

RURAL DEVELOPMENT COMMITTEE

Friday 11 October 2002
(*Afternoon*)

Session 1

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RURAL DEVELOPMENT COMMITTEE

24th Meeting 2002, Session 1

CONVENER

*Alex Fergusson (South of Scotland) (Con)

DEPUTY CONVENER

*Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP)

COMMITTEE MEMBERS

*Rhoda Grant (Highlands and Islands) (Lab)
*Richard Lochhead (North-East Scotland) (SNP)
*Mr Jamie McGrigor (Highlands and Islands) (Con)
Mr Alasdair Morrison (Western Isles) (Lab)
*John Farquhar Munro (Ross, Skye and Inverness West) (LD)
Irene Oldfather (Cunninghame South) (Lab)
*Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD)
*Elaine Smith (Coatbridge and Chryston) (Lab)
Stewart Stevenson (Banff and Buchan) (SNP)

COMMITTEE SUBSTITUTES

George Lyon (Argyll and Bute) (LD)
Mr John McAllion (Dundee East) (Lab)
Alasdair Morgan (Galloway and Upper Nithsdale) (SNP)
John Scott (Ayr) (Con)

*attended

THE FOLLOWING ALSO ATTENDED :

Mary Scanlon (Highlands and Islands) (Con)

WITNESSES

Eric Baird (Cairngorms Partnership Community Council Group)
Bob Cameron (Highland Council)
Sally Dowden (Cairngorms Chamber of Commerce)
Basil Dunlop (Highland Council)
Murray Ferguson (Scottish Natural Heritage)
Bruce Luffman (Strathdon Community)
Sandy Park (Highland Council)
Brian Parnell (Scottish Council for National Parks)
Peter Rawcliffe (Scottish Natural Heritage)
Mr Campbell Slimon (Laggan Farmers Action Group)
Dr Adam Watson
Mr Bill Wright (Cairngorms Campaign)

ACTING CLERK TO THE COMMITTEE

Tracey Haw e

SENIOR ASSISTANT CLERK

Mark Brough

ASSISTANT CLERK

Jake Thomas

LOCATION

Duke of Gordon Hotel, Kingussie

Scottish Parliament

Rural Development Committee

Friday 11 October 2002

(Afternoon)

[THE CONVENER *opened the meeting at 13:30*]

The Convener (Alex Fergusson): Good afternoon, ladies and gentlemen. It is a pleasure for all members of the committee to be up here in Kingussie and to welcome all of you who have come to this afternoon's meeting. Never have members of the public been more comfortably seated at a parliamentary committee meeting.

We have received apologies from Irene Oldfather, Alasdair Morrison and Stewart Stevenson, all of whom are members of the committee. However, I am delighted to welcome visiting member Mary Scanlon.

I issue my now traditional warning—which is directed at me as well as at everyone else—to ensure that all mobile phones are switched off.

We look forward to an interesting and productive meeting. Today we are concerned solely with the proposed designation order for the Cairngorms national park. We have already held two meetings on the topic in Edinburgh, at which we heard evidence from the Deputy Minister for Environment and Rural Development and from his officials. We are in Kingussie today to hear at first hand from local people who have an interest in the matter and to listen to their concerns about the current proposals.

We will take evidence from a number of witnesses. Later, members of the audience will have an opportunity to express their views and concerns. We will use a format that the committee has pioneered. Although it may not seem perfect—many of you may want to say something, but we are subject to time constraints—it represents a great advance on the position of a year ago. I hope that all those who have something to say will take the opportunity to do so. I will explain the procedure in greater detail later.

If you would like to speak in the informal session, I ask you to complete the form on your seat and to pass it to one of the attendants, who will give it to the clerks. We will then know how many people we are dealing with and who they are. We will endeavour to hear from as many people as possible. This afternoon, time is of the essence, but we will be as flexible as possible and try hard to enable everyone who wants to make a contribution to do so.

Following the informal session, I will ask members of the committee and visiting members to summarise their view of what they have heard this afternoon. We will then ask members of the public to leave while the committee meets in private to determine the exact contents of its letter to the minister, which will be based on what we have said around the table. We must also deal with one or two boring housekeeping matters.

During the private session, we will set out our conclusions in a letter that the minister has asked us to send to him as soon as possible. We will do that because we are determined that the views that are expressed at this meeting should be put to the minister so that he can consider them when he is putting together the finalised designation order. Do members agree to take item 4 on the agenda in private?

Members indicated agreement.

Petitions

Cairngorms National Park (PE481)

The Convener: We have before us two petitioners who are concerned about the proposed park. The first is Mr Bill Wright, who is appearing on behalf of the Cairngorms Campaign. Petition PE481 calls on the Scottish Parliament to urge the Scottish Executive to ensure that the planning powers for the Cairngorms national park are the same as the powers for the Loch Lomond and the Trossachs national park. We will deal with that petition before hearing from Campbell Slimon. I ask Mr Wright to make some brief opening comments.

Mr Bill Wright (Cairngorms Campaign): We submitted petition PE481 on the national park in March this year, because we were keen for the Parliament to intervene in the designation process before it was presented with the final designation order. As a result, we are delighted that the committee has come to Kingussie today to discuss the matter.

Our petition focused on planning. We still feel that the Executive's provisions remain confusing and unworkable, but we are also now deeply concerned about the shrinkage of the proposed area.

On their journey north, members might have noticed the magnificent hills above Blair Atholl. Under the Scottish Natural Heritage recommendations, those hills would have been included in the planned Cairngorms national park. However, despite an exceptional public consultation exercise, the Scottish Executive has inexplicably excluded those hills and communities.

When Executive officials appeared before the committee a couple of weeks ago, members challenged them on whether they had walked the boundary. It was clear that no such survey had taken place; the process was simply a matter of drawing lines on maps. However, those lines ignored the views of communities and individuals in places such as Blair Atholl and the Angus glens. We are due to examine that exclusion more closely and make our views known to the Executive.

Instead of "making it work together", as the Executive claims, the Executive has succeeded in scuppering widespread expectations that the boundary would extend south to Blair Atholl and into the Angus glens, west to Dalwhinnie and Laggan and north-east into Glenlivet and Strathdon. All those areas meet the statutory requirements of coherent identity, distinctive character and exceptional natural importance.

That character is already changing rapidly in the glens. Here in Badenoch and Strathspey, the vast increase in housing development means that the number of new houses has already outweighed the population increase by three to one. A 25 per cent increase in housing stock is planned within the next 15 years.

The Convener: Thank you very much indeed. I offer members up to 10 minutes to put questions to Mr Wright on his petition.

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): I want to declare an interest, as I fully support the petition. When I asked Executive officials and the minister why proposals for the Cairngorms national park differed from the proposals for the Loch Lomond and the Trossachs national park, I could not get a satisfactory answer from them. Do you have any idea why the proposals are so different?

Mr Wright: We have been completely mystified by that. As with Loch Lomond and the Trossachs, we in the Cairngorms are looking at big hills, communities in the glens and development pressures. As those factors apply to both national parks, we do not see why the proposals for each should be different. I can only make an assumption—there is widespread speculation that the matter comes down to influences that are being brought to bear on the Executive.

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): First of all, I welcome Bill Wright to Kingussie. Do you support the case for the inclusion of the parish of Laggan within the national park boundaries?

Mr Wright: Yes.

Fergus Ewing: I thought that you might say that. Thank you for that answer.

I am sure that you recall Sam Galbraith's speech on national parks, in which he said that, when setting up such parks in Scotland, we should take account of key features that are different from those in England and elsewhere in the world. He also said that

"the social and economic development needs of local people should be specified as a main purpose, up there alongside the protection of the natural cultural heritage ... and that there should be strong local involvement in the management of National Parks".

The National Parks (Scotland) Act 2000, which was passed since Galbraith made that speech, incorporates those aims. Do you recognise that what we seek to achieve in Scotland with the national park is different from what is sought elsewhere in the world and that we must respect sustainable development, recreation and the sustainable use of natural resources as well as looking after the environment?

Mr Wright: We certainly do. An exciting aspect of the system in Scotland is that the national park board will be made up of 10 local authority appointees, 10 ministerial appointees and—most important—five directly elected members. That gives an opportunity for local involvement that we find nowhere else.

Local councillors are extremely busy people. They have responsibilities for education, social work and a whole host of other matters. The national park board will be responsible for shaping the environment for, as you say, its sustainable development. Therefore, its prime concern will not be education or social work, but shaping the environment. Those who stand for direct election to the national park authority will be most accountable in what they do and say on the sustainable development of communities and the landscape.

Rhoda Grant (Highlands and Islands) (Lab): In your petition and statement, you say that you are not happy with the planning powers in the draft designation order and that you would prefer that the planning powers were wholly with the Cairngorms national park authority as in the case of the Loch Lomond and the Trossachs national park. If the planning powers were not wholly with the national park authority, would you prefer that they were wholly with local government, rather than the proposal that is in the draft designation order?

Mr Wright: There is a real difficulty with that, particularly because of the local plan. If the planning powers were with the local authority, there would be no uniform management or development of the area. If, for example, some of the Perth and Kinross Council area was included in the park, thousands of houses might be built there and none in Badenoch and Strathspey. That is not a planned approach to the national park. It could become something of a free for all. The local plan is pivotal in that respect.

Rhoda Grant: That argument could be turned on its head. If the national park authority had total planning powers, it would decide what happens in the national park. That could add to stresses and differences on the outskirts of the national park, where we could have housing plans. Would it not be better for the local authorities and the national park authority to be involved in planning to ensure that we do not have stressed areas on the national park's borders?

Mr Wright: That is why it is vital that the local authorities be represented on the national park authority by councillors who are familiar with the circumstances within and outside the national park boundary. We have never suggested for a moment that local authorities be eliminated from the process. It is vital that the local authorities be on the national park authority to address the issue.

Richard Lochhead (North-East Scotland) (SNP): I have two questions. First, do you believe that your views represent those of ordinary people who live in the proposed park area? Secondly, your petition says that one of the reasons why you want change is "bitter planning controversies" in the past. Will you give me some examples of those planning controversies and how such controversies could be avoided if you get your way?

Mr Wright: The Cairngorms Campaign is a relatively small charity. However, we are supported by a large number of charities through Scottish Environment LINK. We originally submitted the petition in partnership with the Scottish Council for National Parks and a host of other bodies, such as the National Trust for Scotland.

You ask how representative of local people our views are. Views in the local area are divided, as they are throughout Scotland. Some outside the park believe that the park should be smaller and that the powers should be with the local authorities. The only key indicator that I can offer you is the response to the Scottish Executive from those who have taken the trouble to sit down and write their views on what is a rather vexed issue. They are overwhelmingly in favour of the powers going to the national park authority. I believe that the figure is 75 per cent.

I am slightly reluctant to go into the controversies, because I want the national park to be forward looking. There have been some hurtful controversies, particularly on matters such as ski development and bulldozed tracks. Others may arise—for example, water supply from the mountains for the housing developments that are planned. The development of Loch Einich to supply the water needs of Badenoch and Strathspey is very much on the cards.

Richard Lochhead: I do not necessarily want you to go into the detail of every controversial planning issue. I just want you to give me an example of how you think controversy could be avoided under your proposals.

Mr Wright: Part of the problem is that, within the planning authorities in the past, the various parties have ended up in an adversarial position. That is perhaps a fault in the planning system. In the national park authority, all the stakeholders—10 out of 25 will be from local authorities and five out of 25 will be directly elected—will have a much greater opportunity to take part in the planning process, rather than just submitting their letters and views. There will be a real opportunity to resolve controversy in the future through a widely supported local plan.

13:45

Mr Jamie McGrigor (Highlands and Islands) (Con): I certainly do not dispute what you have said about the beauty of the hills above Blair Atholl or the Angus glens. What do you say to the argument that if the park is too large there will not be sufficient funding to do enough in any part of it?

Mr Wright: We cannot change the fact that we have a fantastically large beautiful area. To put an administrative line through it is, to get back to your point about beauty, almost like saying that we can afford only two thirds of the Mona Lisa. In relation to meeting the requirement of the act on coherent identity, distinctive character and outstanding heritage, the Cairngorms include the Atholl hills and the Angus glens.

John Farquhar Munro (Ross, Skye and Inverness West) (LD): I see from the wording of your petition that you are suggesting that the powers of the Cairngorm national park authority be as comprehensive as those for the Loch Lomond and the Trossachs national park. If I heard you correctly, you accepted in your answer to Mr Ewing's question that there was a difference between the English national parks and national parks in Scotland.

Mr Wright: Yes.

John Farquhar Munro: Do you accept that what is applicable to the Loch Lomond and the Trossachs national park might not be appropriate for the Cairngorm national park?

Mr Wright: I would argue that the similarities between the two outweigh the dissimilarities. Clearly the act provides for different circumstances for different national parks in Scotland. There would be strong dissimilarities in national parks in places with only one local authority. The provision for the management of Rum or St Kilda, should they ever become part of a national park, would have to be different again. It would be odd to have direct elections in somewhere such as St Kilda, where a few members of Her Majesty's Army would be the only people who could be directly elected.

Mary Scanlon (Highlands and Islands) (Con): I note that your petition refers to the powers of the national park authority. You spoke about the shrinking of the proposed area. I want to ask two brief questions. First, you said that the Executive had ignored the views of communities. Will you give me evidence to substantiate that statement? Secondly, you said that various communities were scunnered. I understand the word "scunner" very well, but will you tell me how scunnered communities are manifesting themselves and what damage has been done?

Mr Wright: Considerable damage has been done. A considerable amount of time and effort

was devoted to a comprehensive consultation exercise, which Scottish Natural Heritage might talk about later. In some cases, members of the community, community councillors and community leaders were asked to facilitate the public meetings that took place. Since then, certainly in the case of Blair Atholl and the Angus glens, people have become so fed up that they have almost given up on the process. In other words, what happened was far removed from what was anticipated. You must not forget that expectations were raised during the consultation process. They were also raised by the Cairngorms Partnership, in which all the communities were involved.

An audit was conducted of the participants and people who facilitated the public meetings and who tried to engage others in the process. One of the questions that the auditors asked the facilitators was whether they would get involved again. Let me quote two of the responses that were given to that question. One person said:

"I would do this again if we get positive feedback from the Scottish Executive, if not then no. If no notice is taken of our comments then it is not worth it".

Another said:

"Future success will hinge on the evidence of input in the report and decisions."

Mr Rumbles: Does Bill Wright have any comments on the Edwards report? John Farquhar Munro commented on the different decisions that are being made for different parks. Does the experience of parks south of the border have a bearing on where we should be going with the Cairngorms national park?

A short paragraph from the Edwards report, which deals with English parks, crystallises my question. The report said:

"We endorse the view that the present dual system for administering development control—involving both the district councils and the park authorities in handling, appraising and making a judgement on the merits of applications—is wasteful and confusing for the public. In the interests of efficiency and clarity, we propose that the national park authorities should have sole responsibility for receiving, processing and determining planning applications."

The report went on to say that it welcomed proposals for legislation in that area. Do we have anything to learn from the English experience?

Mr Wright: I used to be employed south of the border and gave evidence to the Edwards panel. Although there are clear differences between the situation in England and that in Scotland, the planning systems across the UK are similar. The planning system has customers, such as those who apply for permission to build extensions on to their houses and those who want to engage with the system in order to make representations about applications. Where split systems exist, the

problem for people is knowing where they should go to in order to make representations on local plans or structure plans or to submit planning applications.

Let us consider what will happen when disputes arise between the local authority and the national park authority. If we pursue the split-system line, it is probable that more applications will end up on ministers' desks. That is in the interests of no one. It will create problems for ministers and, potentially, for the committee. It will certainly create problems for applicants and those who take a counter point of view. It will add an extra six months to the planning process.

The Convener: I apologise to Elaine Smith, whom I did not mean to call last. Please make sure that I catch your eye if you want to ask a question.

Elaine Smith (Coatbridge and Chryston) (Lab): My question will be brief. You will correct me if I am wrong, Mr Wright, but I detect a certain amount of unhappiness in your comments on the consultation exercise. The committee is meeting in Kingussie today to take evidence that we will feed back to the Executive. When the minister met the committee last week, he indicated that he would listen to the evidence that the committee brings back from today's meeting. I would like to probe you a little more. Do you think that the decisions have been made and that that is the end of the matter?

Mr Wright: Having looked at the *Official Report* of the committee's meeting, I am a little more encouraged by what the minister said. However, members should remember that, when we submitted the petition in March, our big fear was that the committee would face a yes-or-no situation, in line with the provisions of the National Parks (Scotland) Act 2000—either the committee would want the national park that the Executive presented, or it would not. It is difficult to say no. Given the potential controversies over the proposal, we thought it important that the committee had the opportunity to give the minister its tuppenceworth and to make a proposal with which it might be a bit happier, rather than a potentially controversial proposal.

I remain deeply unhappy about the fact that the minister says that he will produce an alternative proposal by the end of October. Serious practical issues exist with redrafting a final designation order, drawing meaningful lines on maps and surveying the ground to present the committee with legislation that means something.

The Convener: Thank you. We must move on, as we have overrun considerably on agenda item 1. I do not doubt that we will hear more about planning powers as the afternoon progresses, so I

suggest that we conclude consideration of petition PE481 by formally noting its contents. We will take into account the discussion that we have had on it when we produce our final letter to the minister.

Mr Rumbles: I am happy with that, provided that we make a decision on the matter in public by the end of the meeting.

The Convener: The decision that I suggest is that we note formally the contents of the petition and bring the details of the discussion to our considerations later.

Mr Rumbles: I am unhappy with just formally noting the contents. If we are to discuss the pros and cons of the petition, we must make a decision. However, I will understand if you think it more appropriate to wait until we have heard all the evidence on the other issues.

The Convener: I am happy to go down the route of delaying consideration of the petition until we have heard further evidence today. Are members content with that?

Members indicated agreement.

Cairngorms National Park (PE555)

The Convener: We come to Campbell Slimon. I ask you to forgive me for mispronouncing your name earlier and, without further ado, I invite you to address your remarks to petition PE555, which is on behalf of Laggan farmers action group.

Mr Campbell Slimon (Laggan Farmers Action Group): I farm in partnership with my son and daughter-in-law. We have 1,300 blackface ewes. We also have 80 out-wintered suckler cows crossed with Angus and shorthorn bulls and we sell their in-calf heifers at two years old.

My son is the fourth generation on the farm, as my grandfather took over the tenancy of Crubenbeg in 1927. Crubenbeg stretches from six miles north of Dalwhinnie down the A9 to the Drumochter summit. In 1951, we also took over the tenancy of Breakachy in Laggan, which we now own.

In comparison with some signatories to the petition, we are just white settlers. The MacDonalds, Frasers, MacGillivrays and Grants have farmed for generations, as have the Rosses, MacBains, MacKenzies and MacKintoshes in this part of the strath.

Cairngorm farm wildlife advisory group, which covers the area from Dalwhinnie and Laggan to Glenlivet and Tomintoul, facilitated the meeting from which the petition was born. As vice-chairman of the group, I was chosen to represent Laggan farmers and crofters today. I am a past president of the National Farmers Union of Scotland in the Moray and Nairn area, which

includes Badenoch and Strathspey. I am also a member of the Blackface Sheep Breeders Association and represent Inverness-shire on the British Wool Marketing Board.

I thank the committee for allowing me to be present and for the help and advice that its staff in Edinburgh gave us. We appreciate that our submission was late, which was largely because the consultation period was short and coincided with gatherings, shearing and silage making.

The Convener: I assure Mr Slimon that the fact that I am wearing the centenary tie of the Blackface Sheep Breeders Association is entirely a coincidence.

Fergus Ewing: What are the main reasons for including the parish of Laggan? What is your view on the other areas that may seek inclusion, such as the Angus glens and Blair Atholl to the south?

Mr Slimon: I would not like to comment on the other areas. Laggan parish is different from those areas because all the rest would look out of the park for their main markets and services. In Laggan, we would look into the park for our vet and our banks, for example. Everything would be in the park, so we would be cut off. If we looked west, we would go to Lochaber, which is totally different. All our links are with Strathspey and Badenoch.

Fergus Ewing: Is it your view that the whole of Badenoch and Strathspey should be included in the park?

Mr Slimon: Yes.

Rhoda Grant: I was lucky enough to be shown around the area about which you are concerned. I was impressed by some of the farming practices that are being followed there. Can you say a little more about the environmentally friendly practices that you are employing?

Mr Slimon: When the Cairngorms straths environmentally sensitive area was set up, Laggan was at the forefront of that process. I am regenerating birch woodlands. Badenoch and Strathspey has more wading birds than any other area in Britain and Laggan compares favourably with the rest of Strathspey on that issue. The environmental work that is done on our farms bears comparison with the work that is done in the areas within the proposed boundaries of the park.

14:00

Rhoda Grant: How would that environmental work be affected if Laggan were not included in the park area?

Mr Slimon: We do not know what the future holds, but at the moment people need a certain number of points to be eligible for the rural stewardship scheme. They would receive a point

automatically for being within the national park and if we are excluded from the park, we will be automatically downgraded.

Richard Lochhead: At times it is very difficult for the committee to hear the views of ordinary people, because we receive so many submissions from organisations that claim to represent other people. Do you believe that you represent a large number of ordinary people in your community? How many people do you represent?

Mr Slimon: There are about 200 people in the parish of Laggan. As the petition points out, I have played my part in placing farming at the forefront of various community projects that are under way in Laggan. We have forestry, a community-owned shop and five community-owned affordable houses. I do not think that such houses exist anywhere within the proposed boundaries of the park. We have a hall and we have taken various other initiatives.

Richard Lochhead: Your submission is very strong. We hear a great deal about the theoretical disadvantages of being excluded from the park. What would be the practical disadvantages for your community of its being excluded from the national park area?

Mr Slimon: English national park representatives who have visited us have pointed out that areas that are just outside national parks are strongly disadvantaged when it comes to tourism. Visitors to the area, especially foreigners, will want to stay in the national park. It is worse to be just outside the park boundary than it is to be 30 miles away, in places such as Lochaber.

Richard Lochhead: Would any other community be left out of the park if Laggan were included?

Mr Slimon: No. In my view, the best boundary was the line that was proposed by the Cairngorms Partnership, which follows the watershed of the Spey. Under the current proposals, the management of the Spey will be cut in two.

Elaine Smith: Your petition relates principally to the boundaries of the park. I want to ask you about the other issue that has been raised, which is planning. How do you think that planning for the national park would best be managed? If planning powers were passed totally to the national park board, would that have implications for the time and resources of the board?

Mr Slimon: As husband of the local councillor, perhaps I should not answer that question.

The Convener: You certainly do not have to, given that your petition does not refer to planning.

Mr Slimon: I will say that, when we found that we were outside the boundary, we reflected that

one of the reasons why we would not want to be in the park was that we would not be subject to planning restrictions. However, we now understand that being just outside the park means that the same planning restrictions will be placed on us, for a reason that was mentioned earlier. It is desirable for the planning conditions at the border of the park to be the same as those that apply within the park. We do not want to have a dump just outside the park, for example. It is likely that the same planning restrictions will apply outside as well as inside the boundary.

Mary Scanlon: Have you ever been given any reason why the parish of Laggan was left out of the park? Can you think of any reason yourself?

Mr Slimon: The only reason relates to the form of funding involved. As was mentioned, the Executive wanted the park to be as small as possible. If the park is not properly funded, it is not worth having it.

Mr Rumbles: You are asking us to do all that we can to include the parish of Laggan in the national park. What percentage of the population of the parish of Laggan supports the petition? What evidence do you have that the community really wants to be within the national park?

Mr Slimon: Our evidence is only from the farmers and crofters, but I can assure you that the level of support among them is 100 per cent.

Mr Rumbles: What about everybody else?

Mr Slimon: The community had a meeting, at which there were representatives from Mr Rumbles's part of the world to explain the situation. A vote was taken, and the result was 2:1 in favour of being inside the boundary. A voting paper was also circulated, and the result was 80 per cent in favour. There was just a small return on the vote, but time and again, people commented, "We don't know what we're getting."

Mr Rumbles: You say that it was a small return. Can you give me an idea of the number?

Mr Slimon: I think that the response rate was 25 per cent. If we take the number of households, it could be considered to be higher, presuming that there is more than one person per household.

If we look at the map showing the proposed boundary, Laggan is in a loop on the side. If you were to take a pair of dividers and put one point at the top of Cairn Gorm and the other at the easternmost boundary at Aboyne and then swing it round, that would extend beyond Newtonmore, where the line is currently drawn; it would not stop at Laggan, or even at the head of the Spey, but goes right over to Fort Augustus. We are very much nearer the top of Cairn Gorm than the easternmost point of the park.

Mr McGrigor: Apart from getting a point towards the rural stewardship scheme, what specific agricultural benefits would you gain from inclusion within the boundary? Would there be any specific agricultural disadvantages to being left outside?

Mr Slimon: The question of green tourism may arise. We are now rural stewards and there will, we hope, be some kind of funding for us to continue to look after the vast farmed area.

The Convener: Thank you all. I particularly thank Mr Slimon for answering the committee's questions. Would I be safe in assuming that committee members are content to deal with petition PE555 similarly to the previous petition, and to delay consideration of it until we have heard further evidence?

Members indicated agreement.

The Convener: I thank Bill Wright and Campbell Slimon for their time.

Cairngorms National Park

The Convener: We move to agenda item 3. The committee will hear from three panels of witnesses. After opening statements from each panel, members will have the opportunity to ask questions. I ask the witnesses on the first panel—I think that they know who they are—to come to the table. I can see three people—we hope that they are the right ones.

Furthest to the left—my left—is Dr Adam Watson. In the middle is Bruce Luffman of Strathdon community. Last, we have Brian Parnell from the Scottish Council for National Parks.

I ask each of the witnesses to make some brief opening remarks, perhaps of about two minutes. That will mean that we will be able to get as many questions as possible from members. Three-quarters of an hour has been allowed for this panel, and I intend to stick strictly to that limit.

Dr Adam Watson: To save time, I have made half a page of personal details available to committee members. However, for the sake of those in the room who have not seen that information, I should add that I have been deeply interested in the Cairngorms area and its people since 1938. I have lived and worked there for years, and belong to many national and local organisations such as mountaineering clubs and so on, although I am not formally representing any of them at this meeting. Instead, I speak as an individual who is deeply interested in the area and in all aspects of the national park.

Bruce Luffman (Strathdon Community): Upper Donside received the draft designation order with a great deal of surprise and disappointment. The area, which has been identified as area 8 by SNH, was involved from the beginning in the Cairngorms Partnership areas. Although my submission focuses primarily on boundaries, other issues will emerge from it.

As members will have seen from the map on the way into the meeting, the area of upper Donside—which is made up of the parishes of Strathdon and Glenbuchat—is clearly synonymous with the Cairngorms in topography, culture and environment. I do not want to go into that in any great detail at the moment, as I have submitted a four-page paper to the committee that covers various issues such as the Lecht ski centre, sites of specific scientific interest and tourism. I hope that I will be able to draw those matters out further in questioning.

This small community has quite reasonably assumed that it would be included in the national park; indeed, SNH felt that it had a strong case. After a public meeting on the questionnaire, the

response was an overwhelming 93 per cent in support of inclusion in the national park. We also discussed planning and representation on the park authority board. I ask for the committee's support on those issues when the time comes.

The Convener: For clarification, can you tell us in what capacity you represent the Strathdon community, which after all is a fairly wide label?

Bruce Luffman: The community is made up of the parishes of Strathdon and Glenbuchat, which comprise about 300 people. At the public meeting, which a member of the Rural Development Committee attended, I was put forward to represent the whole community at today's meeting.

The Convener: Thank you very much.

Elaine Smith: How many people attended that public meeting?

Bruce Luffman: About 60 people attended.

The Convener: Finally, we will hear from Brian Parnell.

Brian Parnell (Scottish Council for National Parks): The Scottish Council for National Parks was originally founded in 1943 to seek a Scottish bill to follow the bill for national parks in England. The organisation died off during the period of the Countryside Commission for Scotland, which it was hoped would give rise to national parks. However, when the commission was abolished about 12 years ago, a number of commissioners—I was one—and officials got together and reconstituted the Scottish Council for National Parks to take forward the old argument.

Our first concern with the Cairngorms national park is the arrangements for planning powers, which we think are in incredible confusion. They will be very expensive to run and inefficient as far as decisions are concerned and they will discourage potential developers. The situation is so bad that we feel that the only reason why three authorities have been left in the park's proposed area is simply because it would be ludicrous to include five authorities with the current confusion over planning arrangements. In the absence of any rationale for reducing the size of the park, we feel that it must be an attempt to give some credibility to planning decisions.

14:15

Mr Rumbles: During our consideration of issues relating to the Loch Lomond and the Trossachs national park, the Killin community impressed us with the amount of community support that it had garnered for its proposal. We pointed that out to the minister, who changed the boundaries of the park to include that community. I ask Bruce

Luffman whether he feels that Strathdon's situation is similar to Killin's?

Bruce Luffman: Yes. The marginal difference is that the Strathdon community always assumed that it would be in the park. It has been part of the Cairngorms Partnership area for many years. More pertinently, the area of the Cairngorms straths environmentally sensitive area follows exactly the border of those two parishes. A commitment to that was made nine years ago by all the farmers in the area.

Mr Rumbles: As you said, the area has been part of the Cairngorms Partnership area since the partnership was set up in 1995. Has anyone ever given the Strathdon community any reason for its exclusion from the park?

Bruce Luffman: No. I know of no reason why the community would be excluded. If anything, the opposite should be the case because of tourism. The area is the eastern gateway to the park and is on SNH's designated Highland tourism route.

Rhoda Grant: What are the cultural, economic and social similarities between the areas that the panel is proposing should be part of the national park?

Brian Parnell: You are asking about the rationale for the original decision to include in the park the whole of the massif, which would be logical because a boundary between the authorities that have been included in the park and the two that have been excluded runs along the tops of mountains. That makes sense from the perspective of arranging local government areas, because mountains are not particularly important in that regard. However, if you are trying to conserve that environment and look after tourism and recreation, it makes no sense to include only half a mountain. Inclusion of the whole massif—perhaps including the Ladder hills as well—is logical.

Basically, the important thing is to have an area that can be managed coherently and consistently. To do so, the park must go to the limits of the massif, which was correctly defined by SNH.

Dr Watson: Your question about the cultural similarities has not been answered. Historically, the bulk of the area shared a common social and cultural identity. It was largely Gaelic speaking and there was a lot of contact across the hills from the Spey to the Dee on drove roads and so on. That no longer exists, of course, as people drive around now and Gaelic has virtually died out in the area. In Deeside, Aberdeenshire Scots is spoken and, in Speyside, English is spoken, because the people there were previously Gaelic speakers. The strong social and cultural similarities of the area have become looser as time has gone on.

Bruce Luffman: The part of the world that contains the Cairngorms area has a fragile economy. The Lecht ski centre, which employs a large number of people and brings about £4 million into the area every year, will be cut in half by the boundary of the park and a couple of communities will be split off from it.

The park will bring focus; however, it is important that as well as a focus on culture, there is a clear topographic environmental focus. We need to protect the environment. For example, one of RSPB Scotland's submissions mentions an area in which there are 5 to 8 per cent of the capercaillies in Scotland. It is important that such areas are not left out of the park.

Fergus Ewing: I ask Dr Watson whether the aims of the National Parks (Scotland) Act 2000, which include the promotion of recreation and sustainable economic and social development, are unique as aims for national parks.

Dr Watson: They might well be. The emphasis on sustainable development is fairly recent. Ten years ago, when the English national parks were redrawn, that term was used, but not much. One problem is that the term is now overused, without being clearly defined. If one considers the matter internationally, a national park does not necessarily involve conflict between public informal recreation and the protection of nationally and internationally outstanding landscape and wildlife. That is because the landscape and wildlife are the main draw for the public and the main source of economic benefits. Anything that goes against the landscape and wildlife will damage local people in the long run.

The problem with sustainable social and economic development is the exact meaning of the phrase, which is seldom defined. Social and economic development that does not damage the outstanding features of the park—the goose that lays the golden eggs—is to be welcomed. Any development that damages the outstanding features should not be welcomed. The long-term interests of the local community and Scotland are served by having better protection and by avoiding short-term decisions on developments that damage the outstanding features.

Short-term developments created the pressure for national parks. As I mention in my submission, national parks and the extra money that they involve would not be needed if we had properly kept our house in order. That is true in many countries. The European Union would not need to make special designations if countries had done a good job. There is no necessary conflict between recreation and the protection of the landscape, although such a conflict often exists.

Fergus Ewing: We all want to avoid the sort of conflicts that there have been in the area in the past. I am thinking about the funicular railway, over which you and I took opposing positions. Do you agree that there is a sense in the area that we must find a way in which to progress that will avoid the conflicts of the past? To do that, a strong element of local involvement is essential. The benefit of involving local authority councillors in the process is that we can vote them in or out. Given that in the Executive's proposals councillors are to have a major role in planning issues, people will have a democratic voice and be able to participate directly.

Dr Watson: A high proportion of the members of the national park board will be councillors and other locally elected members.

You mentioned the general issue of development. The funicular raised more general problems, because it was a threat to other ski areas in Scotland. The Lecht and Glenshee made that clear publicly—they felt that it was unfair that one area should receive such a big grant, which could put their businesses at risk.

As I pointed out in my submission, the way in which taxpayers' money has been spent by state-funded bodies, such as the Forestry Commission, has been one of the main causes of damage in the area. The Countryside Commission for Scotland acknowledged that in the early 1990s, in "The Mountain Areas of Scotland". It suggested that the integration of state funding—so that it went through one gate, which would be the national park board—would end much unnecessary waste of taxpayers' money and would help to prevent damage to the area. SNH has not achieved such integration in its various documents and that is a big fault. In that respect, SNH has let us down and it has let the committee down.

In relation to developments that local councils agree to, the remit of the local authority is to look after local interests. Councillor Luffman must represent Strathdon, even though Aberdeenshire Council might take a different view about what is best for Aberdeenshire as a whole. That is why we have national galleries and museums, for example, which do not fall within the remit of local authorities. The history shows that there have been many developments—not just in the Highland Council area, but in Aberdeenshire and other council areas—that have been damaging to the qualities of the area.

I will provide an example. Highland Council is often picked on as the bogeyman, but in the Aberdeenshire Council area, millions of pounds of taxpayers' money were spent on suburbanising and Disneyfying Braemar in the teeth of local opposition. That example illustrates the need for a body to take an overall view and to integrate

diverse interests in such a way that they do not conflict.

The Convener: Do Mr Luffman and Mr Parnell wish to comment on that?

Bruce Luffman: Although I share Dr Watson's views on certain aspects, there is need to make socioeconomic progress, because we have a fragile economy. A number of people who have lived in the area for many years need to have their incomes and their lifestyles sustained.

I mentioned the Lecht ski centre, which the draft designation order would split down the middle. The Lecht centre sold 62,000 ski tickets last year, compared with Aviemore's figure of 85,000. The Lecht centre is a big player that has been there for nearly 30 years. It employs about 75 people from the immediate area. Dr Watson has been involved in providing advice in that area. Working together in partnership on planning is essential, however I will deal with planning later. We need co-operation. Big developments cannot be allowed to take over and to destroy the environment that we are trying to protect, which is what brings people to the Cairngorms national park area. Equally, people must be able to make a living.

Brian Parnell: I am not quite sure where we are.

The Convener: You do not have to comment if you do not want to.

Brian Parnell: I would like to focus on the proposals that the committee hopes to make a decision on. I agree with Dr Watson's outlining of most of the background. We want an efficient park that will be capable of activity that includes the support of economic and social development.

Yesterday, I attended a conference on national parks in Newcastle. Someone from the English national parks said that they were still working on the 1947 concept of parks, whereas we in Scotland were starting a whole generation ahead, which is true. That assertion was based on our concept of looking after sustainable social and economic development in the parks. There is no disagreement about that—we need such sustainable development.

The park should have every opportunity to stimulate new businesses, especially if they are related to the park and can improve their saleability by using the park's name. That is fine, as long as such business is all good stuff. The park should attract the kind of industry that provides employment and is integral to the park's purposes. My main concern is that the proposals for planning do not lead that way. Do members want me to deal with that issue now?

The Convener: We might come back to that later—we will see where we get to. The committee

was keen on including socioeconomic and sustainable development when it considered the National Parks (Scotland) Bill.

Elaine Smith: Fergus Ewing explored some of the points that I wished to explore. I will ask Dr Watson about the proposed make-up of the board. You mention in your written submission that it was originally proposed that 10 people would be on the board

“to represent local interests, with ministers appointing 10 in the national interest.”

You say that the proposal now is

“an unwieldy board of 25, with only 10 representing national interests”

and you talk about the fact that the park

“is to be a national, not local park”.

Do you not agree that local interests must take a high priority? Would you expand on your concerns about the make-up of the board and on what you would suggest?

14:30

Dr Watson: I do not want to suggest some magical percentage, but the fact is that the park is a national park, not a regional or local park. Its national and international features are outstanding. The extra money will all come from the national taxpayer, so we have to think of the people of Scotland as a whole.

I agree that local people must have a big say. They should have a bigger say per head than people in Aberdeen or Glasgow, but they must not be allowed to dominate. The problem is that the way in which the board has been organised is biased towards those living in the park area. That was true even of the consultation. The balance is wrong.

Confusion has arisen on fragile communities and boundaries. Most rural communities in Scotland are now fragile in one way or another. It is arguable that some are much more fragile than the likes of Strathspey or Ballater, such as some at the top of Strathdon, Tomintoul or Laggan.

Fragile communities should not be allowed to cloud the issue of national parks. There is a tendency to regard the national park authority as some kind of rural development board. It should be that only within the area that is agreed to be nationally and internationally outstanding for landscape and wildlife. If there is a need for rural development elsewhere, it should be met by some other means. Part of the problem is that local communities have been led and their expectations have been raised by extra money and funding. In a way, that was unwise and unfair.

Elaine Smith: Are you not comforted by the proposal for the ministerial appointments to represent the national interest? Will those appointments be helpful?

Dr Watson: We have to have those appointments.

Elaine Smith: That expands on the comments that you made in your written submission.

I have a question for Mr Luffman. You mentioned the Lecht being split down the middle. Do you have any notion as to what the reasoning for that might be? Will you explain a bit further why you think that it should not be done?

Bruce Luffman: The reason that it was done was ease on the map. It is much easier to draw a line straight down a road, as happened through the Lecht. As to why it should not be, we do not want a business—it is a large business, as I have shown—to be split down the middle between planning authorities that might have different ways of looking at it.

The boundary sits across the Ladder hills SSSI—it is smack bang in the middle of it. If it is moved over to include Strathdon—which is in SNH's area 8—it will follow along the top of the hills to an extent and it will allow the national park to focus. The focus of the national park as an entity will allow some comfort to the fragile areas.

I agree that we can have fragile communities. What does that terminology mean? The fact of the matter is that we have an opportunity to bring more money, wealth, jobs and sustainability to the existing small communities by having tourism as a focus of the national park. That is what we are talking about with the Lecht.

Mr Rumbles: I have a question about the point that Elaine Smith raised with Adam Watson. Adam will be aware that the number of board members is not up for discussion, as that was included in the enabling act. I will hold my hand up and say that it was my amendment that put the five locally elected people on to the board, which means that 15 of the 25 members are local people. I did that for the fairly clear reason that, given that the park will be a national park, local interests have to be protected.

Will world heritage site status for the Cairngorms national park be imperilled if the planning powers are not the same as those that apply to the Loch Lomond national park? I feel that that is a real possibility and I would like to know what Adam Watson thinks about it.

Dr Watson: Yes, it is a possibility. Quite apart from world heritage site designation, other countries around the world agree about the standard of national parks through the International Union for Conservation of Nature and

Natural Resources. That body will consider a standard for the Cairngorms. It will look bad for us if its view is that it is second best. Scotland could and should do better.

When we talk about planning powers, we are talking in general terms. Even if we adopted the planning proposals that apply for the Loch Lomond and the Trossachs national park, the situation of joint working would remain in respect of the structure plan. If someone in Kingussie wants to install a dormer window or add a garage at the bottom of their garden, I see no reason why the national park board should burden itself with handling those applications. It would be sensible if they were delegated to the local council.

Richard Lochhead: My question is primarily for Bruce Luffman, as it is about Aberdeenshire. Will young local people find it easier or more difficult to acquire housing in Strathdon? Due to the high value of housing, it is notoriously difficult for them to do so at present. Should you go into the national park?

Bruce Luffman: Could you clarify your question? Are you asking whether it is possible to have affordable housing in the national park?

Richard Lochhead: Some people say that that is a possibility. Is that a factor in the community's thinking?

Bruce Luffman: The affordability of housing is a factor, not only in the Strathdon area but in other parts of rural Aberdeenshire. The new Aberdeenshire local plan is under consideration at present. Around seven houses are shown for the Strathdon area. Under planning guidelines, that cannot be affordable housing, as that does not kick in until there are 10 or more houses. Others in the community and I hold the view that the opportunity exists to designate certain developments as affordable housing. If that were done, the designation could not be removed after planning permission had been granted. The issue with affordable housing is that it has to be artificially contrived in order for it not to be sold on the open market.

Richard Lochhead: Will house values in Strathdon increase if you go into the national park area?

Bruce Luffman: To be perfectly honest, I think that they will not. As we are some distance away from places such as Aberdeen, there is little opportunity for that to happen in Strathdon. Tenants work the land in most of the area, and although some of their sons and daughters have moved away, others have stayed because of the Lecht. I have personal knowledge of that situation: there is sufficient housing to meet demand, and I do not anticipate a rise in demand.

Richard Lochhead: In Aberdeenshire, particularly in places such as Strathdon, it is notoriously difficult to get planning permission for social housing that local people can afford to buy and that they will not be outbid for. Are you concerned that, if Strathdon becomes part of the national park, people will find it even more difficult to get planning permission for new housing developments?

Bruce Luffman: That brings in the issue of where planning is placed and how it is administered. Some members of the audience may find my view unusual, but I happen to think that the park authority should have responsibility for planning and that the three councils should provide the service as agencies of the park authority. Recommendations could be made about, and powers delegated for, peripheral matters in the way Adam Watson described a moment ago, while the park authority could make decisions about major issues. That would avoid the establishment of an enormously expensive, stand-alone planning authority and would use the already established agency format. That is an ideal way of going forward and would take into account the review of planning that is to take place in 2004.

Richard Lochhead: Do you not think that properties in Strathdon will increase in value if the area is included in the national park? Please correct me if I am wrong, but I understand that Strathdon already has extremely valuable properties, in comparison with elsewhere in the north-east.

Bruce Luffman: You have to manage the situation. The value of property in Strathdon is not going to increase, because people in the area do not move. Therefore, the number of properties in the area is insufficient to generate those changes. A lot of the properties are estate houses, which are not sold. People stay on the land and are able to live in Strathdon because they do not have to pay high wages or high rents. Rents are low throughout the Strathdon area, in comparison with Deeside or further afield. If Strathdon were to be included in the national park, the artificial climate, if you like, that exists there would prevent increases in property values.

Dr Watson: The conflict between affordable housing and holiday homes is a major issue throughout much of the Highlands. As Bruce Luffman said, it is more of an issue in Deeside than it is in Strathdon. Hardly any indigenous, local people are left in parts of Deeside, because people from outside, such as university lecturers from Aberdeen, have taken up properties as holiday homes, which puts property prices beyond the reach of the indigenous, local population. The same problem has arisen in Strathspey, where

concerns have been raised about massive housing developments in Nethy Bridge and Carrbridge for precisely the same reasons. It is clear that the local authority mechanisms established by the Scottish Office and, later, the Scottish Executive, have failed to solve those problems. One could argue that something should have been done about the situation long ago.

One of the national park's roles would be for it to take an integrated look at a range of issues, including landscape, wildlife and the culture and well-being of the local people. Previous agencies have failed to do that. The state of affordable housing for local people is not a feather in the cap of either the local authorities or the Scottish Executive. A fresh look at that situation must be taken, whether or not a national park is established; if it is established, it will have to deal with that vital issue.

Brian Parnell: The problem in Strathspey is pressure from house builders who want to build houses that they can sell at a good price. That means that they build holiday homes for incomers and, as they look for appropriate sites, there is tremendous pressure on land.

Another real problem in Strathspey is the change in the structure of the population, with more young and older people living singly or in couples. They are not looking for scheme houses out in Nethy Bridge, but for houses in the places where they have naturally lived. As far as housing in Strathspey is concerned, we need to address such a structural change to help people who want to stay here but cannot buy into holiday market housing, which is what developers want and seem to be getting permission to build.

14:45

As a result, a very important issue for the park is that there should be housing for a stable population to continue to live in the area after its members have finished their economic life or if, as many young people want to do, they want to live singly or in couples. That is the kind of housing that Strathspey needs. I should point out that the issue is also very important for the aging population in the area. In that respect, we need the approach that a national park could take and which Highland Council is not taking at the moment.

Richard Lochhead: Can I ask a follow-up to that response?

The Convener: Very briefly. I am keen to move on if we can.

Richard Lochhead: Are you saying that if national parks had planning influence over housing development, they could use that to

discriminate in favour of local people who want to continue to live there?

Brian Parnell: If national park boards are the development control authority and are also able to make structure plan policy, local plan policy and so on, they can make it very clear that they will give consent to the kind of housing that can contribute to the area's needs.

The Convener: As we are getting a bit short of time, I ask Mary Scanlon and Jamie McGrigor to put their points and then let the panel answer them.

Mary Scanlon: My question is for Adam Watson and Bruce Luffman. Is it fair to say that, rather than looking towards a coherent national park identity, we have been given a boundary that is driven by local authority convenience? Moreover, will Adam Watson explain his suspicion of a political fix on boundaries?

The Convener: Perhaps it would be easier if the witnesses answered those questions now.

Dr Watson: It is probably a matter of administrative convenience to include three instead of five authorities in the national park area. However, as I point out in my submission, SNH's various support mechanisms have not been adequate, because it never gave a proper rationale for its various proposals on boundary options. That led to the confusion that has continued ever since. I am not sure whether Strathdon or Laggan should be included in the national park area. All I can say is that, if we have outstanding areas of landscape or wildlife such as the European-designated sites that are shared by Aberdeenshire, Angus and Perthshire, it seems daft to draw a line through the middle of them.

However, the process of placing the boundaries is in a mess because of the inadequacy of the early reports. That is why we need to return to the issue afresh.

Mary Scanlon: What did you mean when you said that you suspected that there was a political fix about the boundaries? I should also point out that I said that, instead of adding to a coherent national park identity, the boundaries were driven not by "administrative convenience" but by "local authority convenience".

Dr Watson: My suspicion of a political fix arose from the fact that Highland Council has long been publicly opposed to any kind of national park. However, when a previous convener of the council sat on SNH's main board, a meeting was held at Battleby between Highland councillors and a senior SNH person who was dealing with national park issues. After that meeting, public statements from Highland Council made it clear that it now welcomed the national park, because SNH had

recognised the council's concerns that planning powers should remain with local authorities and that most of the extra costs would be borne by the national taxpayer. That was followed by an SNH report that said that it had advised ministers that arrangements for the Loch Lomond and the Trossachs national park should be different from those for the Cairngorms and that ministers' preferences also differed on the two areas.

Mary Scanlon: Are you saying that SNH received the support of Highland Council on the basis of a promise that it would have control of planning?

Dr Watson: I suspect that that is the case. Many people share my suspicions. The SNH documents give many arguments for treating the Cairngorms differently. Those arguments are all bogus, because they also apply to Loch Lomond and the Trossachs national park.

The Convener: Amazingly, John Farquhar Munro would like to intervene on this issue.

John Farquhar Munro: I listened with interest to your comments on the suggestion that Highland Council and Scottish Natural Heritage had reached a compromise on this issue. Are you seriously suggesting that Highland Council changed its view because of pressure from Scottish Natural Heritage?

Dr Watson: The council changed its view—that is a fact.

John Farquhar Munro: What appears to be the case to you may not be what happened.

Dr Watson: Let us say that people can make up their minds on this issue based on a number of associated events that took place. There are certain facts and dates that need to be considered.

The Convener: We can pursue this issue with the next panel of witnesses, if members wish. I do not want to engage in a head-to-head argument. I will take a last brief question from Jamie McGrigor.

Mr McGrigor: I do not know how brief it will be.

The Convener: It will be very brief.

Mr McGrigor: Adam Watson's submission mentions hillwalking and overgrazing by red deer. I am a keen hillwalker and know that it is easier to walk over ground that is grazed by deer and sheep than to struggle through areas that are fenced off for regeneration. I am worried by the thought that the herds of red deer that will be very important to the national park will be decimated because of a desire to reforest the hills that make up the beautiful landscape of the Cairngorms.

Dr Watson: There is no danger that the hills will be reforested. The highest part of the hills is arctic terrain that will remain treeless because of the

climate. The question of reforestation applies to moorland, which was deforested by man and has been maintained as open moorland for sheep grazing, grouse and deer. That is true for all of the Highlands and much of upland Scotland.

The point that I make in my submission is that some areas are different. Some sporting activities threaten or destroy features of national and international importance. That is not in the interests of the area or of local people. I am not saying that the same arguments should apply to the entire Highlands. I argue that things should be done differently in a few outstanding parts of Scotland.

I agree that it is easier to walk on overgrazed terrain. However, overgrazing has other side effects, such as an increase in the risk of flooding and soil erosion. It is not sustainable to have severe overgrazing by deer.

The Convener: Like any evidence-giving session, this one could run on, but we must bring matters to a close. Thank you for taking the time to give evidence to the committee. I hope that you will stay with us for the rest of the afternoon's proceedings.

I ask anyone in the audience who wishes to take part in the informal session later to ensure that they have filled in their forms and to pass those to the aisle end of where they are sitting. One of our officials will collect them during the next evidence-taking session.

I welcome our next panel. Ladies and gentlemen, thank you for taking your places so quickly. I am delighted to see you.

On my left is Sally Dowden of the Cairngorms Chamber of Commerce. We also have three representatives of Highland Council—Councillor Dunlop, the aptly named Councillor Park, and Bob Cameron. Thank you for giving up your time and joining us this afternoon. You have seen how the format works. You may give a brief introductory statement and after that the committee will try to ask as many questions as possible. Obviously, the number of questions will depend on the length of your answers to a certain extent.

Sally Dowden (Cairngorms Chamber of Commerce): Thank you for inviting the business community to give evidence this afternoon.

I am a partner in Speyside Wildlife, Scotland's largest wildlife tour operating company, based in Badenoch and Strathspey. I am here on behalf of the Cairngorms Chamber of Commerce, of which I am a vice-chair. I am here as a representative of the business community throughout Badenoch and Strathspey.

We have engaged with more than 500 local businesses in establishing a co-ordinated

response to the various consultations since the original draft enabling bill. Those include the 10 business and tourism associations in Badenoch and Strathspey and the 140 delegates who attended our business conference to discuss the issues in January of last year. The then minister, Sam Galbraith, spoke at that conference and his speech was referred to earlier.

Businesses want from a potential Cairngorms national park a cohesive, manageable area, a park that allows locals to take responsibility and be accountable, and a park that has simple, clear and accessible systems. Above all, businesses want a park that allows fair opportunities for business to grow and develop, and to ensure that it is an enabler, not a doer. That is the only way in which all four aims of the national park can be achieved collectively.

I reiterate that this is not legislation for an English national park; it is legislation for a Scottish national park that will take us into the 21st century. The exercise is not to catch up with the rest of the world. In this enabling legislation, we have something unique and valuable.

There was local enthusiasm for the original enabling legislation because businesses believed that all that I have mentioned could be achieved through such a framework. There has been sustained business commitment throughout the long consultation process of the past three years. However, that enthusiasm was seriously undermined during the latest consultation process, which took place during the busiest period of the year for local businesses, which gives rise to the obvious question whether there was manipulated disfranchisement. It has also raised issues about how decisions were made on the boundary, local representation, planning powers and other powers.

More important, there is growing concern in the business community about the weighting that was given to the responses. I have listened to some of the submissions today. Many people's submissions to this meeting and to the two previous meetings, at which civil servants and the deputy minister spoke, have mentioned the difference between the responses and the consultees.

We have actively engaged with more than 500 businesses through a series of meetings and through the business conference and the 10 business and tourism associations in the strath. We have worked together to produce a co-ordinated response. We thought that that was important because we all want to work together and because we were under the impression that that is what the Scottish Executive wanted us to do. We will be bitterly disappointed if that response is taken as only one response and is not

taken as representing the 500 responses that it covers.

In addition, we have been in discussions with the Highlands of Scotland Tourist Board and we have had meetings with the Aberdeen and Grampian Chamber of Commerce, to which the Cairngorms Chamber of Commerce is affiliated, the Inverness and District Chamber of Commerce and the Moray Chamber of Commerce. There is a huge volume of support for the response that Cairngorms Chamber of Commerce has submitted on behalf of the business community.

We feel that the draft designation order must return to first principles. We have four aims for a Scottish national park. Those aims must be achieved collectively, so whatever goes into the designation order must ensure that that is the final outcome. That relates to everything: the boundaries; planning; representation; and the other functions. I feel that we are losing sight of the final aim in some of the discussions. People concentrate on specific issues without considering the matter in the context of the wider collective achievement of the four aims.

The Convener: Thank you very much.

I understand that one representative from Highland Council will make an introductory statement.

15:00

Sandy Park (Highland Council): Members of the committee have our submission in front of them. I will highlight two or three points.

Paragraphs 1.2 and 1.3 of my submission state:

"The special qualities of the Cairngorms are due in part to the stewardship of local people over the ages. A key factor for success in the National Park will be holding the support of the local communities and working with them to deliver the four aims. ... The Highland Council has a track record of working with partner organisations and communities to deliver the Community Planning Agenda. Evidence of the Council's forward looking attitudes can be found in the Wellbeing Alliance and our joint working with Health to deliver the Joint Futures Agenda. I believe that similar joint working is the way forward for the Cairngorms National Park."

Paragraph 3.5 of my submission states:

"the Scottish Executive Library of the responses to the consultation on the draft Designation Order reveal that important players in the local community support direct Council involvement".

There were 460 responses, of which 150 had no comment on planning. Most important is that 46 responses from local organisations were in favour of Highland Council or authority planning input. It is important that that is taken on board. Local communities are keen on local accountability.

I state in paragraph 3.6:

"Early liaison with the embryo National Park Authority will be vital for a smooth start and this suggests an adequate period of shadowing rather than a March 2003 start."

The Convener: I thank both of you for your brevity. We will now broaden out discussion of the serious points that you have put across.

Mr McGrigor: May I clarify the point that Sally Dowden made about her submission being on behalf of about 500 businesses?

Sally Dowden: The figure is more than 500. I do not have the precise number. Cairngorms Chamber of Commerce has a membership of almost 120 businesses out of a total of 800 in Badenoch and Strathspey. At the outset of the consultation on the enabling legislation three years ago, the chamber of commerce took the view that the issue was so important for the entire area that it could not put in a submission only on behalf of its members; it had to go out and consult the entire business community. The chamber was helped through that process by the fact that we have 10 business and tourism associations in the area, all of whom had in excess of 50 members who wished to engage in the process. We consulted them in the initial stage and made our response on that. We also held a business conference at which Sam Galbraith gave the keynote speech, as I mentioned. There were 140 delegates. We know that we are speaking on behalf of in excess of 500 members of the business community in Badenoch and Strathspey.

Mr McGrigor: I know that you have experience as a wildlife tour operator and have experience of other national parks. How do the ideas behind this national park match up to those behind foreign national parks?

Sally Dowden: As my submission says, we have legislation for Scotland in the 21st century. We have the opportunity, through the social and economic development aim, which is the fourth aim of the national parks, to have something unique.

The most crucial question is how the park will be sustained and developed. One speaker at our business conference talked about the experience of BirdLife International, which is the main conservation body for birds throughout the world. Until two or three years ago, it had a staff of 10 who operated from a semi-detached house in Cambridge. The organisation achieved its remarkable success only because when it went out to wherever birds needed to be protected or conserved—in whichever corner of the world that was—it felt that the only way in which it would achieve its aim was by engaging whole-heartedly with the local community and giving it the opportunity to have the social and economic benefit of the protection that BirdLife International was aiming to achieve.

Everything that BirdLife International has done has worked on that principle. It goes into an area and engages whole-heartedly with the local community, which actively takes on board the message about what the organisation is trying to achieve. BirdLife International establishes the support systems to enable people to look after an area and gain economic benefit from it, then sets itself an exit strategy and walks away to the next task.

In our book, that system is a miniature of the national parks. The same objective is involved. The national park is intended to protect the natural environment, which is what BirdLife International tries to do, and the park will give people the opportunity to promote recreation, which BirdLife International does by engaging with the local community, which gives the local community social and economic benefit. That is what we think we have done in our business for the past 10 years.

Mr McGrigor: I am glad that you mentioned the importance of people.

Fergus Ewing: In the speech to which Sally Dowden referred, Sam Galbraith said that if we are to succeed in holding local opinion and support, the national park must provide an opportunity for new approaches. The past conflict that pitted conservation interests and commerce against each other should be consigned to the dustbin. Does Sally Dowden agree with that general sentiment? Does she have fears about the support of the extensive business community—including not only businesses, but the people who work for them—that she has consulted? Will she spell out some of the local concerns about what a national park might represent for economic development in the area?

Sally Dowden: The answer to Fergus Ewing's first question is yes, most whole-heartedly. The answer to his second question is that most of the concerns have arisen during the most recent consultation period. Despite the business community's representations, the consultation took place at the busiest period of the year for the business community and for the farming community, too, as a previous witness said. That makes people feel disfranchised, because they do not have the opportunity to give the consultation the time, effort and resources that it deserves. They start to question the process and whether something will be imposed on them, or whether they will be enabled to do things for themselves.

One main aspect of the business conference was that people welcomed the opportunity that the national park would bring. They realised that responsibilities would come with that and they were more than happy to take on those responsibilities if they were allowed to engage with

the process fully and be accountable. We are beginning to hear that that is being lost in the final consultation period.

We agree very much with the proposed area, which is similar to the area that the chamber of commerce proposed in the SNH consultation process. However, we included in our proposal the entire Badenoch and Strathspey area, for reasons that were articulated successfully earlier. It is close to the SNH area, which fulfilled all the criteria that SNH was asked to consider.

However, we now have an area with a line drawn in a completely different place. It might be similar to the areas that have been suggested but it is not the same. No amount of excuses and small-scale mapping will get around that problem. Business people will question why they put in all that effort if their voice will not be heard.

Fergus Ewing: What is the view of Highland Council about the existing proposals under the draft designation order? Would the representatives of Highland Council like to respond to the criticisms that were made earlier about local authorities having planning responsibility? Do you have any proposals for ways in which the four aims of the national park can be made to work with the local authority playing a major role in planning?

Basil Dunlop (Highland Council): Highland Council seeks to ensure that we have the best possible park authority to deliver the stated aims, taking account of all the differing interests, including environmental, social and economic interests.

We believe that the whole of Badenoch and Strathspey should be within the park boundary and that view is supported by local communities who wish to be in the park area because of all the benefits that have been identified.

Through community councils in particular, communities have stated that they want planning responsibility to remain with the local authority, as has been the case for a long time and as is the case in the rest of Scotland apart from in the Loch Lomond and the Trossachs national park. They do not feel that major change is justified because most of the planning applications relate to settlements or the zones around them rather than to the more mountainous or agricultural areas, most of which are protected by designations. I hope that in dealing with the few applications for planning permission that we have had to deal with, we have shown that we look after the area properly and come to sensible planning decisions.

The council has to ensure that it protects areas. We have various protection policies in our development plans. Our view is that the national park authority could easily cover that and produce

a park plan that the local authority would adhere to. However, the park authority would have to have powers to ensure that the local authority did so.

As Sally Dowden said, it is well recognised across the world that there has to be local ownership and responsibility for national parks to make them successful. We would be delighted to work in partnership on that basis.

Mr Rumbles: I mean no discourtesy to Sally Dowden, but I am delighted that we have three representatives from Highland Council with us today, as I hope that they will be able to respond to a question that I have asked of ministers and civil servants without getting an answer. I hope that you heard what Dr Adam Watson said earlier. I do not know whether you have seen the evidence that Dr Watson submitted, but I will read one short paragraph from it so that you know what we are talking about. He says:

"there is suspicion of a political fix on boundaries and on lesser planning power in the Cairngorms than at Loch Lomond".

He goes on to say that Highland Council met SNH senior officers in Battleby on 7 September 1998 and that, soon after, Highland Council publicly backed the idea of a Cairngorms national park, even though it had previously opposed it. Dr Watson suggests that SNH accepted that Highland Council would remain the planning authority and that general taxpayers would fund most of the park costs.

John Farquhar Munro: Convener, it is quite remiss of Mr Rumbles to lead that evidence, given that the sentence in question says that "there is suspicion" that that happened. Dr Watson has made an assumption; it has no factual basis.

Mr Rumbles: Convener, I am not leaking anything. I am quoting from open evidence that has been presented to the committee.

The Convener: I accept that the submission has been given to the committee, but I ask you to put a question on it.

Mr Rumbles: I was just about to before I was interrupted.

I have already asked civil servants and the minister this: why are the planning powers for the Cairngorms national park different from the powers for the Loch Lomond and the Trossachs national park? By the way, did any of you attend the meeting in Battleby?

15:15

Bob Cameron (Highland Council): It is interesting to note that the other members of the panel are passing the question on to me, as the

official. I was not present at any meeting in Battleby; indeed, I was not aware that any such meeting had taken place.

The Cairngorms national park perhaps differs from other national parks in that the community is split both socially and economically by the mountain massif. There are central communication corridors on both sides of the divide that is formed by the geographical massif. That makes the situation somewhat different from the Loch Lomond and the Trossachs national park, where, although there is a body of water between certain areas, we are not dealing with large communities that have different agendas. That fact needs to be recognised.

I cannot speak for the other local authorities, but we in Highland Council have been impressing more and more on communities the need for them to work in partnership with us, and for us to work in partnership with other agencies to solve current problems. That feeds through to issues such as community planning and affordable housing, which has been mentioned and is certainly a significant issue for Badenoch and Strathspey. The council has sought to address that matter through the rural partnership for change pilot, which has been successful in delivering low-cost housing in local areas. I am concerned that, if the set-up of the new national park authority differs from the current system, such impetus will be lost. I think that we might well lose that ability to work with a number of agencies and with council bodies such as the housing authority, the social work authority and the roads authority.

Mr Rumbles: I do not really understand your response, but obviously that is my problem. I asked a straightforward and simple question. The reason why the park authority should be responsible for integrated planning is the exact opposite of the reason that Bob Cameron gave in his response. His answer proves our point.

Since Basil Dunlop and Sandy Park are present, I ask them whether they were at the Battleby meeting. Can they throw any light on what happened?

Basil Dunlop: I was not there, but it is news to me that a deal was struck. It would have been remiss of the council and SNH not to discuss the national park proposals and to find ways of reaching a concordat on the various issues involved. In fact, I find it terrible that such remarks were made, especially as what was said is not the case as far as we are concerned.

Mr Rumbles: So there is absolutely no question that a deal was done.

Basil Dunlop: No question at all, as far as I am concerned. I have no knowledge of any such deal, other than what was involved in the usual

consultation process that everyone would expect us to carry out.

Mr Rumbles: So no deal has been struck behind closed doors.

The Convener: I want to move on now. The points have been made, and I do not think that it is helpful for members to ask any more questions that are based on allegations or suppositions.

Basil Dunlop: I want to respond to the question about the difference between Cairngorms national park and Loch Lomond and the Trossachs national park.

The Convener: That is perfectly in order.

Basil Dunlop: The two areas have different problems and pressures, the first of which is Loch Lomond itself. The pressures caused by the loch were entirely different from the pressures that we face. Secondly, there is a large population on the doorstep of the Loch Lomond area, while we are quite distant from large populations. That creates an entirely different situation. Thirdly, the local authorities down there did not want to retain the powers; they wanted them to go to the park board. I dealt with Gillie Thomson down there on that issue, through the Convention of Scottish Local Authorities.

We have had 60 years of conflict here. The summary of responses suggests a way forward for the Cairngorms area. The main things that we were trying to deliver were a resolution of the differences that there have been and to get everyone over the conflict. From a fairly early stage, the consultation documents have talked about new ways of looking after a special place. That suggests that there is a difference between the communities of Aviemore and the west side of the Cairngorms and the communities around Loch Lomond and the Trossachs.

Elaine Smith: I want to follow up that evidence by asking Bob Cameron about his submission. You say that Highland Council thinks that it should retain all planning powers while consulting the park authority. Will you go into a bit more depth about how you see Highland Council doing that and what it would involve? I think that Councillor Dunlop referred to a call-in order. Will you explain how that would work? I presume that it would involve referring matters to ministers if there was a conflict. I would like a bit more of the technical detail on all that.

Bob Cameron: At the moment, the national interest in planning applications is represented on a number of fronts. For instance, we are required to consult the trunk road authority in some cases and SNH in others and sometimes we are required to consult both bodies. If the planning authority wants to do something that is different from what

SNH or the trunk road authority or whatever other national agency advises it to do, it must refer the matter to ministers. A similar situation could exist in the park. The planning authority could retain its powers and if the national park authority objected to an application or wanted conditions to be applied that the planning authority was not prepared to apply, the matter could be referred to ministers. I would expect that to happen in a limited number of cases.

We deal with more than 300 applications a year. The bulk of those, some 30 per cent, are householder applications and the rest are fairly straightforward. Reference has been made today to massive housing applications. We are dealing with a number of housing applications at the moment, but we have not had a lot of massive housing applications in the past. The Nethy Bridge housing application was referred to as massive, but it refers to only 40 houses, so it is not massive. It might be a large application for that community, but it is not a massive application.

I see no reason why a call-in arrangement could not work. It certainly works to protect the national interest elsewhere and I do not see why it should not work in the national park.

Elaine Smith: I want to ask Sally Dowden a quick question about her opening statement. You seemed concerned that your response might have been treated as an individual response. Is the worry that the exercise is some kind of numbers game in which of 400-odd responses, 300 might say one thing and 100 might say another? Do you accept the validity of considering the points that have been put? Will you clarify for the committee how many people you represent and how you took their views?

Sally Dowden: Our concern is about the use of percentages in measuring one statement against another. People have used percentages quite liberally both today and in the previous two committee meetings, when the committee spoke to civil servants and the Deputy Minister for Environment and Rural Development. Our concern is that if the Executive considers only the straight percentages of the responses that it hears, it will not take into account the number of people who back up a response. Lots of people have referred to that today. We have to go back to basic principles and say that the democratic process must take account of the number of people who are responding. We might find that the respondents who voice a 10 per cent minority view are representative of 500, 1,000 or 1,500 people. A decision that disregards 10 per cent of the responses should not be made if those respondents in fact represent a huge number of people. I am not in any way trying to invalidate or belittle the effort involved in submitting individual

responses. They are all valid and should all be taken into account, but they should be taken into account in the proportion in which they were given. Statistical analyses should not be used incorrectly in arriving at the wrong decision.

The Convener: We are beginning to run short of time. I ask members to confine themselves to one question apiece.

Richard Lochhead: I direct my question, which returns us to the theme of social development, to Bob Cameron. Do you believe that the question where planning powers reside is crucial for the future of social development in the area? Is it irrelevant? Does the way in which the powers are used matter more? If planning powers were given to the park authority in relation to social housing, would that hamper current progress towards social housing being provided for local young families?

Bob Cameron: The question about where planning powers reside is critical. Planning provides the means by which many social policies are delivered and affordable housing is always delivered through the planning process. Either planning permission is granted directly to social housing providers, or permission to build social housing is granted following negotiation with private developers. The current advantage that is held by the council is that it is heavily engaged with the social housing providers. The social work department and housing department, as well as other parts of the council machinery, are involved in providing social housing in the areas where it is needed most. That advantage is in danger of being lost and there is a possibility that the momentum that has been built up may be set back by a handover of planning powers.

The example of Nethy Bridge is a good one: it is a microcosm of all this. There, 25 per cent of the housing will be low-cost, affordable housing for local people. The land will be transferred at nil land cost to a social housing provider nominated by the council. Arguments were voiced that nature conservation interests were contained within the planning application. The concern that some developers, some local people and some community councillors have expressed to me is that the question of the nature conservation interest would have overridden the possibility of low-cost housing being provided in Nethy Bridge, which would be to the detriment of the community.

There is little doubt in my mind, and in the minds of people in the community, that Nethy Bridge is significantly affected by second-home ownership and high house costs. The planning process is the means by which that should be dealt with. If that practice were diluted, or if some of the other aims of the national park were given undue weight, that would be to the detriment of achieving the objective of providing affordable housing. That

objective is achieved not just through social housing; it also requires community planning, which is a duty of local authorities. We might find that that is not necessarily a duty for the national park authority.

Richard Lochhead: That is very significant evidence.

Rhoda Grant: Local authorities have a duty to house people and to deal with homelessness. Do they feel that they could fulfil that duty if responsibility for planning were held by the national park authority? How could they provide local housing if that were the case?

Bob Cameron: As you know, local authorities no longer actually build houses. New housing tends to be provided through housing associations. The partnerships that we have built up through the rural partnership for change play a significant role in that.

The problem of homelessness is, as far as I am aware, not generally large in Badenoch and Strathspey although, as a planning manager, I do not work in housing as such. I am aware that, where we meet housing obligations for homeless people, the housing is generally provided through our existing provision; it does not require new housing. There are, however, issues around providing new housing for particular groups in the community, and we are more aware of those because we are a council. In particular, we are aware of an impending number of young vulnerable adults coming on to the housing market, who do not have places to go. Those are issues that we seek to resolve through partnerships with housing associations and other providers.

Rhoda Grant: I have a question for Sally Dowden. In your submission, you mention concerns about the

“level playing field for business as the Order persists in allowing the Park to provide an economic activity.”

Can you expand on those concerns?

15:30

Sally Dowden: The business community has always taken the view that the park authority must be an enabler, rather than a doer. If it is not an enabler, it will never achieve the four aims. The business community seeks to guard against any provisions in the designation order that would allow—almost force—the park to conduct economic activities. We are particularly concerned about the reference in the designation order to the provision of ranger services under the Countryside (Scotland) Act 1967. The business community does not want the park to engage in economic activity. There are sufficient powers in the enabling act to allow the park to cover all its responsibilities.

However, to start by specifying that the park should provide a particular service is to prevent the fourth park aim—promotion of social and economic sustainability—from being achieved. The business community is seeking to ensure that when the designation order is issued there is a level playing field.

May I ask a question?

The Convener: Why not? I do not know whether you will get an answer, but you may try.

Sally Dowden: I understand that there has been a review of structure plans in Scotland. I understand that the Executive has already taken on board the results of that review and has agreed that in the next two years structure plans will be produced only for the four main city areas and for the national parks. Is not it true that, by default, the Cairngorms national park will have to produce the structure plan for the area that it covers? Does that place in question the sense of what is contained in the draft designation order? As a lay person, I do not understand the planning provisions in the order. However, does not the Executive's decision about structure plans contradict those provisions?

In its report on the consultation, SNH suggested that the park should have responsibility for the structure plan. SNH argued that the park should enable local authorities to continue to produce local plans and that development control should be included in those. The business community regards those recommendations as being in line with what we are trying to achieve. The park should be an enabler; it should set parameters and serve as an umbrella organisation that allows everyone—including local authorities—to operate within it according to existing rules and regulations.

The Convener: You have asked an extremely good question. It is for the Executive to answer it, so we will almost certainly put that question to the representatives of Scottish Natural Heritage when they appear before us. I have no doubt that they have taken note of it. Like the two councillors earlier, I was tempted to pass the buck by asking Bob Cameron to answer your question. However, he looked rather sick at the thought of that.

Mary Scanlon: As I am allowed to ask only one question, I will put it to Sally Dowden. People in Boat of Garten have described the application for planning permission for 120 houses in a village of 377 houses as a massive development. It may not be massive in the context of Glasgow, Edinburgh or Inverness, but it is massive in the context of Boat of Garten.

I am confused by a statement that you make in your submission. In the third point, under “Solutions”, you state:

"There is already acceptance that National Parks in Scotland will become the strategic authorities for Planning. If the Order stated this instead of contradicting it, then Local Authorities could be enabled to deliver the local plans and development control under this umbrella."

Would the businesses that you have consulted and the 500 businesses that you represent prefer a national park authority to have the main planning control or the option for local authority input that has been suggested?

Sally Dowden: I asked my previous question because the business community finds planning's inclusion in the designation order to be extremely confusing. At that point, matters always go back to first principles. The first principle is that the national park authority should set the parameters within which everyone works and that the local authority should go away and produce the work under those parameters.

The business community wants to guard against another level of bureaucracy being foisted upon it for no apparent reason. I was concerned about an earlier statement that there was no problem with transferring planning powers to the park authority because they could be delegated back again. I cannot see any reason for doing that, other than to produce a bureaucratic process. The business community already has enough bureaucratic processes to keep it going until kingdom come—it does not want any more. The business community seeks a designation order that is simple, effective and that will achieve the four collective aims as easily as possible.

Mary Scanlon: I understand that. However, you have conducted a rigorous consultation and I commend you for it. As a list member for the area, I would like to know whether the businesses in the area would prefer the national park to be the main authority or would they prefer the input that has been received from Highland Council?

Sally Dowden: Their preference is for the park authority to be the strategic authority. They want the local authority to be allowed to carry on with local plans and development controls, because they are the people who we can access easily and quickly. They already have relationships with the people in Badenoch and Strathspey because they are elected by them and are therefore locally accountable.

The Convener: Please draw to a close, Mary.

Mary Scanlon: Has the option that has been put before the local business community met with its favour?

Sally Dowden: No. The present designation order, which the business community and I find very confusing, appears not to produce that result. That goes back to why I asked the question about the structure plans and the local plans. There are

elements of the designation order that lead to contradiction and confusion. We merely seek a clear, simple and non-bureaucratic system.

John Farquhar Munro: That point was well made. The business community has made its views known to you and its preference is clearly that the local plans should stay with the local authorities.

I have a question for the gentlemen from Highland Council. Earlier today, we heard evidence that there is acceptance that national parks can be managed in quite a different manner. We heard of the distinction between the English parks and Loch Lomond and the Trossachs. Here we have the proposed the Cairngorm national park, which is distinctly different from anything else that has gone before. Do you see any difficulty in the Cairngorm park being managed and operated differently to the parks that exist now?

Sandy Park: I will answer that, then pass the question over to my colleague, Mr Dunlop.

John Farquhar Munro has summed up the situation. The Cairngorms park is completely unique and what happens in England and Loch Lomond should not really come into consideration. To my mind, the Cairngorms area is unique to the Highlands and to the whole of Scotland—we looking at a whole new ball game. We should be learning from some of the mistakes that have been made in England and elsewhere and we should be making sure that the proposed park is one of the finest in Europe.

Basil Dunlop: Highland Council and I envisage that the park authority would produce the park plan, and that it would then be incumbent on the organisations and authorities that are involved—from the Forestry Commission to the Highland Council—to adhere to it. I see no reason why that system should not work. The park plan would ensure consistency throughout the park area, because there would be only one plan for the area and every authority would have to adhere to it.

The safeguard would be similar to the one that exists for other designated areas. If a planning authority is minded to approve an application against an objection by SNH, the matter must be referred to Scottish ministers. A similar system could easily be set up for objections that the park authority thinks are against the park's interests or aims. There is no problem with such a system. I do not think that there would be a mass of referrals to ministers because the local authorities would realise that they had to adhere to the park plan.

John Farquhar Munro: Sally Dowden's comment was apt. We do not need another level

of bureaucracy that will strangle any sort of development.

Basil Dunlop: That is one of the strongest arguments in favour of continuing with the present system.

The Convener: Lastly, Jamie McGrigor may ask a question.

Mr McGrigor: My question has been asked.

Mr Rumbles: I would like to ask a question, convener.

The Convener: You have already had quite a bit of time, but you may ask a brief question.

Mr Rumbles: I have asked only two questions.

The Convener: You may ask a brief question.

Mr Rumbles: Thank you.

The removal of the areas of Perthshire and Angus from the national park proposal and draft designation order will give the Highland Council much greater representation. Do you support the inclusion in the final designation order of the Angus glens and the Perthshire area, which have concerned many people?

Basil Dunlop: As you rightly said, those areas are not part of Highland Council's area so perhaps we should not comment on them.

Mr Rumbles: I would like you to.

Basil Dunlop: I will give my personal view, which is that although those areas identify with the Cairngorms, the pressure or need for them to be included in the park is not the same as the pressure to include other areas. As you rightly say, if only three local authorities are involved instead of five, that will have an effect on representation from local authorities. As I see it, the problem is that, depending on the boundaries, the Highland Council will represent between 60 and 70 per cent of the population in the park. When a body represents an area, it represents the people in that area. Therefore, population considerations are extremely important. The Highland Council would be underrepresented if the other authorities, which cover only a small proportion of the population, had one representative each.

Mr Rumbles: You have confused me. Are you in favour of bringing in the Perthshire and Angus areas?

Basil Dunlop: No.

The Convener: I assume that that is your personal view.

Basil Dunlop: It is my personal view.

The Convener: Finally, finally, finally, Fergus Ewing can ask a question.

Fergus Ewing: I want to mention what seems to me to be an anomaly. If the current boundaries in Badenoch and Strathspey are sustained, but responsibility for planning is given to the national park authority, the national park authority will be responsible for planning in Grantown and Aviemore, but not in those parts of Badenoch and Strathspey that are excluded from the park. You would have to maintain a planning department for the southern parts of Badenoch and Strathspey, although, if the national park authority were to be granted full powers, I presume that you would lose planning responsibility for the northern parts of the area. Have you considered that scenario?

Sandy Park: Sally Dowden alluded to the confusion that would arise and John Farquhar Munro alluded to the extra layer of bureaucracy that would be created. The situation would become very confusing for the general public.

Fergus Ewing: Of course, if the whole of Badenoch and Strathspey were included in the national park, that potential anomaly would be removed.

We have heard about the cost of that bureaucracy. How many planning officials would the proposed national park need if it were given responsibility for dealing with 300 planning applications for extensions to houses and new windows in houses in Aviemore, Grantown-on-Spey and Kingussie? What would be the total costs of the planning functions of the national park? Do you share my concern that that might use up a huge amount of the budget, and that the money could be better spent on protecting the environment?

15:45

Bob Cameron: I think that that question was for me—it gives me a chance to get a plug in. At present, just two planning officers handle 300 applications. The case load per planning officer in Highland is higher than in any other authority in the UK, and the Highland Council operates on the basis that its officers have a higher case load per officer than any other planning authority in Scotland. That is the end of my plug.

My budget for running the Badenoch and Strathspey end of the operation—I am also responsible for the Nairn area—is about £160,000, which includes money for building control officers and clerical staff. There is considerable value in running building control and planning together, because the public perceives them to be the same, although they are not. I guess that fairly substantial costs would be involved. One would expect the national park authority, or any new planning authority, to increase the ratio of planning officers to cases. I suspect that there would be an increase over the council's costs.

Fergus Ewing: The figure would be five times £160,000, given that the Highland Council, Aberdeenshire Council, Moray Council, Angus Council and Perth and Kinross Council would be involved.

Bob Cameron: I can only guess what the other councils' budgets are. Certainly, Highland Council's budget for the Badenoch and Strathspey operation is £160,000.

The Convener: I thank the witnesses for their evidence and for doing their best within the time available—I am afraid that we have run out of time again. I ask you to step down from the table, although I hope that you will join us for the rest of the afternoon. There is a bar in the corner of the room and it is last orders—if I may put it that way—for any member of the public who has yet to put in their request to speak.

Without further ado, we move on to our third panel, which has been sitting patiently. I am happy to welcome my namesake, Murray Ferguson. The way in which he spells Ferguson is not quite right, although he may disagree. Murray and Peter Rawcliffe are both from Scottish Natural Heritage. Eric Baird is from the Cairngorms Partnership community council group. I understand that Mr Rawcliffe will give a brief statement on behalf of SNH.

Peter Rawcliffe (Scottish Natural Heritage): Murray Ferguson and I have been working on the park proposal since 1997. Since September 2000, when ministers issued their proposal, we have been working intensively on the Cairngorms. Murray Ferguson will take questions on the consultation process and on the area and boundary issues that are of interest to the committee. I will pick up on planning issues and other matters.

SNH is grateful for the opportunity to speak to the committee again about aspects of the work on the park in which we have been involved. As the Government's natural heritage adviser, SNH responded formally to the consultation on the draft designation order. Our response is a matter of public record and a summary of it has been presented to the committee for the purposes of this inquiry. Therefore, I will keep my opening remarks short.

Although we all know where the heart of the Cairngorms lies, a sensible outer boundary could be drawn in a number of places. We have not been convinced by the arguments that have been presented to date by ministers for the smaller area that is now proposed. SNH remains convinced that the Cairngorms national park should cover a larger area, akin to a proposal on which SNH—as the statutory reporter—advised ministers. That proposal included some of the areas that have

been discussed today, such as Laggan, Strathdon, the Angus glens and some of Perth and Kinross. We have provided the committee with four maps in order to help members to consider those matters.

Both the committee and SNH recognise the difficult decision that ministers had to take about the planning function of the park. We welcome the broad thrust of the proposed arrangements, which are broadly in line with SNH's advice. However, there are notable differences, such as the proposals for the preparation of the local planning framework for the area. We proposed a shared arrangement for the local plan, rather than the park-only local plan that the draft designation order proposes. Those differences give rise to concern and must be addressed in the designation order and through the preparation of further guidance.

Despite the focus of attention on the park's planning function, SNH does not view that as the defining issue for the park. Therefore, we are disappointed that there is no mention in the consultation on the draft designation order of the advice that we gave on a number of other critical aspects of the work of the park authority, such as access, agriculture, forestry and deer management. It will be critical for the future management of the area that the park is able to engage in those issues.

The Convener: Thank you for your brevity on a complex subject. I am sure that we will come back to many of the points that you raised.

Eric Baird (Cairngorms Partnership Community Council Group): I will also keep my remarks brief. Members have a written submission that describes our group and outlines our dissatisfaction to date with the DDO content and with the process. Our submission also identifies the steps that we believe are necessary if we are to redeem the situation. We want to re-engage with communities, bring some credit back to the Scottish Parliament and, I hope, further the success of the national park. I do not think that I need to make much more of a plea on behalf of local communities, because today quite a few people have accepted that the community is a good thing. I leave it to members to question me further.

The Convener: I thank you, too, for your brevity.

Richard Lochhead: I have two quick questions. On the differences between the proposed boundaries, it is clear that SNH put resources into reaching its conclusions. What resources did the Executive put into reaching its conclusions?

Murray Ferguson (Scottish Natural Heritage): That question is difficult for us to answer. You are right to say that SNH put considerable resources

into its work. We estimate that more than 30 staff members were involved in the consultation, and the rough estimate of the cost of organising that consultation was £250,000. The Scottish Executive was presented with our report in August 2001. As you know, the Executive took some months to produce the draft designation order, but you would really have to ask Executive officials about the resources that were involved in that.

Richard Lochhead: Was the difference in the resources substantial?

Murray Ferguson: Yes, I think that the difference was substantial.

Richard Lochhead: You have heard previous witnesses giving reasons for different planning powers being proposed for the two national park areas. What do you believe the reasons to be? Do you agree with what you have heard?

Peter Rawcliffe: A number of strong arguments have been made for the different options. SNH made it clear in its report that the option that was proposed by the Cairngorms campaign—for the park authority to be the planning authority for the area in the traditional UK sense—could work. However, having thought about the issue and the arguments, and having listened to the views of communities inside and outside the park and to the views of national and local bodies, we felt that there was a better approach with which to begin this park. In essence, that approach would involve a joint approach to development planning between the park authority and the five local authorities in the area that we proposed. However, the development control function would remain with the five local authorities. There would also be a call-in power. I do not think that the committee has yet discussed that option. It is somewhere in the middle, but we argue quite strongly that it is a different approach to the planning function.

Richard Lochhead: Does Eric Baird want to add anything?

Eric Baird: Although we do not have a particular view for or against the local authority keeping planning control, we were concerned that it was difficult for us to come to a coherent view because planning was not presented coherently. It seemed that some control was to be left to the park authority, which could call in various applications and deal with them. Some was to be left to the local authority and a large part was to be developed as protocols—in other words, we were to make it up as we went along. I am all for spontaneity in life, as are the rest of my group, but when there are clear objectives it is important to have clear directions for how to reach them. Developing protocols as we go along would lead to confusion. The planning system should be clear and the community should have access to the

system. The community should be directly involved.

The Convener: In your submission, you say exactly that—that the need for community involvement in the planning process should be made clear. How would you like that to be achieved?

Eric Baird: I would like there to be community participation in planning. Rather than communities simply reacting to planning proposals, communities should be able to initiate them and to say how they would like their communities to develop.

Mr McGrigor: At the moment, we have 132 applications for wind farms in Scotland, many of them in the Highlands. What is SNH's—

The Convener: I do not know that this question is of great relevance to the national parks.

Mr McGrigor: It is, because I want to ask SNH whether there will be wind farms in the national parks.

The Convener: Can we just have a yes or no on that one?

Peter Rawcliffe: SNH has a policy view on that, but it would be up to the park authority to decide what goes into its park plans. Arrangements for local planning will conform to those plans. National planning policy guideline 6—the Government's statement on renewables—has a presumption against wind farms going into the national parks.

Mr McGrigor: Against?

Peter Rawcliffe: Yes.

Rhoda Grant: If planning powers remain with the local authorities, will that affect the status of the national park? It has been suggested to us that the Cairngorms park may not be as good as the Loch Lomond and the Trossachs park if control of planning development remains with the local authorities.

Peter Rawcliffe: We have to be clear about what we mean by "planning powers". The draft designation order sets out that the park board would act as the "local plan maker". We operate in a plan-led system, in which local plans exert a powerful influence on development control decisions. Whether it is right or wrong, the draft designation order provides for a shared responsibility for the planning function.

The issue of whether one size fits all has been discussed today. I question whether England has taken on the one-size-fits-all model. The English national parks differ in the way in which planning is operated. The Peak District national park has the only single structure planning authority; the other English parks prepare joint structure plans. The

Broads Authority has a different system of delivering the planning function, which involves district council planning officials reporting to the park authority on planning matters.

We understand that the process for the two new proposed national parks is not yet complete. In the New Forest, the Countryside Agency—our equivalent body—has recommended an approach in which the park planners and the New Forest District Council will prepare a local plan for the area. In the South Downs, a different arrangement is proposed. Both parks are examining ways of returning development control decisions to the local authorities. A range of experience exists in the English and Welsh parks structure, which shows that it is recognised throughout the UK that one size does not fit all.

Rhoda Grant: What is SNH's view of sustainable development in a national park? A previous witness expressed concern that sustainable development had to be seen in relation to the purpose of the national park. Could other kinds of development be allowed?

Peter Rawcliffe: We have not come to a firm view about specific types of development. Communities can take any of a number of development pathways. The correlation between the development pathway in a national park or protected landscape has to be tied closely to the special qualities that exist in the park or landscape. Adam Watson rightly referred to the interlinkage in this part of the world between development and the natural environment. Any development pathway would have to maintain and enhance that linkage.

We are not at the stage of considering specific types of development. That discussion will take place once we have a park authority. It will take place around the park plan and involve all those who have an interest in the national park.

Rhoda Grant: But you would not necessarily believe that all future development had to be curtailed in relation to the national park. Could the park board promote other sorts of sustainable development in the area?

Peter Rawcliffe: Yes.

The Convener: Do you want to add to that, Mr Baird, or are you quite happy with it?

Eric Baird: I am quite happy with it. The point was made that we are talking about sustainable development in the context of the national park's qualities and characteristics.

16:00

Mr Rumbles: It was kind of SNH to send me a copy of its paper summarising the key issues that

resulted from its consideration of the draft designation order. The paper is dated 2 July and states:

"The consultation document does not explain in any great detail the reasoning behind many of the decisions that have been made".

That resonates with the experience that I and other committee members have had of trying to get answers from ministers and civil servants. We have not yet had an answer about why they have made their decisions.

Putting my constituency hat on for a moment, I am concerned about the situation in Strathdon. I am concerned in particular about the possible division of the village of Dinnet and the exclusion or inclusion of Glen Tanar. Does SNH support the inclusion of Strathdon, the village of Dinnet and Glen Tanar in the park?

Murray Ferguson: Yes. SNH supports the inclusion of those areas. I should add that we support the inclusion of all the other areas that are within the line that we suggested to the Executive. In the consultation paper that we issued before the Executive's consultation started, and in our report, we went to considerable trouble to explain our thinking so that anyone who did not agree with us—you will appreciate that these are quite complicated matters—could make their views heard and challenge us, as appropriate. When we saw the Executive's consultation, we were disappointed that a similar approach had not been taken.

Mr Rumbles: You put that diplomatically, given that you spent two or three years working on the consultation process and outlined everything so well, only to find that, suddenly, the draft designation order ignores many of your recommendations.

Elaine Smith: I have a couple of questions for Eric Baird, but I will start with a bit of background. Your submission says that

"The Group comprises representatives from the 26 community councils"

and that those representatives are "mandated by their communities". What exactly do you mean by that? Do you mean that they are mandated by the whole communities or by the community councils? Have they been sent along to your organisation with a specific mandate?

Eric Baird: They have been proposed by the community councils and I presume that the community councils have been subjected to the same electoral processes to which you have been subjected.

Elaine Smith: I presume that you would also say that a community council was mandated by the community.

Eric Baird: To some extent, yes. The community would be wider in the case of a local authority representative than in the case of a community council representative, who directly represents a specific, smaller community.

Elaine Smith: Yes. However, the two come together in the bigger organisation that you are here to represent.

Your paper expresses concerns about the consultation process. However, you say that you have

“met with Ministers, MSPs and Scottish Executive officials”.

Do you feel that you have not had enough opportunity for such meetings to put your points across? What exactly are your concerns about the consultation process?

Eric Baird: Our concern about the consultation process on the DDO is that there was virtually no consultation. That was partly a result of the time scale and partly because the consultation took place during the summer holidays. We are also concerned about the short notice that we were given despite the fact that, for several months beforehand, we had repeatedly contacted Scottish Executive officials, asking them how the process was going, whether we could be engaged in planning for it and what the process was going to be. It was not until virtually the 11th hour that we were asked to come on board and facilitate consultation on the DDO in the community.

Elaine Smith: Has coming on board—even at the 11th hour—been useful?

Eric Baird: It has been useful in so far as it has been better than nothing. However, it has not been as useful as our participation in the consultation that was undertaken on the initial proposals. SNH was charged with carrying out the consultation and gave that responsibility to the local communities—we undertook that consultation for SNH. We achieved a 250 per cent increase in the quantity of the response over a previous consultation that had been carried out by consultants. The quality of the information was also far higher.

With regard to the DDO consultation, therefore, our response is: “Not very good; could do better—in fact, have done better in the past.” It is unfortunate that the lessons of the past have not been taken on board. The experience of the past and our review of that experience would have meant that we could have made the consultation even better, had we been taken on board earlier.

Elaine Smith: I have a final question, although SNH may want to comment on what has just been said. You say that

“legislation does not require directly elected representatives to live or work in the Park area.”

Correct me if I am wrong, but I take it that you mean the people who would be on the national park board. Bearing in mind the point that was made earlier, about the fact that the park is national rather than local and so requires a mix of representatives, can you comment further on the statement in your submission?

Eric Baird: The DDO does not make it entirely clear who the local representatives will be and where they will come from. For example, there is no onus on the local directly elected representatives to live and work in the area.

Elaine Smith: That makes the matter clearer. I presume that the directly elected representatives would be the five whom you are talking about.

Eric Baird: Indeed. That is part of what I am referring to. There is also no onus on the local authority nominees to live or work in the area or to represent that particular area. They could represent the local authority on behalf of the area or on behalf of the local authority. That is an ambiguous point.

Elaine Smith: You seek clarification.

Eric Baird: I would be interested in clarification. I hope that any clarification would come down on the side of emphasising local involvement.

Mary Scanlon: I have received a letter from the National Trust for Scotland; I imagine that other members have also received it. The letter states:

“The proposed planning regime for the Park flies in the face of all previous experience of National Parks in the UK ... Without coherence of boundary or proper integrated planning and management controls, the area ... will not be recognised as a ‘National Park’ by the international community, as it will not conform to ... IUCN categories.”

In other words, the park will be a national park in Scotland, but it will not be recognised by the international community—its status as a national park will be ruled out. Do you feel that the proposed planning regime means that we will get a second-rate national park? Do you agree with the points that the National Trust for Scotland makes?

Peter Rawcliffe: In essence, no. The IUCN has developed a list of protected landscapes, which has been referred to. UK national parks fall under one category, but there is a separate category called national parks. The logic of the argument that you are advancing is that all UK national parks do not fit into the IUCN category. However, the IUCN has made it clear that there is a family of protected landscapes, which have a different remit and role, irrespective of what one calls them.

Mary Scanlon: I want to quote further from the National Trust for Scotland’s letter:

“As a result it will not be registered on the UN List of Protected Areas”

and

“any World Heritage Nomination will be ruled out”.

Peter Rawcliffe: That is a definitive statement to make, given that the national park is not in place.

Mary Scanlon: That is what the NTS says.

Peter Rawcliffe: An issue that has not emerged is that we are comparing legislative differences. We have discussed the purposes. One of the features in the Scottish legislation is that the national park plan will be a statutory document. That is not the case in England and Wales, where there is a statutory mandate to produce a document but ministers do not approve it. In Scotland, ministers will sign off the park plan and the Rural Development Committee might well consider it. That represents a route for the integration of policies across the area, from planning matters to the other issues that are of importance to the area. We do not agree with the NTS on the issue that you have raised.

Mary Scanlon: You think that the Cairngorms national park would have an equivalent status to other national parks, irrespective of the proposed planning regime and the boundaries.

Murray Ferguson: We agree with the NTS's expression of concern about the boundary as currently proposed. Only three local authorities would be involved in the park. SNH is firmly of the view that the history of the conflict about the mountain massif suggests that it is essential that the five local authorities that surround the massif are tied into its management and are encouraged to manage the area in an integrated way.

In assessing our boundary option, we followed scrupulously the three legislative criteria that the Parliament provided. We set out a blow-by-blow account of how each of the sub-areas met those criteria. Our approach was entirely consistent with the work that we did in Loch Lomond and the Trossachs, because we felt that, as a national organisation, we had a national responsibility to work in that way. We are deeply concerned that the current proposal involves only three of the five local authorities.

The Convener: This will have to be your final question, Mary.

Mary Scanlon: You are saying that you followed all the categories to ensure that the area would be recognised as a national park. You are concerned that what has been proposed is second rate.

I have a question for Eric Baird. In your submission, you say that much of your information, which was painstakingly gathered from communities, appears to have been disregarded without any clear rationale or

explanation. Will you describe one or two of the points that you feel have been disregarded?

Eric Baird: When the DDO came out, the communities went through a range of emotions. The first emotion that we experienced was disappointment that the Scottish Executive's response did not corroborate either the advice that SNH gave or the views of the local community.

Secondly, we are perplexed that the rationale that was given did not seem to explain that disparity. For example, administrative coherence was talked about, yet that did not seem to be one of the original criteria on which we were assessed.

Finally, there was some anger and hurt among the communities. Our group had gone out into the communities saying, “Yes, we know how you feel about politics—that it is all stitched up—but this is genuine. This is different.” Believe me, we expected the process to be different. There was a great deal of disappointment and hurt in the communities when the DDO was published and failed to reflect the views of the community or of SNH, which is the Executive's reporter.

Fergus Ewing: The national park aims include the promotion of

“sustainable economic and social development of the area's communities”.

There is dubiety about what exactly that means. I will approach the matter differently. I put it to SNH that there is a huge variety of activities in the national park area. There are obviously fishing, farming and forestry. Recreation is extremely important and allied to tourism, as you mentioned. In addition, we have settlements, including Grantown-on-Spey and Aviemore, in which—I will not name names—we have an abattoir, an engineering company and various types of construction activity. As the local MSP, I regard all of that as sustainable development. Do you agree?

Peter Rawcliffe: That is not a fair question to ask a national agency. We have local staff who might have a view on specific activities.

Fergus Ewing: You said that you have been looking at the matter since 1997. I would have thought that you would have reached a conclusion.

Peter Rawcliffe: We have been looking at and developing the framework. It would be hard to understand why we would come up with a framework and a prescription for the management of the area at the same time, given that we have placed so much emphasis on a managing body that is locally accountable and whose main aim is to develop a management plan for the area.

Fergus Ewing: Your reply is neither clear nor particularly reassuring, but I will move on and raise a point that has not been mentioned in the meeting so far. Under the Sandford principle, where there is a conflict between one of the four aims—conservation, sustainable use of resources, recreation and sustainable economic development—the first of those four aims takes precedence, to put it simply.

My problem with that is that I think that all four aims should have equal weight and that each case should be considered on its merits. The Parliament rejected that view; instead, the Sandford principle applies so that, where there is conflict, conservation always takes precedence. As I understand it, the Executive has not asked SNH to define conflict. Would there be a conflict if one pressure group objected to an application? Do you feel that the issue should have been considered carefully as part of the draft designation order so that people in the national park area had some inkling of whether the national park authorities would allow proper development of the economy in the area?

16:15

Peter Rawcliffe: I remind committee members that the principle that has been mentioned is only one part of the Sandford principle as expressed in the National Parks (Scotland) Act 2000. Section 9(6) of the act says:

“In exercising its functions a National Park authority must act with a view to accomplishing the purpose set out in subsection (1)”,

which relates to achieving all four aims collectively. The first part of the Sandford principle puts a heavy duty on the park authority to achieve all four aims. The act then says:

“if, in relation to any matter, it appears to the authority that there is a conflict”,

the authority must take the decision. That is why the authority has been carefully constructed and includes local representatives as well as national representatives.

My view is that it would not have been useful to have made the act more prescriptive. I have stood up in many consultation meetings to tell people that we do not know what may happen in the park, because that is yet to be determined. It is for the park authority to decide what is in the park plan and how the park does its business.

Eric Baird: I would like to make two points, the first of which is a point of information. Part of the Sandford principle says that, provided that the conflict cannot be resolved by any other means, the first aim should apply. When a conflict arises, a lot of work obviously goes into resolving it, without immediate resort to the Sandford principle.

Secondly, I am surprised and disappointed to find, at this stage in the game, that dialogue is occurring as if there was an innate conflict between conservation and employment and development. We should concentrate on ways in which to reconcile the aims and to find new opportunities.

Fergus Ewing: I certainly agree with that sentiment. Unless we know what conflict means, we cannot know how the national park, if it goes ahead, will work.

My hope for the national park is that we will see promotion of the natural environment and recreation. I am thinking particularly of places such as the Glenmore centre, Badaguish and many other excellent local facilities. I would like resources to go to those facilities rather than on bureaucracy. The local planning officer, Bob Cameron, has said that the staffing costs alone are approximately £160,000, and that does not include building and other costs, which might bring the figure up to £250,000. If we have five local authorities involved in the park, as SNH wants, the cost of running the planning operation would be around £1.5 million, if the national park authority were to have planning powers. That is almost 50 per cent of the budget. Would that not amount to a Cairngorm planning bureaucracy rather than a national park authority?

Murray Ferguson: One of the underlying principles that we followed was to approach the whole issue by looking first at the area that had the special qualities. I am reassured by the consistency of what the committee has heard from various witnesses today, because that is more or less what we heard during the consultation. Many people have a deep sense of caring for this special area. We wanted to start with the area, agree on the size of the area that we should all be protecting and then come on to matters such as the powers that the park authority should have and how much it should cost. We remain concerned that some people seem to want to approach it the other way round, by thinking of the complexity of the planning arrangements or the cost of the project before defining an appropriate boundary. We were firmly of the view that we had to start with the geographical issues and develop appropriate tools at a later stage.

Fergus Ewing: I thoroughly agree with that approach. I think that I am right in saying that the budget of the Loch Lomond and the Trossachs national park is to be around £4 million or £5 million. If the budget for the Cairngorms were to be the same and if planning were to rest with the NPA, that would mean that just about 50 per cent of the budget for the park—covering the very large area that you would wish to cover—would go on planning bureaucracy.

Peter Rawcliffe: There is a cost attached, but to equate the costs that we have heard about in Badenoch and Strathspey with those in the other four local authorities is probably not the way to do it. We advised ministers on the costs and the cost that we came to was roughly £5 million a year. That was for a park authority that had a local development planning function but not a development control function. We asked the consultants to give us a total additional cost, and they came up with a figure of £80,000 to £120,000. Much of today's discussion has been about Badenoch and Strathspey, which has a significant development control case load. The situation is not the same for the Angus glens, and it is certainly not the same for Perth and Kinross, where there are probably just a handful of development control cases each year. I do not have the figures in front of me right now and I do not know what the figures are for Aberdeenshire, but it would not be fair for the committee just to multiply the Badenoch and Strathspey figures.

Mr McGrigor: Do you agree with the Cairngorms Chamber of Commerce's view that the park should allow locals to take responsibility and be accountable for the opportunities that are given to business? Do you believe that the park should be an enabler?

Peter Rawcliffe: The answer to both those questions is yes. When we looked at experience in other parts of the world, the strong message was that local ownership of parks was important. Today, we have had a discussion about whether the 60:40 split sufficiently reflects the local or national interest.

The other thing to add is that, although the national park board will have a majority of local people, the body will be a national agency that, like SNH, will report to ministers. The park board will prepare a park plan, which ministers will sign off. There is therefore another dimension to that local-national partnership. The park will have what will be a new type of partnership in Scotland. We are definitely in agreement with those points.

Richard Lochhead: Is the Executive in the habit of rejecting SNH's advice where SNH is the primary adviser? Is this occasion a first? What is SNH's view on the time scale for introducing the final order? Is the time scale too tight?

Murray Ferguson: My work over the past five years has been almost entirely on the national park, so I am not best placed to advise on how the Executive has received our other advice. We submitted our advice on the national park in August 2001. We had expected to be approached for further advice if the Executive thought that that was necessary during the interim period before the publication of the draft designation order, but that opportunity was not taken up. The draft

designation order came out as members see it before them today.

Richard Lochhead: Is the time scale for the publication of the final order too tight?

Murray Ferguson: That raises a difficult set of issues. At a previous committee meeting, the minister gave a commitment that he would look again at the macro issues concerning the boundary and whether the other local authorities should be included. However, as a member of the committee said, it might be complicated to come up with a new detailed line on a map because the local people whom such a change would affect would not have had the opportunity to be involved in a consultation. Whether the Executive wishes to go down that route without further consultation is a matter for the Executive.

The Convener: The final question will be from John Farquhar Munro.

John Farquhar Munro: I have a simple question, which digresses slightly from the discussion that has taken place.

At our meeting in which we took evidence from Scottish Executive officials some weeks ago, we posed a question as to the title of the park. The officials said that they did not give the park a Gaelic title because they did not consider that there was sufficient Gaelic input within the park area. We had to point out to them that, as the present name, Cairngorm, is in fact a Gaelic word, the park already has a Gaelic title.

However, that is not the question that I want to pose. I see that the title is sometimes anglicised by being spelled with an "s"—Cairngorms—whereas it should be Cairngorm. Does SNH have any influence with those who scribe these things so that we might come to an accepted standard? We should either use the "s" or get rid of it altogether.

Murray Ferguson: During our consultation, one of the five big questions—in some ways, perhaps the easiest question—that we asked people was what the national park should be called. We were surprised at the variety of names that we got back. "Cairngorms" was by far the most popular of the anglicised forms. Many respondents asked that there should be a Gaelic translation of the name. Our board took the view that that would be helpful. We passed that advice on to the Scottish Executive.

John Farquhar Munro: The word is already Gaelic, so it does not need a Gaelic name.

Murray Ferguson: Indeed, but the view that came through strongly as a result of the consultation was that a Gaelic version of the name would also be helpful.

The Convener: In talking to John Farquhar Munro, you are talking to a man with a mission.

That brings us to the end of this session. I thank you, gentlemen, for your time and for answering our questions as well as you could.

Before I suspend the formal part of the meeting, I will call a five-minute comfort break. After that, the first panel from the public will be Katherine Carington Smith, Jennifer Cook, Roy Turnbull and Alistair Clunas. We will be able to offer witnesses approximately 90 seconds apiece. That does not sound a lot but we will have a large number of people in front of us. I am afraid that committee members will not have time to ask the witnesses questions, but we look forward to hearing what people have to say in the short time that is available.

16:26

Meeting suspended.

17:17

On resuming—

Petitions

Cairngorms National Park (PE481)

The Convener: We now have to begin to conclude our consideration of the designation order. We will do that in private, as I explained.

Earlier today, we heard from two petitioners and agreed to leave consideration of the petitions until after we had heard from all our witnesses. I would like to ask for views regarding the proposed boundaries of the park as they relate specifically to petition PE555.

Fergus Ewing: Is that Bill Wright's petition?

The Convener: No.

Mr Rumbles: Convener, we had agreed that we would discuss both petitions.

The Convener: We will, but I suggest that we deal with them one at a time. We can deal with PE481 first, if that makes you happy. Petition PE481, which was from Bill Wright on behalf of the Cairngorms Campaign, and which called on the Parliament to urge the Executive to ensure that planning powers for the Cairngorms park are the same as they are in the Loch Lomond and the Trossachs national park. I ask members to confine their remarks to that petition at the moment.

Fergus Ewing: I am not persuaded that petition PE481 should be supported. In the evidence, it emerged that there are differences between the two park areas in terms of geography, economy, population patterns and pressure.

Mr Rumbles: I take the exact opposite view. I have said it before and I will say it again: whenever we have asked why there should be a difference in the way that planning is dealt with in the two park areas, we have never had a good answer—not from the minister, not from the officials and I was not happy with the answer from Highland Council today. During our informal session—a vox pop, if you will—the message came across that we should be consistent and that we therefore ought to support the petition.

Richard Lochhead: The issue of planning powers is the most difficult of all the issues that we have discussed. Ironically, if we have two separate models, in a few years we will be able to compare how each has worked, which will be useful, given that we are setting up national parks for the first time in Scotland.

My main concern relates to the issue of social

development and social housing, which was raised a few times today. It appears that local authorities might be best placed to pursue that concern. I heard no evidence that that would best be dealt with by a national park authority. For that reason, I think that the emphasis of the planning powers should remain with the local authorities. That would be more democratic and would be more likely to ensure that the social aspect—by far the most sensitive issue of the ones that we are discussing—is addressed.

Rhoda Grant: I think that we should note the petition but not support it. Reasons for doing so have been set out by other members. It is also important to note that the Cairngorms national park and the Loch Lomond and the Trossachs national park are opposite sides of the same coin. One has been set up to manage visitors and protect an area that has become stressed; the other is being set up to encourage visitors and development. On balance, it would be right to go along with SNH's proposal, which allows for local elected members and the park board to work together on planning but for development control to stay with councils.

John Farquhar Munro: I am not inclined to support the petition for the simple reason that the wording is rather ambiguous. It urges the Scottish Executive to

"ensure that powers for the Cairngorms National Park Authority are at least as comprehensive as those for the Loch Lomond and Trossachs National Park."

What is meant by "comprehensive"? The petition does not suggest that the powers be similar or dissimilar. I am a bit confused about the wording and will therefore not be supporting the petition.

Mr McGrigor: We should note the petition but not support it, as Rhoda Grant said. I was greatly persuaded by the gentleman from Highland Council who suggested that there be joint responsibility for the management of the park.

Elaine Smith: I agree that we should note the petition but not support it.

The Convener: Everybody has had their say. We have heard a variety of views from outright support to rejection of support. A majority of the committee appears to wish to note the petition but not support it. I detect support for agreeing to support SNH's proposals, which might be seen as a compromise.

Fergus Ewing: I am quite happy to suggest, along with other members, that we note the petition but do not support it.

Mr Rumbles: In a spirit of agreement, I will also agree that we should note the petition.

The Convener: We will consider these matters in more detail later. If members agree merely to note petition PE481 at this stage, that is what we will do. Are we all agreed?

Members indicated agreement.

Cairngorms National Park (PE555)

The Convener: I ask members for comments on petition PE555, which was spoken to earlier by Campbell Slimon.

Rhoda Grant: I support the petition. The case for the inclusion of Laggan in the national park was well made today and was made strongly to me by farmers whom I visited in Laggan. The case was also supported by other speakers today, so I suggest that we agree to support the petition.

Richard Lochhead: I, too, would like to support the petition. The clearest and strongest arguments that we heard today related to the issue of the SNH boundaries.

The Convener: In order to save time, can I ask whether all members are agreed to support the petition?

Members indicated agreement.

The Convener: That brings us to the end of today's formal meeting. We still have a great deal to discuss and we have been given an enormous amount of food for discussion. My job is to try to guide the committee to a consensus. As a meek lowlander in this gathering, perhaps I am the right person to try to do that.

I thank everyone for attending. Your input has been hugely valuable and useful to us. I wish you all a safe journey home.

17:25

Meeting continued in private until 18:03.

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