national park, which is the promotion of the

“sustainable economic, social and cultural development of the area’s communities.”

Housing is key to that. Housing is also key—we used this example in our current park plan—in that, if we want to do more peatland restoration, we need more people to work in the area, so we need places for people to live in the area. Housing contributes to all the aims. It would sit more in that fourth aim, but you need housing to do all of them. It is a key issue.

Ultimately, we are trying to ensure that we have a good housing land supply and that we get housing constructed. For example, over the past four years, more than 400 units have been built in the Cairngorms national park. There is permission for more, and we are starting our next local development plan process.

Affordable housing is a key issue for us because we need more of it. That is not about the total volume of houses built; it is about the total percentage of those that are affordable to the people who live and work within these areas. If we want to achieve our aims on the community side of things, we need people who live and work in the area. It is not just about whether retirees are coming in or people are buying second homes. We need affordable houses at the right price points at different levels, mid-market, social rental and other things within that—another thing that we need to get across is that affordable housing is not just one type of housing.

Affordable housing is crucial if we are to meet our aims on nature, climate and all the other things. It is key. We see it as very much part of that fourth aim, but it underpins our aims across the way.

**The Convener:** Yes. That is evidence that the park’s aims and objectives are wide-ranging and almost limitless. When it comes to local authorities having a duty to implement a park plan, and with new national parks potentially coming forward, is there a need for legislation to say that the park plans must be drawn up with the local authority on a legal basis? Ultimately, the park plan could set out objectives that have a budget requirement. Whether that objective is for the local authority to build more affordable housing or to create more access or whatever, that has a budget implication. On that basis, given how wide-ranging the park plan could be and that the local authority will have a duty to implement the park plan, does there need to be a far stronger legal basis for national

park authorities to work with local authorities, which are ultimately the budget holders for a lot of the plans that might come forward?

10:45

**Gordon Watson:** We work with local authorities and social housing providers. We had a big seminar last year, as part of our park board futures group, to look at all the barriers—they are common across rural Scotland. We are not short of sites with planning permission. As a planning authority, we achieved all our targets for supplying land and granting planning permission that our local development plan set out, but not enough of those are being delivered.

We are working with local authority and housing association partners to look at ways in which we can break down the barriers, most of which are to do with escalating build costs. Even when a site has planning permission and a housing provider wants to develop it, the housing grant is not covering it. When you go to procurement, the cost is not coming anywhere near the funds available. We are exploring and we are embarking on our new local development plan. As a planning authority, it is not simply about designating sites and getting planning permissions through; it is about collaborating to see whether there are ways to use procurement processes or clusters of sites or other ways to de-risk housing by providing services and so on. It is very much about trying to be a force for finding new ways to deliver and overcome some of the issues. The available budgets are not delivering in the way that the housing grant is provided.

We very much see the huge impact that the lack of housing has on the local economy. People cannot recruit staff. We have a stable population that is ageing. We have pressures from the Glasgow housing market, the retirement market and so on. The need is greater than ever and we are focused on it.

**The Convener:** This may be a daft laddie question, but take a local authority that sets out its priorities and then a park board that sets out its slightly different priorities. Ultimately, much of the budget to deliver the park plan will lie with the local authority. How does that work in practice? The top priority for Acme national park is more social housing, but that goes above and beyond the local authority's priority for building social housing. That is just an example. The issue could be more rest areas or more access to forests or whatever. At the end of the day, it might be Forestry and Land Scotland that has to come up with the cash for more parking spaces or more toilets in our outdoor areas or whatever. How does that work in practice?

**Grant Moir:** A lot of the park authority's work is in trying to work with different partners and, to a large degree, trying to find the compromises and the things that we can deliver together. It is not setting out to say, "We want this and that is where we are sticking." The whole point of the national park partnership plan work is a lot of negotiation with people around where we can get to. The ideal might be X but all that we can achieve at the moment is Y. That is fine. We still know where we want to get to.

In the Cairngorms, we have some big targets and objectives out to 2045, but we are specific about what we want to do in the next five years, and that is where we position the national park partnership plan. It is about trying to nail that down. Over there is where you want to get to, but the pragmatic bit is whether you can get everyone to sign up to the five-year step that goes towards that. That is where we negotiate all the time, whether it be with local authorities, public bodies, private landowners, or whoever it might be. Everyone is coming from different angles. To an extent, you win some and you lose some. It might be two steps forward, one to the side, three forward and two back, but you are still trying to go in the right direction.

That is the job of the park authority as the body with the statutory management plan that is trying to co-ordinate a complex setup. We have five local authorities, we have all the different public bodies and we have lots of landowners, but the park was set up to try to work through that complexity and come out with the outcomes that we are trying to deliver.

It sort of works. It might be a bit messy sometimes, but the way you do park plans and the way in which they make public bodies work generally works. The tweak in the bill to make the duty about implementation is good because, ultimately, that is what we need. People care about action and implementation. Fine words on a piece of paper are not worth anything if they are not then acted on.

**Elena Whitham:** What impact could the proposals for a fixed-penalty notice regime for national park byelaws have on each national park? Would it encourage you to make greater use of the powers to make byelaws? What issues or behaviours might you seek to tackle?

**Gordon Watson:** In Loch Lomond and the Trossachs, we have two sets of byelaws. We have byelaws managing navigation on Loch Lomond and camping byelaws that apply to a range of camping management zones. Those are places that are historically popular not for wild camping within the definition of the Scottish outdoor access code, but for car-borne camping on the roadside and in loch-side areas where people camp on the

verge. Those are raising all sorts of issues in terms of pressure on the environment, antisocial behaviour and so on. The Loch Lomond byelaws have been in place since the mid-1990s and have been reviewed several times. The camping byelaws are coming up to—I cannot believe it—their 10th anniversary. We had a pilot on east Loch Lomond, which had the worst of some of those issues.

We have lots of experience operating byelaws and very much using them as a behaviour change tool to get voluntary behaviour change. A lot of our ranger service's engagement with the public is educational, explaining to people how the byelaws work and what they are there to try to achieve. It is about people's responsibility to respect the environment, communities and other people's enjoyment. The vast majority of those conversations are positive, but some are not.

At the moment, the enforcement route is that we have to refer byelaw breaches to the relevant procurator fiscal, which we do. As an example for scale, we had about 890 conversations about byelaw breaches that resulted in voluntary compliance last year and we escalated 12 cases to the procurator fiscal. Obviously, the court system is quite overwhelmed, but there are some serious issues in Loch Lomond where people's safety is endangered by irresponsible navigation and so on, and some cases should go to the procurator fiscal because of the incident that has happened.

In other cases, breaches are more straightforward, such as a multiple offender refusing to register their boat through the boat registration scheme or flatly refusing to comply. When we issue warnings, we keep a record. If we know that someone is a repeat offender and it is a fairly straightforward breach, having to resort to the court for resolution is quite a significant amount of work, including casework for us. If people know that our rangers can issue a fixed-penalty notice for a relatively straightforward breach, we think that that will help to get compliance. People just knowing that we can issue a fine helps with the conversation, but it is also proportionate and no one has to appear in court when it is a breach that our rangers can deal with themselves. They are fully trained to do that. We already use fixed-penalty notices in respect of litter. An example of that would be abandoned campsites under the permit system. We treat that as a fly-tipping offence and issue fines for fly-tipping. We already have lots of experience of dealing with fixed-penalty notices.

**Elena Whitham:** Might the fixed-penalty notice regime help with jet skis on Loch Lomond? I have been a wild swimmer for a long time, and I have swum in Loch Lomond. Unfortunately, although I

was not hit, it came to the point at which it could have been quite serious. I regularly see that, whereas I do not see the dirty camping so much any more. Down in Loch Doon, in my constituency, we have a lot of dirty camping. If you can do it, that type of regime is quite helpful. Will being able to tackle issues such as jet skis be beneficial?

**Gordon Watson:** Yes, we have been doing awareness raising, and there was good coverage in the media this week, because of the revised byelaws on Loch Lomond. Particularly post-pandemic, we have seen a significant rise in jet skis being registered with us and used on the loch, alongside, as you say, the growing popularity of wild swimming, open-water swimming, paddling, paddle boarding and so on. Those are raising potential conflict areas. We have introduced very-low-speed zones in the popular areas of the loch where people can access the water for swimming and paddling. We have tried to make it so slow that it is clear when someone is speeding, and it is more enforceable if a jet ski or any other powered craft is navigating irresponsibly. That provision is already in place.

A fixed-penalty notice enforcement power coming in will help our rangers to address situations more clearly. Unfortunately, there are irresponsible loch users who do not particularly want to be compliant. They want to do what they want to do. We can take people's details, we can issue them warning letters and, ultimately, we can refer them to the court, but being able to deal with the situation in the moment is more effective. It is more cost effective. Also, our communities and visitors are reassured about what enforcement our rangers can take, because it is about the safety of the public. Safety issues have come much more to the fore because of the trends that we are seeing.

**Elena Whitham:** Grant Moir, in the Cairngorms you do not have any byelaws that have been created, I think, but do you see yourselves potentially using these powers?

**Grant Moir:** We just submitted our byelaw proposal to the Scottish Government after consultation on fire management in the park. That is the seasonal fire management byelaw to restrict fire use, campfires and so on between 1 April and 30 September. Subject to ministerial approval and suchlike, we will be looking to introduce that byelaw in the Cairngorms.

The reason why we are doing that is that, although we have done a lot of work with people to reduce the number of fires, we are still seeing a lot of fires and, if one of them gets away in one of the key areas of the park, we will see a lot of damage to nature, people, property and so on. It is a key issue in the Cairngorms. Having the ability to issue fixed-penalty notices is one of the reasons why we

think enforcing such a byelaw is more doable now than it was previously. We are keen to build on the experience of what has happened in Loch Lomond and the Trossachs over the past 20 years, and we work closely with that park authority, but moving to fixed-penalty notices is certainly beneficial from the byelaw side of things.

**Elena Whitham:** I have a final wee question about the rangers who will be doing that. I come from a local authority background and understand how difficult that can be for enforcement officers. I know the level of abuse that can sometimes be meted out to them. Has there been any training or thought given to how you will support those members of staff to take on the different powers that they will have?

**Gordon Watson:** Yes, we have policies and procedures around byelaw enforcement, and the safety of our staff is at the heart of those. Staff go through training that includes de-escalation training on what to do when they are approaching a situation or when they are concerned for their safety—how to exit a situation and so on. That is front and centre.

11:00

Going back to partnership working, one of our strongest partnerships is with Police Scotland and we have a national parks seconded police officer. Our seasonal planning with partners includes Police Scotland planning where it can draw on resource for us during the busy summer period and planning for bank holidays and periods of good weather, when we get extra police resource coming into the park to deal with issues.

We have clear escalation procedures for the point at which rangers have to remove themselves and escalate matters to the police, and the operational communication that takes place in real time to make that happen is good. It is a great example of partnership working. Also, our rangers always go out in twos—no ranger does that work on their own.

**Elena Whitham:** That is helpful. Thank you.

**The Convener:** We have a supplementary question from Emma Harper.

**Emma Harper (South Scotland) (SNP):** Elena Whitham has covered this already, but I want to ask about what support rangers provide when folk take to the water without life jackets or helmets on when they are in kayaks, on jet skis or paddle boarding because they are novices on the water who have no clue about what safety measures are required. The water can be pretty cold, and you do not know that until you are in the water. It is about supporting people with coaching and education

when they get to the water. That is not necessarily a byelaw thing, but is that part of the rangers' job?

**Gordon Watson:** Absolutely. A by-product of the increasing popularity of those things is more people trying out paddle boarding, canoeing and so on. A lot of the focus of the byelaws is on powered craft, but quite a lot of our ranger time is spent rescuing people or escorting people who do not have the proper safety equipment.

Our new byelaws increase the responsibility for wearing life jackets, especially for children under 16. A parent must have a life jacket and they must carry life jackets on the vessel as well. We do deal with that aspect under the byelaws, but we also put a lot of effort into water safety awareness. We are part of a national water safety planning group, which involves collaboration with other public bodies, because water safety has been an issue across Scotland in periods of good weather. We do everything that we can to have consistent signage and rescue equipment in the right places, and we aim to create a standard for the signage, safety and rescue equipment that partners and other public bodies put on their sites.

During the summer, we also have water safety pop-up events at popular beaches, to engage people around water safety. We have not had the greatest summers in the past few years, and, fortunately, we have not seen any drownings in recent years. However, there was one weekend in 2022 when we had multiple drownings across different lochs in the national park. Mostly, it was people who had underestimated the depth and the temperature of the water, who got into difficulty quite close to the shore but could not get back to shore. We use aerial photography at beaches where we have shelving and deep water within close range, so that people can clearly see in the photographs the darkness of the water. We use multiple ways to get across to people the messages that they need to think about on a hot day. The water is not hot and people need to be aware of the hazards.

**Mark Ruskell:** What fixed-penalty notice powers would you ideally have? Would you like, for example, car parking enforcement?

**Gordon Watson:** We work closely with local authorities on that. I have described the planning for the visitor season that takes place with partners, and there has been great collaboration with local authority partners to adapt how they provide traffic enforcement, particularly at weekends and during busy periods. We control some car parks, and, to prevent irresponsible parking on road verges and so on, we have good collaboration with Transport Scotland and the roads authorities around both the introduction of regulations and double yellow lining and the times when parking enforcement staff are deployed,

particularly around the side of Loch Lomond and in the heart of the Trossachs, where we know there will be issues with overflowing car parks and people parking on the road verges. That is as good as it can be.

As you know, we are focused on delivering transport services as an alternative to the car. I would rather focus our efforts on providing sustainable alternatives that allow people to access the countryside.

**Mark Ruskell:** How would you fund that?

**Gordon Watson:** Those services? We are on that mission at the moment. We are trying to find funding for another Trossachs Explorer service this summer. The pilot was very successful last year. We are working with TACtran and Stirling Council on that now, and we hope that the funding will be in place for that again this season and that we can demonstrate more positive solutions to parking issues.

**Mark Ruskell:** Okay. Grant Moir, do you have any desire for extra powers?

**Grant Moir:** The park authority itself does not own any car parks in the Cairngorms, but we work closely with the different people who do. Some good work is being undertaken jointly by Highland Council and Forestry and Land Scotland specifically in Glenmore, where they are looking at having a single regime, rather than different regimes, to implement clearways, double yellow lines and suchlike. So, the mechanisms are there. There is sometimes an issue around how quickly we can do these things, but I am not sure that getting extra fixed-penalty notice powers would particularly help to make them happen.

**Mark Ruskell:** Let us go back to the wider purpose of the bill and the nature emergency. Do national parks have the appropriate powers and the appropriate support from the Scottish Government to enable you to deliver on those objectives?

I will give a brief example. At the weekend, I was walking in Tyndrum, up at Coille Coire Chuilc, which is an amazing fragment of Caledonian Scots pinewood with lots of veteran trees, but the forest is dying. Sheep wander around and there are too many deer. I find it incredible that that is happening in a national park.

What powers do you have to turn that around? It would be an option in the bill to give national parks proactive management powers to require landowners to do things. I am not seeing that coming through. This is your opportunity to reflect on that and say whether you think that everything is fine, that you or others have appropriate powers and can take enforcement action and that we will move towards restoring nature in the parks. It is

also your opportunity to say whether you think that more funding or extra powers are needed or whether there is something else that the Scottish Government can do to ensure that the vision for nature in the parks is being delivered. From what I see on the ground, that is not being delivered in enough areas.

**Grant Moir:** That is a big question; there is a lot in it. Part 4 of the bill is on deer management. It moves things on, covering not just damage to, but enhancement of, the environment. That is linked to plans, whether those be strategic plans or national park plans, which is incredibly helpful, as we will be able to look at that.

There is a general issue to do with public funding for land. If there is a statutory management plan that ministers sign off—the national park plan—with other ones beneath it, how will that link to funding such as agri-environment payments and the different tiers that will exist in the future? That aspect is crucial for us. There has never been a clear link between such environmental payments and national park plans. Therefore, an issue is how such things join together. That goes back to herbivore management. The issue is not necessarily the powers that sit with the national park authorities; rather, we need to think about whether the powers that sit with other organisations should be used.

The key thing for me is that a lot of the good stuff that happens in national parks usually comes from close collaboration between whoever owns the land, public agencies—multiple agencies will probably be involved—and the local community. That is what makes good things happen. The question mark arises when somebody does not want to play ball. How do you make positive changes if somebody says, “I don’t really want anything to do with that. I’m quite happy with how it is”?

Although the model works probably 80 per cent of the time and for 80 per cent of the land, when people want to do a particular thing or do not want to engage, it becomes more difficult and the park authorities have less power in those places. In those situations, we must look at whether there are other measures that we can use.

I have always said that there is a backstop element to this. If we are trying to do something with a national park plan and somebody just does not want to do any of that, how do we engage with them? That is a tricky question not just for national parks—it goes outwith national parks. The bill is helpful in that regard, but it does not necessarily change any of that.

**Gordon Watson:** The woodland in question has a new owner, and we are already engaged with them to see what their intentions are for the wider

landholding. We were working hard with the previous owner to get that woodland fenced off and the sheep removed, because, as you said, there are lots of veteran trees there but the health of the woodland is poor. It is a magnificent remnant of Caledonian pinewood in our wild Strathfillan landscape-scale restoration project.

We try to point landowners to funding for such things. However, in some cases, depending on their capacity and the scale of their business, it can be quite difficult for them to access the grants, as money must usually be paid up front and claimed back later. We come up against obstacles even though a landowner might be willing.

How funding works is maybe another aspect to consider. An example would be peatlands, where we pretty much do the project work because a landowner would have to procure the work, pay for the work and then claim the money back. We do that work on their behalf. It might not be within the realms of the bill, but the way that funding can work is also an obstacle. In relation to the woodland that you mentioned, the landowner was quite happy for it to be fenced off, but they did not have the capacity or the finances to pay the money for that up front and claim it back later.

**Grant Moir:** Another issue is timescales. If we are going to tackle, let us say, flood management or water management, people will not sign up to a five-year agreement to do that. They will need 50 to 100-year agreements. We must have the ability to work out how these things work, because the timescales that nature and the climate work on and the timescales that we provide funding or even agreements on are out of sync for certain things. We will have to think pretty carefully about how our catchments work and how we work with landowners on a much longer timescale. We also need to think about whether some of that is more about providing up-front capital than about requiring long-term payments and suchlike. Those things are linked.

The park authorities and park plans give you the frameworks in which to have these conversations and tend to make things happen more quickly. As I said, you can now walk from the bridge of brown, near Tomintoul, to just north of Blair Atholl and, in a certain direction, be only on land that is managed for ecosystem restoration. That is by far the biggest such area in the United Kingdom. There is still so much more to do, and we still need to work through some pretty thorny and difficult issues. Most of the work will be carried out on a voluntary basis, because that is the way that it should be. However, if the voluntary approach and the payment approach do not work, what do you do? It is tricky.

11:15

**Evelyn Tweed (Stirling) (SNP):** I thank the witnesses for their answers so far, which have been helpful. The Scottish Government has not included in the bill the 30 by 30 target—the commitment to protect 30 per cent of our land and seas for nature by 2030—but has said that it will tackle that in other ways, such as through pilot schemes. Do you agree with that decision? Is not legislative change needed?

**Gordon Watson:** We have certainly been part of the debate on that, including by sharing our thoughts with Scottish Government officials and so on. There is international recognition of areas under environmental management that are not designated sites and how to meet the terms for those. It would mean coming up with a framework for Scotland as to the form of management that is required and setting out the period that would count towards the 30 by 30 target.

At both national parks, as Grant Moir has just described, we are trying to take forward landscape-scale areas in which the primary objective is nature restoration, among other land uses. We have the Great Trossachs Forest project, which is more than 20 years old, as a demonstration of large-scale restoration. That is mostly in public and environmental NGO ownership. Wild Strathfillan, in the north of our park, is an example of mainly private ownership, and we are trying to get landowners together to deliver something there.

If you are taking forward something like that, what criteria are you trying to hit in order to say, “That now counts as being 30 by 30”? It would worry me—this goes back to the earlier discussion about designated sites—if 30 by 30 is just about designating more sites. The danger is that we would lose sight of the wider nature restoration opportunity bringing partners together and focusing effort.

It is still a live discussion. I am not sure what we will arrive at or whether what is needed is legislation or simply a common standard that people understand and can pursue for larger-scale restoration projects. I hope that the conversation keeps going. The year 2030 is not far away, so we need some clarity about what we are aiming for.

**Grant Moir:** In Scotland, 18 per cent of the land is designated as protected, I think. This is 2025, and 2030 is not far away. What would getting the other 12 per cent designated look like?

A lot of work is going on in nature networks. The Cairngorms national park has 50 per cent of its land designated for restoration. Does that mean that we have met our 30 by 30 commitment in the national park? I would say probably not, because that 50 per cent is not delivering enough for nature

and biodiversity, which takes us back to some of our previous conversations. We have to think cleverly about the places that are delivering and where we need those places, because it is not just about having a volume of land, or whatever it might be, under nature restoration; it is also about how those places connect and whether they connect—whether we have the networks and the right things happening in the right places. There is quite a lot of work on that.

The work that we are doing in the Cairngorms on the nature network side and on our target of 50 per cent of the park being managed for ecosystem restoration is trying to connect up all those things in a way that makes sense. The interesting point is how they are given the legal backing that allows them to be counted towards the 30 by 30 target. If that is not through the bill, what mechanism will allow us to have those conversations? It will not be easy to get from where we are to where we need to be. Furthermore, it has to be the right stuff. There is no point in doing things for the sake of it—they have to be the right things in the right places.

**Emma Harper:** Would legislating in the bill that we must get to 30 by 30 make people a wee bit nervous? For example, Dumfries and Galloway, with its big dairy farms, has 48 per cent of Scotland's dairy herd and is a food-producing region.

**Grant Moir:** At the moment, designated national parks do not count towards 30 by 30, so we are not included in that 18 per cent. Well, areas of our national parks are included in 30 by 30, because we are designated as an SAC, a special protection area, an SSSI or whatever it might be, but not all the land that is designated as a national park counts, because some parts are not protected areas. Under those statutes, 50 per cent of the Cairngorms is not a protected area, and the percentage is higher for Loch Lomond.

People would probably be nervous if they thought that another 12 per cent of Scotland would be designated under the current designation system. We need to look at alternatives and think about other ways of doing that. It is about enhancement; it is not about protection under the current system. We have to be careful that we do not end up designating more land to do what is currently being done. Land needs to be designated for a reason—to do more for nature, for climate and for people. Ultimately, all those things are linked.

There is an intrinsic reason for protecting such places, but we also do it because people like to visit them and to know that Scotland is being well looked after. We have to keep that in mind, too. We have to be pretty clear about how we are trying to meet that target by 2030, because it is not

far away, and about what the extra 12 per cent will be made up of.

**The Convener:** I am very conscious of the time—you have been very generous with yours—but I would like to ask a couple of questions before we close the evidence session. I will ask them all together.

The bill seeks to amend the National Parks (Scotland) Act 2000, so we have had legislation on national parks for 25 years, but there has not been a full review of the effectiveness of national parks over those 25 years. There is annual reporting, but there has not been a significant review of performance, with a cost benefit analysis, to see whether things could be done differently. Given that a number of proposals in the consultation are not being taken forward, we have a new climate change plan and we have the Agriculture and Rural Communities (Scotland) Act 2024—a whole lot is going on—is this the wrong time to be introducing new legislation on national parks?

A designation process is also being carried out in parallel to consideration of the bill. We are asking people in Galloway to comment on national parks, but they are not sure what the legislation will look like if the designation of a national park is made. Is this the wrong time to be introducing the bill? Should we have carried out a review and considered the other pieces of legislation that are coming forward before potentially revisiting amendments to the 2000 act in the future?

**Gordon Watson:** It is only right that we explore the role of national parks in helping to deliver wider legislation and, within that, the Scottish Government's framework for biodiversity. We have the tools, the expertise, the partnerships and the relationships with landowners to deliver things that support the national outcomes that everybody is looking for, so it is perfectly right to explore whether the legislation on national parks aligns with that.

Both national parks have been working on those agendas. Our current national park partnership plans set all that out clearly. We demonstrate how to make national policy work, and how to deliver it, in a place. Our performance on that is for others to judge. We report what we deliver but, as well as what we deliver on the ground, there are all sorts of compliance processes relating to our financial and corporate performance.

We had a review back in 2007-08. The main outcome of that was that the number of members of our board was reduced from 25 to 17. That is the only review that has taken place during the lifetime of our national park. However, we are delivering a lot of momentum, which is contributing to the bill's intentions. If ministers want to review our performance, it is absolutely in their gift to do



so, but I would like to think that we are a pretty effective part of the team in relation to the wider endeavour in Scotland.

Earlier, we explored whether the changes to our aims will make a significant difference in how we go about our role. The answer was that, although it is helpful to see what we deliver being reflected in our aims, there will not be terribly much material change. In relation to any new national parks, I will leave the Galloway question to others, but I want to reassure people that the bill, if it is passed as it is currently written, will not massively shift the goalposts in how we go about our work.

**The Convener:** I guess the concern is that there are opportunities for members to lodge amendments as a bill progresses through the Parliament, and members have lodged amendments at the last minute, at stage 3, to previous bills, so there could be a designation process for a Galloway national park under legislation that does not currently exist. Surely that is not the optimal way to deal with designation or legislation. I know that, as it stands, the bill does not change a huge amount, but it could look quite different by the time we reach the end of the bill process. There could be the addition of new aims and objectives, different ways to deal with fixed penalties or whatever. Surely you agree that that is not the optimal way to deliver a new national park.

**Grant Moir:** All that we can do is comment on the bill that is in front of us. As Gordon Watson said, it makes relatively small tweaks to the system, and the tweaks to the park plans and the fixed-penalty notices will be helpful for national parks. It is probably not for us to comment on what different members might want to come forward with in due course.

The national parks are incredibly transparent in what we do. All our board meetings are in public, recorded and broadcasted. As Gordon Watson said, we have annual reports on our park plans, which show the good and the bad—where we are making good progress and where we are not. If people want to see whether we are progressing, they can. People can see that, over the past 20 years, there has been pretty significant progress on a range of factors, including visitor management, nature conservation and housing. We are an open book in that regard. I am more than happy to share any information, but it is all on our website.

The bill that is in front of us includes some helpful things, but it is for others to comment on the timing of the Scottish Government and NatureScot process relating to a Galloway national park. The two park authorities are not involved directly in that.

**The Convener:** I appreciate that.

That concludes our evidence session. I thank the witnesses for being so generous with their time. We have run considerably over the time that we thought we would need, so we appreciate their attendance.

11:29

*Meeting continued in private until 11:50.*



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