

**On who's authority: An assessment of stakeholder perceptions of the environmental, social and economic benefits and disbenefits of the proposed planning arrangements for the Cairngorms National Park**

Graham Neville

University of Aberdeen and the Robert Gordon University, UK

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**1. Study rationale, aims and objectives:**

**Theoretical Context**

1.1: The process of establishing Scotland's second National Park, the Cairngorms National Park, is well underway. On the 29th May 2002, the Draft Designation Order was published outlining the boundary, powers and functions for public consultation. Preceding this, Scottish Natural Heritage had, as the Government's natural heritage adviser, carried out a consultation exercise on the initial proposals for a National Park in the Cairngorms. During this period, a large-scale national and international debate emerged over the Scottish Executive's preferred arrangement for the planning functions for the Cairngorms National Park. The Scottish Ministers clearly preferred that Town and Country Planning functions, as defined by the Town and Country Planning (Scotland) Act 1997, should remain with the Local Authorities of the area, and not with any National Park Authority. In addition, the reporter advised that the Authority have an equal role in creating a development plan, not complete discretion. Such an arrangement would be unique amongst the United Kingdom's other National Parks. As such, the Minister's preference has generated a high degree of contention amongst the Scottish Parliament, Executive Agencies such as Scottish Natural Heritage and the Enterprise Companies, non-Governmental organisations and other conservation and interest groups in Scotland and beyond.

**Rationale**

1.2: This dissertation will therefore comprise a detailed, issue specific study analysing key stakeholder's perceptions of the environmental, social and economic benefits and / or disbenefits of the planning functions issue. It is expected that it can contribute to the consultation process by providing a geographical focus on stakeholder attitudes at a high resolution. Stakeholders in this study are defined as those people with a professional, business, residential or recreational interest in the debate. This will include land

managers and owners, professionals working in the private and public sector, Government agencies, NGOs and local people, and recreational organisations.

### **Aims and objectives**

1.3: This dissertation aims to assess the perceptions of key stakeholders of the planning functions debate for the proposed Cairngorms National Park. To achieve this, it has a number of discrete working objectives;

- to conduct a literature review of the issues of planning for parks and protected areas,
- to conduct a review of consultation responses as secondary research,
- to gather empirical data on stakeholder perceptions through a range of methods,
- to analyse and explore the issues raised during this research,
- to compare and contrast these issues with experience from another UK National Park,
- and to discuss, make recommendations and form conclusions following a detailed analysis of the above.

### **National Parks in Scotland**

1.4 Appendix 1 is an account of the development of National Parks both in a global context and in the United Kingdom. However, it is relevant here to briefly discuss the Scottish Context. In 1947 the Ramsay report investigated the possibility of establishing National Parks in Scotland. It highlighted five areas suitable for designation. However, no action was taken other than to establish some National Nature Reserves (NNR), of which Beinn Eighe, in Wester Ross, was the first. The Cairngorms, together with Loch Lomond, Ben Nevis /Glen Coe and the Black Mount, much of the North West Highlands and Glen Affric / Glen Cannich were given special status as 'National Park direction areas'. These areas were afforded some protection in the form of a formal call-in procedure for the Scottish Office, to decide important development applications. This situation continued with many reports, and calls from individuals and NGO's (e.g. Lindahl et al 1982,) for National Park status being ignored, and finally the direction areas were eliminated in the 1980's.

1.5 One such report calling for National Parks in Scotland was published in 1974, by the then Countryside Commission for Scotland, who proposed 'special parks' with an independent authority managing with planning powers. These would only operate in the relatively remote areas of Scotland such as Torridon in Wester Ross, and were intended to be limited to areas with low numbers of development proposals. However, since no formal recommendations were ever made to Government, no action was taken. In the 1980's, the National Park Direction Areas became National Scenic Areas, with formal call-in procedures established to cover certain developments normally outwith the planning system, including vehicle tracks and caravan sites. Ilesley et al (2001) view this

designation as primarily a development control one, with limited scale and a heavy reliance on the call-in procedure. They point out that there was an absence of positive, strategic planning in this approach, although Moir (1997) suggests that the idea represents the first attempt to centralise the rationalization of development in these areas.

1.6 The 1990's saw great pressures on some of Scotland's mountain areas in the form of recreational developments, especially skiing developments in the Cairngorms. As a result, the Countryside Commission for Scotland reported on the management of the mountain areas of Scotland in a seminal paper. Strong recommendations were made for National Park designation in the former National Park Direction Areas, and most importantly it was recommended that these be managed by independent authorities with full planning functions, and that this be set up around best practice guidelines as established by the IUCN. Wightman (1996) suggests that this report was the most overt attempt to introduce strategic management for the conservation and sustainable management of Scotland's mountain country. However, no commitment to these proposals were made by the Government, although in Loch Lomond an interim committee was established, and in the Cairngorms, the Cairngorms Partnership was set up to oversee the management of conservation and recreation in these areas, under the partnership approach favoured by Government at the time. This in part followed the Magnusson Report of 1992, which set out the framework for the Cairngorms Partnership. The remits of these organisations were changed in 1997, to pave the way for possible National Park designation, after the new Government made a commitment to Scottish National Parks.

1.7 This commitment was followed through in 1999 when Scottish Natural Heritage, the Government's new environmental agency following the work of the Countryside Commission, was asked to consult and report on the possibility of National Parks in Scotland. This advice recommended a greater clarity of purpose, greater environmental stewardship, and a partnership approach between local and national interests. Functions and duties were recommended to be shared between Government and its agencies, public bodies and local authorities. Importantly, the third objective of the English and Welsh National Parks- that of the economic and social well-being of the area, was included from the start as an integral part of the whole area sustainability. The recommendations sought two stages of legislation, in an attempt to quieten fears of sudden designation without consultation, where primary legislation would, in the form of the National Parks (Scotland) Act 2000, prepare the way for specific case secondary legislation, which would set up each individual park. The full range of powers and functions were included in the original Act, to enable a cherry picking approach for each individual designation.

1.8 The aims of the National Parks in Scotland (SNH 2000) are therefore;

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

## **2. The proposals for planning functions in the Cairngorms National Park.**

2.1 This section of the study outlines the legislation, consultation and designation process that has led to the point of production of the Draft Designation Order for a Cairngorms National Park. It examines in detail the debate surrounding the issue of the proposed arrangement of planning functions as set out in the National Parks (Scotland) Act 2000, the initial proposal and consultation on a National Park for the Cairngorms which was carried out by Scottish Natural Heritage, as reported to the Government on the National Parks idea, and the proposed National Park arrangements as they stand in the Draft Designation Order.

2.2 As demonstrated in the Introduction, the establishment of National Parks in Scotland depends on a two-stage legislative process. Firstly, the enabling legislation in the form of the National Parks (Scotland) Act 2000 (hereafter the 2000 Act) sets out the aims, proposals, purposes and functions of National Parks in Scotland, and gives guidance on the operation of National Park Authorities but is not, however, intended to form the legislative basis of any one specific National Park. Instead it provides a framework under which secondary legislation may be passed to designate a new National Park. This situation arose due to the fact that there is a belief amongst the Scottish Executive that because Scottish National Parks encompass such a wide variety of purposes, and cover such diverse areas with varying issues and challenges, there is a need for each case to be treated individually.

2.3 In terms of planning functions, Section 10 (1) of the 2000 Act enables the following provision for a National Park Authority--

- a. to be the planning authority for the National Park for the purposes of the planning Acts,
- b. to be treated as the planning authority for the National Park, but only for such purposes of Part II (development plans) of the Town and Country Planning (Scotland) Act 1997 (c.8) as are specified in the order, or
- c. to have, in relation to the National Park, such functions in relation to planning as the order may specify. [National Parks (Scotland) Act 2000]

This therefore means that in essence, any future designation order for a National Park in Scotland may make any arrangement for the distribution of

planning functions as the Executive see fit. This is known as the 'tailored approach', and is explained below.

2.4 In their report on the consultation on the National Parks (Scotland) Bill and as their advice to Government as natural heritage reporter, Scottish Natural Heritage recognised the call from many conservation NGOs, professional planning bodies and many individuals for the National Park Authority to be the planning authority for its areas with full plan-making and development control powers. However, while agreeing that *"the operation of the Town and Country Planning System is a critical element to achieving the objectives of National Parks and the National Park body must play a key role..."* (SNH 1999; p23), the agency demonstrated their feeling that the planning system had wider coverage than the proposed purposes of National Parks. They stressed that there would be many aspects of the planning system that the National Park Authority would not require in order to achieve its objectives, and therefore said that *"we therefore remain unconvinced that the National Park body needs necessarily to be the planning authority with the fullest range of development planning, control and enforcement powers, as is the case in England and Wales"* (ibid 1999; p23). Instead, SNH proposed a 'significant' role for the National Park body which involved the sharing of planning functions with local authorities.

2.5 The essence of the 'tailored approach' therefore is that each National Park area could have a different sharing balance, and solution. As a minimum, SNH recommended that the sharing arrangement should involve the National Park Body;

- being the principal partner in the preparation of the structure plans covering its area, with each local authority being required by statute to discuss with the National Park body the proposed contents of the structure plan as it affects the National Park area, to work with the National Park body during its preparation and obtain from the National Park Body a certificate of conformity with National Park objectives prior to submission of the structure plan to the relevant Minister for approval;
- being the principal partner in the preparation of the local plans covering its area, with each local authority being required to agree with the National Park Body the proposed contents of the local plan, to work with the National Park body during its preparation and to obtain from the National Park body a certificate of conformity with the National Park Plan prior to deposit;
- having referral powers to the relevant Minister for cases where it objects to a local authority's development control decision; and
- actively working with the local authorities to improve the standards of built development across the National Park. (SNH 1999; p23-24)

2.6 In the proposal for the Loch Lomond and the Trossachs National Park (SNH 2000a), the preferred option recommended by SNH was that the Park Authority should become the planning authority for the National Park area, with the responsibility for preparing the local plan and making development control decisions based upon it. Once consultation had been carried out on this proposal, SNH then recommended that the Park Authority should also have power to develop a structure plan for the area too, although the Executive declined to accept this proposal and left structure planning responsibility with the local authorities. This choice reflects scenario (a) in the 2000 Act, and broadly follows the arrangement for planning functions in the English and Welsh National Parks following the Environment Act 1995.

2.7 However, in their consultation document on a proposal for a Cairngorms National Park, SNH (2000b) proposed a different arrangement for planning functions, whereby the planning functions should remain with the local authorities. This reflects their opinion that an individual answer is required to the question of the management issues of the Cairngorms. The arrangement of shared planning functions is as follows;

- local authorities remain the planning authority under the terms and conditions of the Town and Country Planning (Scotland) Act 1997 with the National Park Authority a statutory consultee in the preparation of the respective local and structure plans (as they affect the Park);
- the National Park Authority should also be a statutory consultee on development control decisions; and
- the National Park Authority should be a statutory consultee on other functions exercised by the planning authorities; tree preservation orders, conservation area and listed building consents, advertisement consents, minerals consents, and application of controls relating to hazardous substances. (SNH 2000b; p22).

2.8 The role of statutory consultee would, in the view of SNH, enable the National Park Authority to positively influence development decisions. The ability to lodge an objection to a Local Plan would lead to a Local Plan enquiry, and referral to the Scottish Ministers for determination. Similarly, if the Authority objected to any development control decisions and the local authority were minded to grant permission against this, the Park Authority would have the power to refer the decision once again to the Minister for determination.

2.9 There were also four other approaches to the balance of shared planning functions outlined in the consultation document. These are;

- the co-option of members of the Park Authority onto the local planning committees of the local authorities for issues affecting the Park;

- the joint preparation by the Park Authority and the local authorities of a subject local plan for the Cairngorms Park area covering the topics of particular relevance to the implementation of the National Park Plan;
- the delegation by local authorities of local plan preparation and development control powers to the Park Authority for all or part of the Park area (with call in powers for the local authorities for specific types of development proposals); and
- the Park Authority becoming the planning authority for the core of the park area, with the local authorities remaining as the planning area for the surrounding area including most of the settlements. (SNH 2000b)

The third scenario is akin to the situation in some of the English and Welsh 'committee' parks before full planning powers were granted in the Environment Act 1995, and the fourth scenario reflects IUCN Category 2 zoning for the core area with planning powers with a Category 5 support zone with local authority planning functions.

2.10 Finally, the possibility of the Park Authority having responsibility for the preparation of an area wide local plan was presented, as was the specific requirements of the statutory arrangements, and the possible restriction of the referral powers as outlined above.

2.11 However, the Draft Designation Order proposes a different arrangement of the planning function and, while maintaining the shared approach, takes the view that the local authorities should remain the planning authorities under the Town and Country Planning (Scotland) Act 1997, but that the Park Authority should have call-in powers in relation to Part II of the Act. That is, any development application which raises a concern for the National Park Authority and may have an effect on the Park would be called in and actually determined by the National Park Authority, and not the planning authority. There would be no right of appeal against this decision on behalf of the local authorities. As the Draft Designation order states, "*this is envisaged as a pro-active rather than a reactive role*" (Scottish Executive 2002; p4). Under this proposal the local authorities must notify the Park Authority of an application within three days, after which the Authority will have two weeks to call it in.

2.12 The Executive have also decided that the local authorities, as planning authority, should retain the responsibility for preparing the structure plans for the area, with the Park Authority as a statutory consultee on their preparation as outlined by SNH (2000b). However, they believe that the Park Authority should have responsibility for preparing a Park wide Local Plan, and consult the local authorities on its preparation. In relation to the other planning functions such as Tree Preservation Orders, Advertisement consents and conservation consents, it is envisaged by the Ministers that these would be a shared function between the local authority and the Park Authority.

2.13 The provisions for this arrangement for planning functions in the draft designation order, section 7. - are as follows in these excerpts from the Draft legislation;

(1)

- a. The functions exercisable by a planning authority under Part II (but only in respect of functions in relation to local plans) of the Town and Country Planning (Scotland) Act 1997 (a) shall, in relation to the area of the National Park, transfer to and be exercisable by the Authority and not by any local authority. (Note- this sets out the provision for the National Park Authority to have responsibility for the preparation of a Local Plan).
- b. The functions of a planning authority under Parts VI... and VII of the Town and Country Planning (Scotland) Act 1997 shall, in relation to the area of the National Park, be exercisable by the Authority and by the planning authority. (Note- this sets out the shared functions of tree preservation orders etc.)

(3) The functions conferred on the Scottish Ministers by-

- a. subsections (1) to (4) of section 46 of the Town and Country Planning (Scotland) Act 1997,
- b. subsections (1) to (3) of section 11 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (b), and
- c. subsections (1) to (3) of section 18 of the Planning (Hazardous Substances) (Scotland) Act 1997 (c),

-shall... be exercisable by the Authority but only as respects any proposed development in the National Park which raises a planning issue of general significance to the National Park aims under section 1 of the 2000 Act.

(4) The Authority may only issue a direction in exercise of its functions under paragraph (3) above which relates to a particular application within the period of two weeks beginning with the date on which it receives notification of the proposed development from the local authority. (Scottish Executive 2002, p11). *(Note- this section outlines the guidelines and regulations for the call-in and determination of certain applications, where they affect the National Park, by the Park Authority).*

### **3. Methodology**

#### **Overview**

3.1: This study uses a qualitative assessment methodology to gather empirical data on opinions and attitudes amongst key stakeholders, in accordance with

the aims stated above. It follows a multi-method approach, with some methods being employed to generate key themes and others to further investigate these areas. The primary data research was carried out by means of a questionnaire, administered through a range of media, including personal interview, e-mail and traditional, printed questionnaires. The use of the on-line forum 'The Mountain Forum', an academic and professional electronic discussion group elicited comment from parties far beyond the Cairngorms area. A focus group, held in conjunction with Scottish Environment Link, conservation Non-Governmental Organisation made up of many other competent NGOs and conservation charities, such as the National Trust for Scotland, Scottish Countryside Activities Council and the Cairngorms Campaign, gathered ideas and attitudes through facilitated discussion and an open forum. In addition to a thorough literature review, an important secondary data source used was the responses to Scottish Natural Heritage on the proposal for a Cairngorms National Park (SNH 2000b).

### **Questionnaire design**

3.2: In this study, a range of questionnaires were appropriate depending on the target group. The initial design arose from an analysis of the common themes raised in the consultation responses to Scottish Natural Heritage (SNH). From these responses, five key points for further analysis were created, which formed the basis of each questionnaire. Local residents in contrasting areas were sampled to ascertain if opinions differed across the mountain massif, that is, the settlements of Braemar and Boat of Garten. A printed questionnaire for residents was created using the Snap6 Professional software package. Appendix 2 is a copy of the resident's questionnaire. This stage of the study follows the guidelines presented by Parfitt (1997) on questionnaire design. The questionnaire was piloted on three students at the University of Aberdeen (two on the RRRP MSc course and one medical student), and two representatives from the Cairngorms Campaign. Improvements were made after receiving comments from those people. Residents and holidaymakers were distinguished between in an initial question, and the rest of the questionnaire attempted to ascertain opinions by asking the respondent whether or not they agreed with a number of statements. The results were analysed statistically using the Statistical Package for Social Science (SPSS) software.

### **Questionnaire Sampling**

3.3: A proportional sample relating to the population size of each settlement was carried out, of sixty homes in Boat of Garten and forty in Braemar, equivalent to the proportional population sizes estimated in 1999 of 440 and 300 homes respectively. A total of 100 questionnaires were administered during a door to door survey on 26th July 2002 in Boat of Garten, and 29th July in Braemar. Samples were undertaken during the daytime, since it was a peak holiday period and it was assumed that this would be a more convenient time

for respondents. The method used is similar to Trakolis' (2001) work on the sampling of people's perceptions of national parks in Greece. In this study, systematic sampling techniques as described by Gregory (1972) were attempted, with the desired result being a controlled sample from every three homes along each street in each settlement. This is recognised best practice, as it minimises the risk of selecting from one particular section of the population, although it assumes that similar conditions do not repeat at regular intervals. However, problems were encountered in this due to the nature of each settlement, as each has an unusually high number of holiday homes many of which were, at the time of sampling, unoccupied. In response to this initial non-respondents were tried again later, before finally a further set of homes were targeted to complete the sample when non-respondents were again unavailable. This has skewed the systematic sampling method somewhat, though it is expected not to adversely affect the study significantly.

### **Statistical analysis**

3.4: Statistical analysis on the questionnaire responses was carried out using the SPSS (Statistical Package for the Social Sciences) software. 95% was set as the level of statistical significance, as is normal practice for much social science research. In the comparison of the two non-parametric samples, a Chi-squared test was applied to determine whether observed frequencies differed significantly from the expected frequencies, that is, the null hypothesis.

### **Interviews**

3.5: A similar set of key questions were put to professional planning individuals in semi-structured interviews. Unfortunately, due to a number of reasons not as many stakeholders were willing to be interviewed as had originally been hoped, although they were willing to correspond by email. This may be due to the particular timing of the research, at a period after some intense consultation had already been carried out, or due to the fact that it is a very sensitive issue. However, those interviewed were asked questions again relating to the key issues, and the author as interviewer was able to elicit further detail on any point made, by keeping the interview relatively informal and open. The use of a Dictaphone aided the recording of points.

### **E-mail questionnaire**

3.6: For those professionals and expert individuals interviewed by email, the same five key themes were put into fairly open questions. These asked the individual to comment on a particular issue, such as the local plan arrangements. As a result, the responses varied widely and were analysed on a qualitative basis. Permission was gained before sending out the questions as a matter of courtesy, and also to ensure that the correct person was able to

answer, bearing in mind the timing of the empirical data gathering at the summer vacation season. Only a few individuals declined to comment.

### **Online discussion forum- 'The Mountain Forum'**

3.7: As a member of the Mountain Forum, an independent online discussion forum for interested professionals and academics from across the world, permission was given to post a multi-recipient email to all members. The key themes were once again phrased in open ended questions. Seventeen responses came via email and were added to the email interview section. Furthermore this method made gave details of several other stakeholders up more contacts to speak to as members suggested acquaintances. The forum is moderated by Dr Martin Price of the Centre for Mountain Studies, at Perth Millennium Institute, University of the Highlands and Islands.

### **Focus group**

3.8: Focus groups are a recognised method of eliciting a representative sample of opinions regarding a particular topic. They comprise of a led discussion, and enable the sharing of feelings and thoughts, often with the aim of agreeing a number of conclusions. A focus group was held in conjunction with Scottish Environment Link, an umbrella body comprising of over thirty of main conservation groups within Scotland. These include The National Trust for Scotland (NTS), the Scottish Countryside Activities Council (SCAC), the International Union for Conservation of Nature and Natural Resources (IUCN), the Mountaineering Council of Scotland (MCofS), the Scottish Council for National Parks (SCNP), the Scottish Wildlife Trust (SWT), the Royal Society for the Protection of Birds Scotland (RSPB), the Association for the Protection of Rural Scotland (APRS), The Cairngorms Campaign, and the North East Mountain Trust.

3.9: The group was held after a meeting of the Link members to discuss their response to the Draft Designation Order for the Cairngorms National Park. Twenty four delegates attended, comprising mostly professional conservationists, some retired professionals now acting as committee members for NGOs, and some project staff. It was held in the Birnam Institute on Friday 21st June 2002, and facilitated by Mr Bill Wright of the Cairngorms Campaign. Mr Wright is an experienced facilitator, and although the rationale had been set out with respect to Kitchin and Tate (1999), Mr Wright led the discussion in a style which had been evolved over his experience and suited the group well. The room was set out in a wide semi-circle, with Mr Wright at the front, using an A2 pad to record key points and structure the discussion. The author and an assistant attended to observe and stimulate discussion, and to record the discussion. A number of people declined to speak at the group. Qualitative analysis of this group was carried out although since there was little disagreement, the conclusions tended to remain as has been shown with the

five key areas. A record of the attendance at the focus group and a summarised transcript is presented as appendix one.

#### **4. Literature Review.**

4.1: There has been much written in academic literature, specialist publications and the press on the establishment of National Parks in Scotland, and the wider place for National Parks in a global context. The planning powers issue in particular has been frequently highlighted or reinforced in specialist journals, and even some press publications. This section of the dissertation fulfils the objective to conduct a thorough literature review of those publications relating to the issue, and aims to examine the range and extent of such work.

#### **Conservation in the Cairngorms**

4.2: Ferguson and Adamson (1999) describe the Cairngorms area as containing some of Scotland's most treasured landscape. This paper outlines the physical setting of the Cairngorms and the various challenges that are associated with managing the diverse landscape of the area. Others too have described the unique qualities of the Cairngorms massif in attempts to encourage greater protection, sustainability, or more sympathetic management of the mountain core. Thompson et al describe the Cairngorms as "*arguably the premier area for nature conservation in Britain*" (1994; p15). Scott (1994) states the considerable interest and concern in the Cairngorms as an area of international importance and therefore international responsibility. Curry-Lindahl et al describe the Cairngorms as "*Britain's foremost conservation area*" (1982; p9). Additionally, many recreational books give reference to the special status of the Cairngorms not just as a recreational asset for outdoors experience but as an important area for conservation. Johnston (2000) and Bremner (2001) describe how traditional sporting activities have been integrated into a sustainable management strategy for the Mar Lodge Estate, part of the largest area of wild land in the Cairngorms, and one where internationally important ecological sites are now looked after by the National Trust for Scotland. Rae & Watson (1998) talk of the international conservation importance of the mountains in a photo-essay of the landscape, and Watson (1992) outlines how the physical characteristics of the Cairngorms make them unique in the British Isles, and how the conservation of these are important. The important point is that this is in a Scottish Mountaineering Club district guide, a publication thought more to give routes for access to the mountains, rather than a conservation guide for them.

#### **National Parks for Scotland; their global perspective**

4.3: "*A system of protected parks or reserves is critical to the protection of a country's biological diversity*" (Shafer 1999; p123). This clarion call for national

protected areas in Scotland reflects a growing call from professionals and interest groups alike. A great volume of research and popular writing has been published on the perceived need for Scotland to have National Parks, in line with many other countries in the world. Over 127 countries now have established National Parks. The varying approaches and models of National Parks are briefly discussed by Bishop et al (1998), on behalf of Scottish Natural Heritage (SNH) as part of a fact-finding exercise for applying the National Parks model to Scotland. Much has been written on the benefits of National Parks, some of which is synthesised in a collection of essays on their role in environmental protection by Wright (1996). Papers in this book include those which set out the purposes of National Parks and protected areas, such as Toothman's idea, suggesting that "*the primary purpose of a National Parks Service is resource stewardship*" (1996; p355), or those which set out the best practice for establishing National Parks, such as Noss (1996), in which the author suggests that "*for over a century, protected areas have been the cornerstones of biological conservation*" (1996; p91). Here the arguments are set out that protected areas are becoming difficult to establish throughout the world. Critics have, in Noss' view, attacked them as being too small and isolated, that they play no useful role in reconciling conservation and development. Funnell and Parish (2001) suggest however that the problem of reconciling a multitude of uses is common to all protected (mountain) areas. They suggest that conflicts emerge as a result of different value judgements of the economic costs and benefits of offsetting conservation against development. This point is particularly applicable to the case of the Cairngorms National Park, as the balance between nature conservation and the economic and social well-being of the communities is balanced by the Ministers. However, the conclusion reached by Noss in this paper is that protected areas are in fact vital to the conservation of nature, and that to protect little is an option he considers "*ethically repugnant and unacceptable*" (Noss 1996, p117).

4.4 Further papers point to the relations which communities have with these National Parks, many of which can be directly compared and contrasted to the Cairngorms example. Trakolis (2001) points out those human communities often have important and long standing relationships with these areas. Although the people of the Cairngorms no longer directly depend on the mountains for their survival, it is very much the case that they have made, and continue to make, use of the area for agriculture, fishing, shooting, and most recently a source of income through tourism. Habron (1998) suggests that without a doubt, the Highlands of Scotland comprise a cultural landscape, showing the impacts of human development over the last 10,000 years since deglaciation. In fact, this point he suggests questions the underlying perception of wild land, something that may be relevant to any proposals for zoning the core mountain area according to IUCN guidelines. Furthermore, Williams et al (1999) suggest that despite past management regimes upland areas still have potential for sustainable, conservationist management.

## Scottish Landscape designations and the call for National Parks

4.5: Many papers chart the Scottish approach to landscape designation, often on a compare and contrast basis with the English and Welsh system. Moir (1997) compares the English and Welsh investigations and the history of Scottish landscape designations is recounted. Perhaps the most salient point made by Moir is that *"paradoxically, each of the failed attempts in the 1940's, 1970's and 1990's has been followed by steps to designate the most valued landscapes, so that Scotland has evolved it's own distinctive approach to landscape designation"* (1997, p206). It is precisely this distinctive approach that has led the Scottish Executive to apply different proposals and models for each of Scotland's National Parks (SNH 2000b). McEwen & McEwen (1982) present a similar history of the process leading to the call for National Parks. A further analysis of the landscape designation system in Scotland has been published by Cullingworth and Nadin (1997). Interestingly, this work takes a critical approach and highlights the idea that the increasingly complex arrangement of different and often overlapping designations in rural Scotland *"has now grown to a point where there is a real risk of confusion"* (1997; p211).

4.6: The call for National Park in Scotland has however been growing ever stronger, even since the mid 1970's when the Countryside Commission for Scotland (CCS) outlined it's ideas for a Park System for Scotland. However the first real modern-day proposal for a National Park system came in 1990, with the Countryside Commission for Scotland's report on the Mountain Areas of Scotland (CCS 1990, 1991). This report, together with its associated public consultation, makes a significant case for the establishment of a National Parks system to tackle some of Scotland's most paramount conservation challenges. Regarded by many as a seminal document and one that is still referred to widely, the CCS reports lay out a modern framework for National Parks in Scotland, including the areas believed to be of international importance and therefore prime sites for designation, the management principles, and a zoning system along the lines of that proposed by the IUCN. Wightman (1996) backs this call and makes the case for an integrated approach to the management of Scotland's mountain areas. In particular, Wightman stressed the disappointment that little had been done to implement the Mountain Areas of Scotland reports. He was writing at a time when perhaps the least effort was being put into landscape designations for Scotland, as after seemingly endless reviews no action had been taken, and the Conservative Government at Westminster had no commitment to establishing Scottish National Parks. A clear reasoning of the case for National Parks came from Scottish Natural Heritage in 1995 through the Journal of Scottish Secondary Teachers (Borradaile & Hellings 1995). Finally, the IUCN in its report 'Parks for Life' (1994b) stated that *"the issue of the management of Scotland's most valuable natural areas has been debated for too long. Action is now urgently required"*.

## The local or the national; an emerging debate

4.7: After the new Labour Government indicated its aim to establish National Parks in Scotland, some publications appeared both praising and criticising their proposals. In addition, other papers continued the tradition of researching the history of the National Parks paradigm and its application to Scotland, either as briefing notes for legislators or as publications in popular journals. Firstly, the proposals were produced in a series of consultation documents by Scottish Natural Heritage, acting as adviser to Government on the issue. In 1998 a paper (SNH 1998a) outlined the way the proposals should be produced, and then a consultation paper (SNH 1998b) set out the consultation exercise. This resulted in advice to Government from Scottish Natural Heritage (SNH 1999). Meanwhile, beyond SNH Aitken (1997) outlined the proposals against his own professional opinion of how the protected areas should be established in Scotland, while Badger (1999) researched the views of Scottish Natural Heritage on National Parks and in a limited text, outlined how the proposals fitted in with other National Parks worldwide. Varley (2002) praised the designations as they appeared in view, but raised the spectre of conflict between the local and the national interest. This is nothing new; again, Funnell and Parish point out this very same conflict (2001). Varley continues to debate that in the end compromise may threaten the objectives of the Park for environmental conservation. Rice (1998) similarly re-stated the case for National Parks in Scotland, reviewing much the same literature as presented elsewhere, and a similar exercise was carried out in 2001 in the same publication (Town and Country Planning) by Illsley et al.

#### **Planning and conflict resolution in the Cairngorms**

4.9: McNeish (2001) calls for a strong National Park Authority for the Cairngorms, reflecting the area's international importance, and demonstrates that the future of the National Park must not be left in the hands of local interest groups. This view reflects the opinion of many authors, developed in a long series of calls for the Park board to be strong. Perhaps the most contentious of these is the call for the National Park Authority to have full planning functions bestowed upon it. This is an area where opinions expressed academic research, government reports and popular publications polarise and there appears to be a great debate on the subject. Firstly, however, some papers reflect on the special need for sensitive, integrated land use planning for the Cairngorms, regardless of the arrangement for the administration of such a function. The findings of a Scottish Executive report suggested that National Park Authorities in Scotland would have to adopt a range of approaches to achieve their objectives (Tabor et al 2001). The DETR has recognised that *"there is...a need to balance the need for conservation and protection with a wide range of other land uses and land management interests...in recognition of these conflicts, a new integrated approach to land use planning and land management has been developed"* (DETR 1998; p1). This refers to the arrangement of planning functions in a partnership approach, as

led by the Cairngorms Partnership. Indeed, it has been suggested that "*planning in Scotland has a fine track record to build upon*" (Allmendinger 2001; p123).

4.10: The partnership approach has become the focus of some research by the Cairngorms Partnership (Brindley 1998), which concluded that on the whole, development control and strategic and local planning were working well together under the Partnership. This study found a good deal of convergence between each area's development plans, and suggested that this was due to each plan being driven by national planning policy guidance and statute. There is, Brindley suggests, a strong link between National Planning Policy Guidance (NPPG) advice and the plans. However, this has been critiqued by Parnell (1999) who disagreed, suggesting that the Brindley study was flawed for two reasons. The first regards the disparities which in Parnell's view exist between the stages reached by each of the plans in the area and between the stated of the authorities which have prepared them. In essence, Parnell argues that the inclusion of out of date plans, the fact that the plans were prepared at different times, and the fact that there was a further Structure Plan for Aberdeenshire (North East Scotland Together) being prepared at the time means that the report cannot competently draw conclusions as to the convergence of policies presented within them. Secondly, Parnell argues that the comparing of Local Plans with the Cairngorms Partnership board's objectives is fundamentally flawed, since the Local Plans will cascade from the Structure Plans of each Local Authority and not the Cairngorms Partnership Work Plan, the Partnership's Corporate Management Strategy for the Cairngorms. He argues that there can be no convergence with this since there is no direct hierarchy of strategic policy relating to the Work Plan's objectives. In fact, Parnell suggests that the development planning aspect of the Partnership approach were simply not working, and that this experience means that a National Parks' objectives could not be met if planning functions were not transferred to the Authority.

4.11: More popular literature has also been polarised on this issue. Varley (2002) mentions the debate, and quotes Parnell who insists that there must be planning powers for the National Parks. Furthermore, the press has taken up the debate with many articles and editorials devoted to the issue. Perhaps the most revealing are two editorials appearing in the Herald, (Herald 2001, 2002) suggesting that the arrangements are clearly a fudge, and "*likely to please no-one*" (Herald 2001; p19). Many quote campaign activists, such as Bill Wright of the Cairngorms Campaign who suggested that the proposals would "*prepare ripe ground for disputes between local authorities and national park boards*" (Gallagher 2002).

4.12: A further paper focusing on development control decisions in English and Welsh National Parks, which aimed to make recommendations for Scotland concluded that development plans have a key role in providing a framework for Park Management (Tabor et al 2001). However, this report found that within

the five areas studied policy varied, and some Parks had less success with policy integration through the planning process. It made recommendations with respect to community consultation, in addition to recognising the different remit of Scotland's National Parks in having an economic and social role.

### **Public Participation in National Park planning**

4.13: The Tabor et al report (2001) suggested that community participation is essential to National Park planning. This issue is perhaps one area where the greatest amount of research has been published from a social science background. It has been suggested that the *"need for greater public involvement [in the planning process] has become the cry of the age"* (Campbell and Marshall 2000; p321). Within the environmental arena, Glicken (2000) suggests that decision makers are increasingly being compelled to include citizen input into decisions of planning importance. Yet others have suggested an inherent difficulty with this scenario. Steel & Weber (2001) have suggested that in issues of high scientific content as often surround National Park and protected area decisions, ensuring adequate public participation may be difficult where the general populous is unfamiliar with the technical aspects of the debate. This relates to the Cairngorms National Park, resting on the fact that environmental protection decisions may be taken by experts working at the national level, therefore seemingly disenfranchising the local people.

4.14 A further example of this type of situation arises where planners seek to manage public participation in order to ease in decisions, particularly those relating to complicated environmental decisions or land management orders. Few (2001) has suggested that this kind of behaviour, named 'containment' in his paper, often occurs where there is a generally ill-informed population. Yet under the Local Agenda 21 agreement, the infusion of Sustainable Development which the UK has signed up to under the Rio agreements of 1992, people have the right to be involved in decisions which affect the environment of their community. One report which has made this link was that by EKOS Ltd Environmental Consultants to the Scottish Executive Central Research Unit (2001) on the Local Agenda 21 process and its impact on environmental planning (in this case for Local Biodiversity Action Plans).

4.15 It is therefore obvious that a great amount of literature supports many aspects of this debate. This brief study is in no way all-encompassing, but has attempted to draw out some of the main themes contained within the literature. This in turn will form the basis of much of the analysis of the debate to follow.

## **5. Presentation of secondary data.**

### **Introduction**

5.1: This section of the study presents and analyses an important secondary data source, that of the consultation responses received by Scottish Natural Heritage in response to a proposal for a Cairngorms National Park (SNH 2000b). Scottish Natural Heritage undertook this consultation as the Government's statutory reporter on Natural Heritage. Just over 400 written responses were received in the extended consultation period, and some community meetings facilitated by independent advisors added other aspects. This report shall only consider those written responses, both from individuals and organisations which contained explicit reference to key issues six, seven and eight, since these were deemed to be of most relevance to the planning functions debate. A further section (section 6) deals with the residents' views on this issue later.

5.2: Scottish Natural Heritage's Cairngorms Reporter team has arranged the consultation responses received into categories according to 'stakeholder group', that is, according to whether the respondent is an individual, responding on behalf of a certain organisation (with further categories according to type of organisation), or a government agency. Further coding was allocated according to the location of the respondent, i.e. from areas within the proposed boundary, adjacent to the boundary (some of this area could have been within the boundary should SNH's largest option be designated), or out-with the general area. This means that the response can be analysed in the context of location and stakeholder group.

### **Responses to Key Issue 6: General powers proposed for the National Park Authority**

5.3: While the majority of respondents gave general support for the National Park Authority to have all powers and functions as proposed by Scottish Natural Heritage in Table 2 (presented in full in appendix 3) of their proposal for a Cairngorms national Park, by far the most commonly recurring theme was that the proposed National Park Authority have powers over land management issues. Only 10 respondents disagreed with the extent of the functions presented in Table 2, yet 29 thought that these were adequate. In particular, 45 respondents made references to their wish for functions for the proposed National Park Authority to have power over all land and water management issues, such as hill tracks, forestry, agriculture, and communications masts, and including sporting activities. It seems that it is widely recognised amongst respondents that the biggest issue of the proposed area is in fact that of land management.

5.4: A further aspect gaining much support was for the National Park Authority to have powers over the provision of access to the land. 35 respondents made a

particular reference to the fact that they desired the National Park Authority to have the responsibility for Access under the new Access Legislation in Scotland, a function that would normally rest with the local authorities. Furthermore, some support was given for the National Park Authority to have a degree of enterprise functions, that is, to have some of the functions normally associated with the Local Enterprise Companies for an area. These companies provide assistance to small to medium sized businesses, including funding start-up projects and providing a support infrastructure. Additionally, the socio-economic well-being of the communities was mentioned by 16 respondents who thought that the Authority should have a role in this. Other functions specifically mentioned included the provision of affordable housing and public transport, and the regulation and promotion of tourism. Perhaps one interesting comment is this: *"I would like to see a Park Board that is essentially a Local Authority for the Area"*. (SNH Respondent Code A0020).

5.5: In terms of environmental management, 15 respondents wished for the National Park Authority to prepare the local Biodiversity Action Plan, again a function normally resting with local authorities in Scotland. One respondent suggested that the Sandford Principle be used in all decisions relating to the National Park. (The Sandford Principle is a provision whereby the primary aim of environmental conservation is given weight over all other aspects of National Park management. It was promoted by Lord Sandford in the Review of National Park Policies of 1974). Furthermore, some respondents supported the proposal for the Authority to be able to give grants and other financial incentives in agreement that money be used in accordance with the Park Plan. Such agreements were also supported in the form of land management agreements, and 8 respondents thought that the Authority should have powers of last resort to manage land to the objectives of the Park by order. Finally, it was suggested by two respondents that the National Park Authority should have the power to purchase land in order to conserve, enhance or protect it, or to protect public access rights.

5.6 It is interesting to note the location of each of the 41 respondents who made specific mention of themes relating to key issue six. In relation to the social and economic functions for the Park Authority, the majority of respondents came from within the proposed park boundary. However, a majority from outside the park made calls for the National Park Authority to safeguard access for recreation, perhaps reflecting the nature of the way in which the mountains are used for recreational purposes. In addition, those from outside the area were again in the majority when supporting proposals for the Authority to have powers over land management, in particular where these aspect lie out-with planning control. Residents inside the proposed boundary made a small majority when disagreeing with the range of powers in table 2. Finally, very few people living adjacent to the proposed park boundary made comment relating to any aspect of the proposed powers or functions.

## Responses to Key Issue 7, on which Authority should be the planning authority

5.7: This issue was presented in the proposal document (SNH 2000b) as a case whereby the Local Authority would retain planning functions, but consult the National Park Authority on any applications which may have a significant impact on the Park objectives. If the Local Authority were minded to grant planning permission to an applicant against the wishes of the Park Authority, the proposal would be referred to the relevant Scottish Minister for determination. As the Minister's preferred option, unusually stated in the consultation document before any decisions are made, this has generated the largest amount of controversy and debate out-with the boundary issue. (In fact one respondent who was heavily involved in the Cairngorms Working Party in the early 1990's, Eric Langmuir, is alarmed at the amount of official commitment to this issue before proper consultation). However, 91 respondents supported this arrangement, and interestingly the majority of these respondents came from within the proposed park boundary. They were made up mostly of individual residents, landowners or businesses, community council or local authority respondents.

5.8: One of the main comments made in support of this related to the fact that 17 respondents felt that a National Park Authority as a planning authority would not be as democratically accountable as a fully elected Local Authority. One respondent wrote that *"it would be undemocratic for planning powers to be vested in the proposed Park Authority unless and until it becomes a fully elected body"* (SNH Respondent Code C0142). This issue of democratic accountability was the most pressing and perhaps the most important aspect of this debate, as it relates to what is essentially a critical aspect for any National Park- how to best manage the important land without detracting from the ability of its residents to live and work in the area. Related to this was the feeling expressed by some respondents that the additional bureaucracy of a National Park Authority as planning authority was unwelcome, and that such an arrangement would lead to a negative relationship with local residents. Some respondents suggested that any further power to a Park Authority was neither necessary nor appropriate for the Cairngorms, and importantly, a number of respondents mentioned the fact that many of the land management issues of the Cairngorms were outwith the control of the planning system anyway. The small number of planning applications in the Montane area was mentioned, as was the idea that a concentration on development control would mean that a National Park Authority may be distracted from the real objectives of the National Park, and that they should focus on these land management issues instead through other means. Additionally, some people thought that the alternatives would lead to an unnecessary duplication of effort.

5.9: In supporting the Local Authority retention of planning functions, 18 people cited the fact that there was already an effective working relationship

in place across the Cairngorms, with the Cairngorms Partnership fostering this. 3 respondents suggested that the Local Authorities were more in touch with local issues and knew the electorate in their area. Additionally, some respondents cited the 1998 Joint Planning Survey, which suggested that there was good coherence between planning policies across the Cairngorms Partnership area, and that therefore this could continue under a National Park policy. Furthermore, some respondents such as the Perth and Kinross Council (SNH Respondent Code E0080) suggest that the Cairngorm Mountains divide the proposed area rather than uniting it and that the communities surrounding the plateau look away from each other, towards the larger settlements essentially 'downstream'. It is for this reason that many other respondents also argue that the planning authority should remain to be the Local Authority, who it was felt would respond to each community's needs in a more realistic manner.

5.10: However, the majority of respondents mentioning key issue 7 supported an alternative proposal to the minister's preferred option. 154 respondents supported the idea that the National Park Authority be the planning authority for the area and in a reversal of the previous trend, the vast majority of these people came from either outside the boundary or lived adjacent to it. Additionally, this body of responses were more likely to be made up of professional groups, such as the Royal Town Planning Institute (SNH Respondent Code N103), or other Government Agencies such as the Scottish Environmental Protection Agency (SNH Respondent Code G0199), conservation charities such as the National Trust for Scotland (Code KO165) or environmental and recreational conservation groups such as the Cairngorms Club (Code LO260), or the North East Mountain Trust (KO244). Perhaps most revealingly, professional National Parks organisations such as the Council for National Parks (KO345) supported the proposal for the National Park Authority to be the planning authority.

5.11: One of the major issues to come out of this section of the consultation is that a large number of respondents (39) suggest that a cohesive and coherent approach to planning is needed across the National Park area, and that this can only be achieved through having unitary planning functions vested in the National Park Authority. A further 13 respondents suggested that a focused approach through the planning system was necessary, and for example the Scottish Council for National Parks (SCNP - SNH Respondent Code KO149) suggest that the objectives of the National Park will be *"best delivered by a focused approach arising from a community of interest where the National Park Authority is the planning authority"*. This view is supported by the evidence presented by their Chair, Brian Parnell, in his 1999 report mentioned previously. The other side of this argument is of course that many people argue that the Local Authority retention of planning functions will continue what is claimed to be an inconsistent approach to development planning and ultimately this reduces the ability of the Park Authority to achieve its objectives (SEPA - SNH Respondent Code G0199). 25 respondents stated that they were unhappy

with the Local Authority record on environmental protection, often stating the Highland Council's response to the Cairngorm Mountain Railway development at Coire Cas. It was felt that a National Park Authority would hold the environmental aspect of its objectives more precious, and that therefore further environmentally damaging developments would be prevented.

5.12: Another significant point made was that development control is a vital tool for a National Park Authority in order to meet its objectives. Several respondents disagreed with the statement that a low number of applications received in the Montane zone meant that development control powers were unnecessary, and 33 respondents suggested that a National Park Authority without any direct development control responsibility would lack the teeth necessary to implement a Park Plan, meaning a weak and ineffective Park Authority. (This is of course referring to SNH's original proposal that the National Park Authority would be a statutory consultee for any applications with significant impact on the Park, or as deemed necessary, rather than having the call-in power for direct determination as proposed in the Draft Designation Order). In relation to this, many respondents cite the experience in English and Welsh National Parks where of course development control has now been passed to each National Park Authority after the 1995 Environment Act. Those 22 respondents suggested that this meant that the initial arrangement of having the NPA as a statutory consultee was a failure. For example, the SCNP say that "*experience elsewhere in Britain has demonstrated conclusively that NPAs (operating in a similar framework of local government) have functioned more effectively when they are independent bodies with full planning powers*" (SCNP - Code KO149). Similarly, 23 respondents called for parity for the Cairngorms National Park with the Loch Lomond and the Trossachs National Park, which does have full planning authority function and development control power. Some respondents could not see the need for a different approach to each park in Scotland, as set out in the primary legislation (National Parks [Scotland] Act 2000). A significant number of respondents (20) suggest that such an arrangement will lead to an unworkable bureaucracy between the Local Authority and the National Park Authority, and it is suggested by one respondent that disagreement between the Authorities will lead to a ridiculously large number of referrals to the Minister for determination.

5.13: One important point made here, and it perhaps relates to the fact that most of these respondents are either organisations with an environmental remit or professional bodies at a Scottish or UK level, originating from outwith the proposed park boundary, is that the National Park must operate in the national interest, rather than allow "*short term political agendas of Local Authorities to deflect conservation values*" (SNH Respondent Code AO179). 11 respondents felt that it is necessary for a National Park Authority to take decisions which best reflect the environmental strategy of conservation on behalf of the whole nation, rather than take decisions which are sympathetic to local development pressure, even if those are perceived as damaging to the local economy and

may even be against the will of local residents. 5 respondents suggested that the proposal would lead to the National Park, should it take the national interest seriously, as being locally perceived as being negative if frequently objecting to local development applications. Instead, these respondents suggest that it should have a proactive role in the formulation and control of development and be able to determine for itself and potentially damaging applications. Related to this is the fact that one respondent suggests that World Heritage Status, an explicit aim of the Scottish Executive to achieve for the Cairngorms, would be difficult to achieve without implementation of the International Union for Conservation of Nature and Natural Resources' (IUCN) strict unitary management strategy, which includes the ability to directly implement the management plan (usually interpreted as being through the planning system).

### **Responses to Key Issue 8; Arrangements for the preparation of local plans**

5.14: A much smaller number of people held a strong view on this issue and it is interesting to note that the balance of those responding from inside is equal to those from outside the proposed boundary, yet again the adjacent area is under represented. Of the 25 respondents in favour of the preparation and implementation of a single local plan for the National Park area, 21 suggested that it would give a good coherent approach across the park area to detailed development planning. For example, one respondent suggested that *"a single local plan would be valuable in ensuring a coherent approach to planning across the National Park area"* (SNH Respondent Code BO324). In particular is the fact that it would cross Local Authority boundaries and therefore lead to a more integrated approach, although it is recognised that it would be a very large document and may only be feasible to present it as a framework rather than a detailed plan. It was felt that a Park identity could be established through a Local Plan, and some suggested that the Park Plan, a statutory management framework for the National Park could be a surrogate Local Plan.

5.15: However, of the 21 respondents who argued that there should not be a single Local Plan for the area, it was suggested that a single local plan was unrealistic for the large area that the Cairngorms National Park would cover. In support of the point that communities look in different directions, it was said that communities such as Braemar and Ballater would expect to be in the Aberdeenshire Local Plan since that was the area with which they had most affinity, rather than be included in a plan which covered areas as diverse as Badenoch and Strathspey (AO272). The point was also made that this would be a duplication of effort, since the existing (or nearly adopted) local plans include those areas that are proposed to be included in the National Park, and could therefore be included in two separate Local Plans.

## **Summary**

5.16: From the preceding points, a number of key themes can be drawn out. The first is that many people believe that the biggest issue of the Cairngorms National Park is land management, an area generally outwith the focus of the modern planning system. Of most interest is perhaps the dichotomy between those local residents who wish planning functions to remain with the Local Authorities, and those wider, national bodies outwith the proposed park area such as the conservation charities who believe that the Park Authority should have all the powers of the planning authority vested in it. Importantly, many local residents believe that their democratic right to be included in the planning process for their local area may be eroded under a Park Authority which is a planning authority, despite a feeling from others that the national interest should prevail. Finally, it is clear that while support exists for the creation of a single local plan, there are a number of people concerned about a duplicatory process being created and that the communities of the Cairngorms are essentially distinct in character.

## **6. Statistical Analysis of Questionnaire Data.**

### **Introduction**

6.1: One hundred questionnaires were administered during a door-to-door survey of two settlements of similar characteristics in the proposed National Park area in July 2002. Sixty questionnaires were undertaken in Boat of Garten (Badenoch and Strathspey), and forty questionnaires in Braemar (Aberdeenshire). This reflects the local estimate of 440 and 300 homes respectively (based on 1999 figures, Aberdeenshire Council). It was not possible to proportionally distribute the samples particularly strictly due to the large number of holiday homes, particularly in Boat of Garten. The following is an account of the statistical results gained. A full set of statistical analysis tables is presented as appendix three, since only immediately relevant graphs and tables are presented here.

### **Initial response to the proposed planning arrangements**

6.2: The first question sought to gather information on the population characteristic of the area, distinguishing between those who were permanent residents and those who were holiday visitors. Regular holidaymakers to the area, who either owned the home or came more than once a year were accepted, but first time visitors or those who came only annually were not included in the survey. Interestingly, despite the high numbers of holiday homes in Badenoch and Strathspey, only 5 out of the 60 respondents were holiday visitors, making up 8.33% of the population. In Braemar the figure was slightly lower, with only 2 regular visitors included (5% of the sample of 40). The second question asked immediately if the respondent was satisfied with

the proposed arrangement for the planning functions for the National Park, with a pre-coded answer of yes, no and don't know read out to the interviewee. In Boat of Garten 40 respondents said that they were, making up 66.67% of the sample and a similar 70% in Braemar also agreed. Perhaps most interestingly was that in Braemar 7.5% didn't know, compared to just 5% in Strathspey. (17 [28.33%] respondents in Boat of Garten and 9 [22.5%] said that they disagreed with the general arrangement).

6.3 Cross-tabulation of this result using the SPSS software package revealed that there was a marked difference between those who normally live in the area and holiday visitors to the question of attitudes to the proposed planning arrangements, which was reflected across the two areas. Table 1 below is an SPSS cross-tabulation of satisfaction with the proposed planning arrangements and domicile, split by area. It shows that residents were much more satisfied with the proposals, with around 95% in each community expressing their opinion that this would be adequate. However, holiday visitors were generally less satisfied with the proposed arrangements.

**Table 1**

Are you satisfied that planning is left with Local Authorities \* Are you ordinarily resident in the area \* Area of Survey  
Crosstabulation

Area of Survey				Are you ordinarily resident in the area		Total
				Yes	No, a holiday visitor	
Braemar	Are you satisfied that planning is left with Local Authorities	Yes	Count	27	1	28
			% within Are you satisfied that planning is left with Local Authorities	96.4%	3.6%	100.0%
	No	Count	8	1	9	
		% within Are you satisfied that planning is left with Local Authorities	88.9%	11.1%	100.0%	
Total			Count	35	2	37
			% within Are you satisfied that planning is left with Local Authorities	94.6%	5.4%	100.0%
Boat of Garten	Are you satisfied that planning is left with Local Authorities	Yes	Count	39	1	40
			% within Are you satisfied that planning is left with Local Authorities	97.5%	2.5%	100.0%
	No	Count	14	3	17	
		% within Are you satisfied that planning is left with Local Authorities	82.4%	17.6%	100.0%	
Total			Count	53	4	57
			% within Are you satisfied that planning is left with Local Authorities	93.0%	7.0%	100.0%

### Responses to proposed powers and functions relating to planning in National Parks

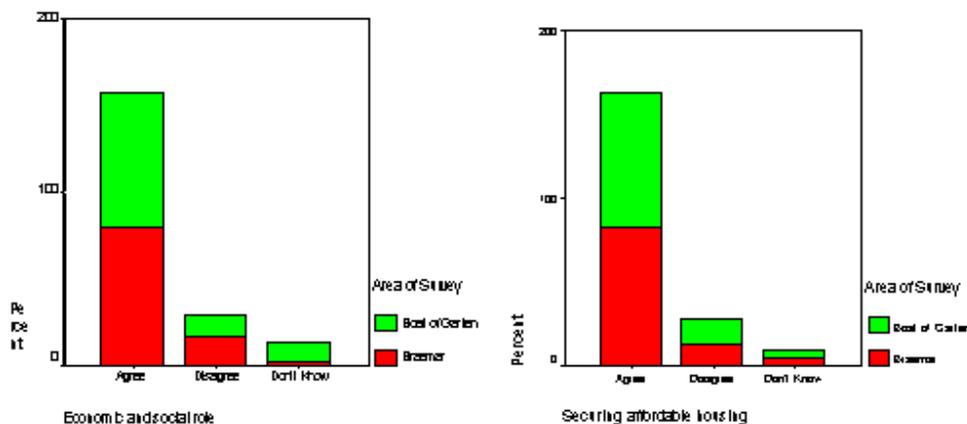
6.4: The next six questions were in the form of statements regarding specific powers and functions of the planning system, which were read out to the

interviewee. They were asked to indicate as to whether they agreed or disagreed with whether or not the National Park should, in their opinion, have these, or to indicate if they didn't know.

6.5: In response to whether or not the NPA should have a role in the economic and social well-being of the area, 76.67% of residents in Boat of Garten thought that they should, with a similar 80% in Braemar agreeing. However, significant difference exists in the proportion of people who disagreed, with a much larger 17.5% [7] respondents in Braemar disagreeing compared to 11.67% [7] in Boat of Garten. The number of people who said that they didn't know was therefore much higher in Boat of Garten. A high proportion (80% in Boat of Garten, 82.5% in Braemar) of respondents also agreed that the National Park Authority should have a role in securing affordable housing in the Park area, for those who lived and worked in the Park. Around 12% of people disagreed with this function in each community. Tables two and three are graphical representations of the differences in opinion in the two areas over these two points. Statistical analysis is presented as tables A1 and A2, in Appendix Three.

Graph 1

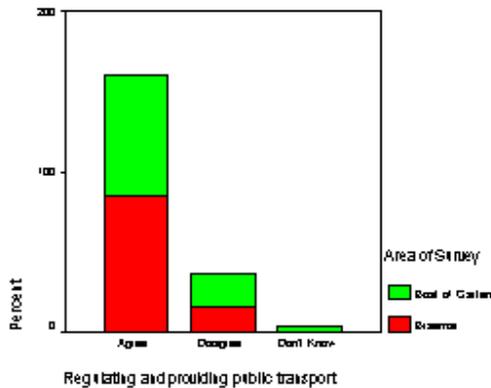
Graph 2



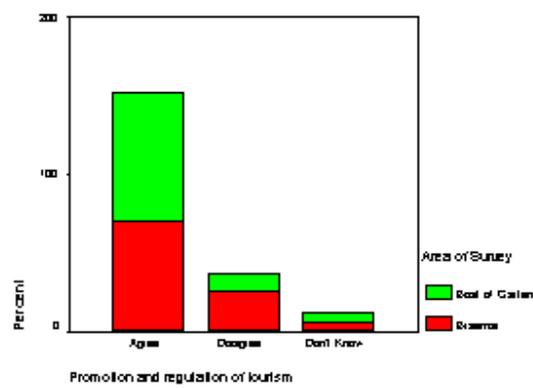
6.6: Respondents were asked about the National Park Authority having a role in the regulation and promotion of public transport in the Park area. Interestingly, only 73.33% [44] of respondents felt that this was necessary in Boat of Garten, but 85% [34] of respondents agreed with this function in Braemar. Perhaps this is a function of being further away from the nearest town of Ballater than Aviemore to Boat of Garten. Nobody in Braemar had no response to this issue, and only 15% felt that this was not necessarily a function that the National Park should have, compared to 21.67% in Boat of Garten. However, when asked to respond to whether or not the National Park Authority should have a role in the promotion and regulation of tourism in the area, it was Boat of Garten residents who mostly responded positively, with 83.33% [50] of people saying yes, compared to just 70% [28] in Braemar. Again only around 6% didn't know in either community, but in Braemar 25% [10] of respondents

argued that the National Park Authority should not have this function, compared to just 10% in Boat of Garten. Graphs three and four below demonstrate these opinions. Once again the full statistical analysis can be seen in tables A3 and A4, in appendix three.

**Graph 3**



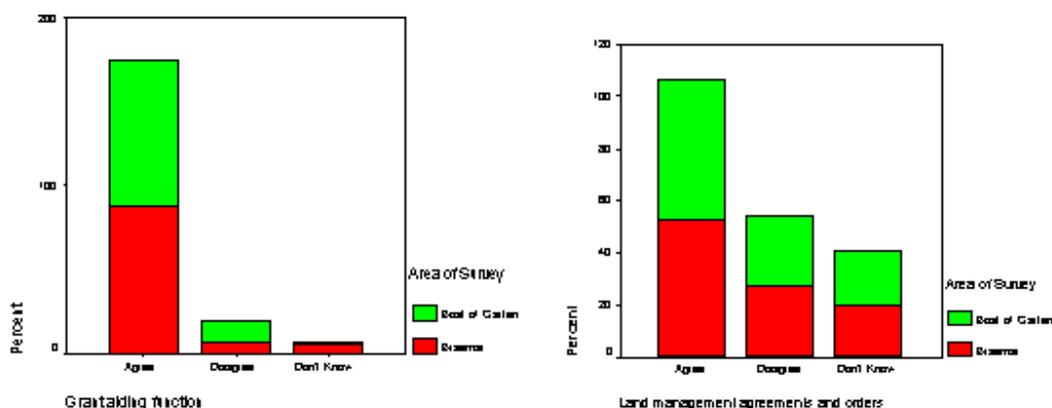
**Graph 4**



6.7: Moving on towards more environmental issues, each interviewee was asked to comment on whether they thought that the National Park Authority should be able to award grants and give other financial support and incentives to landowners and others, to enable the Park's objectives to be met. In each community a significant 86.67% and 87.5% said yes, the numbers being 52 and 35 in Boat of Garten and Braemar respectively. As shown in graph five, the only difference really existed where 11.67% disagreed in Strathspey as opposed to 7.5% on Deeside. This perhaps demonstrates an awareness of the need for grant-aid to achieve environmental benefits, regardless of the protected area status. However, as is visible in graph 6, a much lesser majority agreed that the National Park Authority should be able to enter land management agreements, and have the powers of last resort to either impose land management orders or to compulsorily purchase land. 32 respondents in Boat of Garten, only 53.33%, supported this and 22 respondents in Braemar [55%]. Just over 26% of respondents in each case disagreed, and interestingly 20% of respondents in each community were not decided on this issue. See tables A5 and A6 in appendix three for the full SPSS cross-tabulation.

**Graph 5**

**Graph 6**



**Public perceptions of the proposed planning arrangement**  
 6.8 The interviewees were then asked to respond to a further five statements which had the purpose of eliciting their perceptions of some of the more attitudinal aspects of the planning functions debate. Firstly, a slim majority agreed that planning functions conferred solely onto the National Park Authority would be democratically accountable, of just over 52% in each community. Statistical analysis of this response set generated some interesting points. Table 2 is an SPSS cross-tabulation of the attitudes to democratic accountability compared to area and residence. It shows that for the most part, residents' perceptions of the democratic accountability do not differ across the proposed park area.

**Table 2**

Area of Survey \* NPA will be democratically accountable Crosstabulation

			NPA will be democratically accountable			Total
			Agree	Disagree	Don't Know	
Area of Survey	Braemar	Count	21	13	6	40
		% within Area of Survey	52.5%	32.5%	15.0%	100.0%
	Boat of Garten	Count	32	21	7	60
		% within Area of Survey	53.3%	35.0%	11.7%	100.0%
Total		Count	53	34	13	100
		% within Area of Survey	53.0%	34.0%	13.0%	100.0%

6.9 A further question determined whether or not people assumed that there might be more bureaucracy associated with a National Park Authority as planning authority. The responses were similar for each area, with just under 75% of people agreeing that there might be in each area. The next statement was perhaps a difficult one for the layperson to answer, as it asked people to either agree or disagree with the statement that most of the environmental issues of the proposed Cairngorms National Park area lie outwith the control of the statutory planning system. Not surprisingly in Braemar 32.5% of people did not feel able to provide an answer to this, and only 32.5% of people thought

that they are outwith planning control. 15% of respondents thought that the main issues could be covered by the planning system. However, awareness was much higher in Boat of Garten where 76.67% of respondents, 46 people, agreed that they were in fact outwith planning legislation, and only 13.33% didn't know, with 10% disagreeing. This is significant as it shows the first real variation across the proposed National Park area of awareness and perceptions of these environmental issues. A cross-tabulation of this issue demonstrates this in a statistically significant manner, and is presented as table 3 below.

**Table 3**

Area of Survey \* Environmental issues outwith planning control Crosstabulation

			Environmental issues outwith planning control			Total
			Agree	Disagree	Don't Know	
Area of Survey	Braemar	Count	21	6	13	40
		% within Area of Survey	52.5%	15.0%	32.5%	100.0%
	Boat of Garten	Count	46	7	8	60
		% within Area of Survey	76.7%	11.7%	13.3%	100.0%
Total		Count	66	13	21	100
		% within Area of Survey	66.0%	13.0%	21.0%	100.0%

6.10 The next two questions were phrased together to try and understand the limit of transfer of planning function that people in the two areas would accept to the National Park Authority. The first stated that it isn't necessary for the Cairngorms National Park Authority to have full planning powers, relating in essence to the previous question also. The next statement suggested that some planning functions were necessary to achieve the objectives of the Park. Table 4 below is a cross-tabulation according to area comparing those who agreed with the statement that some planning functions are essential, within the group of those who thought that a full transfer of planning functions was not necessary. It demonstrates that of those who thought that full planning powers are not necessary, 60% of people in Braemar and 63% in Boat of Garten thought that some planning functions were essential. This is significant as it supports the relatively high level of agreement that the National Park Authority should have most of the functions described above.

**Table 4**

Some planning functions necessary \* Not necessary for full planning functions \* Area of Survey Crosstabulation

Area of Survey				Not necessary for full planning functions			Total
				Agree	Disagree	Don't Know	
Braemar	Some planning functions necessary	Agree	Count % within Some planning functions necessary	17 60.7%	7 25.0%	4 14.3%	28 100.0%
		Disagree	Count % within Some planning functions necessary	8 100.0%			8 100.0%
		Don't Know	Count % within Some planning functions necessary	3 75.0%		1 25.0%	4 100.0%
	Total	Count % within Some planning functions necessary	28 70.0%	7 17.5%	5 12.5%	40 100.0%	
Boat of Garte	Some planning functions necessary	Agree	Count % within Some planning functions necessary	28 63.6%	15 34.1%	1 2.3%	44 100.0%
		Disagree	Count % within Some planning functions necessary	9 81.8%	2 18.2%		11 100.0%
		Don't Know	Count % within Some planning functions necessary	2 40.0%	1 20.0%	2 40.0%	5 100.0%
	Total	Count % within Some planning functions necessary	39 65.0%	18 30.0%	3 5.0%	60 100.0%	

6.11 The next three statements of the survey related to the proposed arrangements for the preparation of Local Plans, and were perhaps the most difficult to answer for those people who had the least awareness of the proposals. Firstly, it was suggested that a single local plan for the National Park would give a coherent policy framework across the whole area, and in Strathspey 66.67% [40 respondents] agreed that it would. However, in Braemar only 50% agreed. Interestingly in Braemar the majority (42.5%) of the remaining 50% disagreed, with only 7.5% not answering, compared to an equal split of 16.67% each in Boat of Garten. The almost equal positive and negative feeling towards a single local plan in Braemar is a further illustration of a spatial split between the areas regarding a number of proposals. This has been cross-tabulated with the responses to the question relating to satisfaction with the proposed planning arrangements. Table 5 demonstrates that of those who are satisfied with the proposed planning arrangements, the majority believe that a single local plan will give a coherent policy framework for the whole area, in both communities. Furthermore, of those that disagree with the proposed planning functions the vast majority believe that a single local plan would give coherence to policy.

**Table 5**

Are you satisfied that planning is left with Local Authorities \* Single local plan will give coherence \* Area of Survey  
Crosstabulation

Area of Survey				Single local plan will give coherence			Total
				Agree	Disagree	Don't Know	
Braemar	Are you satisfied that planning is left with Local Authorities	Yes	Count	12	14	2	28
			% within Single local plan will give coherence	66.7%	87.5%	66.7%	75.7%
	No	Count	6	2	1	9	
		% within Single local plan will give coherence	33.3%	12.5%	33.3%	24.3%	
Total			Count	18	16	3	37
			% within Single local plan will give coherence	100.0%	100.0%	100.0%	100.0%
Boat of Garten	Are you satisfied that planning is left with Local Authorities	Yes	Count	23	10	7	40
			% within Single local plan will give coherence	63.9%	90.9%	70.0%	70.2%
	No	Count	13	1	3	17	
		% within Single local plan will give coherence	36.1%	9.1%	30.0%	29.8%	
Total			Count	36	11	10	57
			% within Single local plan will give coherence	100.0%	100.0%	100.0%	100.0%

6.12 Related to the above, the next statement aimed to determine whether or not people thought that a single local plan was realistic, irrespective of which way they had indicated to the previous statement. It suggested that a single local plan was not realistic for the Cairngorms area, and was phrased in the negative reflecting the majority opinion from the consultation carried out by Scottish Natural Heritage. In Boat of Garten, the greatest number actually disagreed, with 48.33% indicating that they thought a single local plan was realistic. This was not the case in Braemar as 65% of people here thought that a single local plan was not realistic. Cross-tabulation with the opinions on coherence reveals that the majority of people in Braemar do not think a single local plan will give coherence or that it is realistic, whereas in Boat of Garten the majority reflects the opposite view. This is the most significant split of opinion across the two communities so far. Table A7 in appendix 3 is the statistical presentation of this cross-tabulated data.

6.13 The final local plan-related statement suggested that the production of such by the National Park Authority would represent a duplication of effort. Here again the communities disagreed, with 48.33% of respondents in Boat of Garten thinking that it was not necessarily duplicatory, while 50% of respondents in Braemar thought that it was. This has also been cross-tabulated with the results from section 7.11, and it demonstrates that the divided opinion is once again reflected between the communities. In this case, most Braemar respondents suggested that they thought that the single local plan would be duplicatory and that they generally disagreed with the idea that it would give a coherent framework. However, Boat of Garten respondents were in the main, satisfied that it would not be duplicatory and is important for

providing a coherent framework. This dichotomy is demonstrated in the cross-tabulation in table 6 (below).

6.15 The final question related to the precedent of the Cairngorms Partnership in leading an approach to convergent planning policy across the Cairngorms area, relating once again to issues brought up in the secondary data. The statement asked if people agreed that the work of the Cairngorms Partnership had been enough to ensure good practice in planning, to try and see if satisfaction with the status quo existed. A very interesting response was generated. In Boat of Garten the majority did not know about their work; 37% gave no answer compared to 32% each either disagreeing or agreeing. In Braemar the situation reflected this more starkly; 45% of respondents didn't know of the partnership approach undertaken by the organisation Only 35% of respondents thought that it had been satisfactory in leading planning decisions.

**Table 6**

Single local plan will be duplicatory \* Single local plan will give coherence \* Area of Survey Crosstabulation

Area of Survey				Single local plan will give coherence			Total
				Agree	Disagree	Don't Know	
Braemar	Single local plan will be duplicatory	Agree	Count	8	11	1	20
			% within Single local plan will be duplicator	40.0%	55.0%	5.0%	100.0%
		Disagree	Count	7	3	1	11
		% within Single local plan will be duplicator	63.6%	27.3%	9.1%	100.0%	
	Don't Know	Count	5	3	1	9	
		% within Single local plan will be duplicator	55.6%	33.3%	11.1%	100.0%	
Total			Count	20	17	3	40
			% within Single local plan will be duplicator	50.0%	42.5%	7.5%	100.0%
Boat of Garten	Single local plan will be duplicatory	Agree	Count	8	8	4	20
			% within Single local plan will be duplicator	40.0%	40.0%	20.0%	100.0%
		Disagree	Count	23	2	3	28
		% within Single local plan will be duplicator	82.1%	7.1%	10.7%	100.0%	
	Don't Know	Count	8	1	3	12	
		% within Single local plan will be duplicator	66.7%	8.3%	25.0%	100.0%	
Total			Count	39	11	10	60
			% within Single local plan will be duplicator	65.0%	18.3%	16.7%	100.0%

### Statistical Association- The Chi-Square Test

6.16 Statistical difference between attitudes to each question can be demonstrated using a non-parametric statistical test. In this instance, it is desirable that the deviation from an assumed null hypothesis is tested. A chi-square test gives the best opportunity for demonstrating such statistical difference, as it gives the measure of the existence of statistical association. In

this case, the null hypothesis (Ho) assumes an equal distribution of answers across two positive or negative variables: that is, that each 'agree' or 'disagree' answer should represent 40% of the total responses. Non-respondent, or 'don't know' answers would therefore represent the remaining 10% of responses. It is not necessary to delimit between areas in this test: the desired result aims to determine statistical difference across the whole area. Statistical difference is therefore shown by the deviation from the expected number.

6.17 The chi-squared test was run on each attitudinal response as discussed above. The results of each are charted independently on an SPSS chi-squared output table and those not presented here are situated in appendix 3. For the majority of the responses it is the case that more people than expected agreed with the functions or statements proposed. This is particularly the case where people were asked to agree or disagree with functions that have been proposed for the National Park Authority, since generally around 30 to 35 people more than assumed agreed with each specific function. Table 7 demonstrates an example of this; where 36 people more than the expected number supported the National Park Authority having a role in securing affordable housing in the Park area, through the planning system.

**Table 7**

**Securing affordable housing**

	Observed N	Expected N	Residual
Agree	81	45.0	36.0
Disagree	14	45.0	-31.0
Don't Know	5	10.0	-5.0
Total	100		

6.18 It is also the case that for the majority of data on people's perceptions of the National Park planning arrangements, there is a positive statistical difference between the expected number of people agreeing with the given statements and those actually observed. However, for some significant points it is the case that fewer people than expected agreed. For example, five fewer people than the null hypothesis assumed suggested that the preparation of a single local plan by the National Park Authority would be duplicatory (Table 8).

**Table 8**

**Single local plan will be duplicatory**

	Observed N	Expected N	Residual
Agree	40	45.0	-5.0
Disagree	39	45.0	-6.0
Don't Know	21	10.0	11.0
Total	100		

**Qualitative analysis of further comments made during interview**

6.19 During the survey any significant comments made by the interviewee were noted down, and at the end of the interview the respondent was given the opportunity to add any further relevant comment. A few of these are recorded here. One respondent felt that a National Park should only have a conservation remit. Therefore, the boundary should exclude centres of population, avoiding the need for an economic and social role, and could concentrate on the conservation of the montane core. Of particular feeling in Boat of Garten was that affordable housing would need to be safeguarded from holiday home-buyers and speculators. A significant number of respondents stated that these would need to be for local people, who had jobs and maintained the economic vitality of the area.

6.20 In terms of land management, one respondent suggested that the Authority should only have the power to enter land management agreement and powers of last resort if the Park plan was a proper conservation plan. Otherwise it would not be worthwhile. A further respondent suggested that if these agreements were put into place then there would not be the need for further planning functions for the Authority. Additional bureaucracy was often seen as inevitable, but one respondent suggested that this might be an acceptable price to pay if it prevented the further degradation of the area. One or two people were very much of the opinion that the National Park would not be democratically accountable. One respondent felt very negative about this, stating that the Park was "*a load of political nonsense*", and suggested that the Park Authority would be absolutely undemocratic. In fact they felt that the views of the local residents would be totally ignored by a National Park Authority.

6.21 Relating to the last section of the questionnaire, many people thought that the proposed area was too wide for the development of a single local plan. In Braemar, one respondent suggested that Aberdeenshire Council was serving the area well, and that there was therefore no need to introduce changed arrangements. Finally, there appeared to be a very significant lack of awareness of the Cairngorms Partnership and it was often commented by the respondents that they were completely unaware of any work that they had done.

## 7. Presentation of interview data.

### **Introduction**

7.1 This section of the study used a semi-structured interview technique to elicit the views of planning professionals in the areas directly affected by the proposed National Park area (as proposed in the Draft Designation Order). These people were, Mr Allan Garvie of Aberdeenshire Council, Mr Gary Templeton of Moray Council, Mr Andrew Brown of Highland Council and Mr Stuart Fulton of the Cairngorms Partnership. Most of the information gained was through semi-structured interview and informal discussion based on the five key areas of debate as elicited from the secondary data analysis (see section 3 on methodology). Confidentiality was requested in certain cases and therefore the origin of some direct quotes will not be revealed.

### **Satisfaction with the proposed planning arrangement**

7.2 The first issue discussed related to whether or not each organisation interviewed was happy with the proposed arrangement of planning functions, as laid out in both Scottish Natural Heritage's Report on the Proposal for a Cairngorms National Park (SNH 2001a), and in the Draft Designation Order (DDO) (Scottish Executive 2002). The overwhelming response was that the Local Authorities are distinctly unhappy with what has been proposed, in particular with respect to the DDO. As a result, the discussion tended to focus on these proposals. Each Local Authority planner suggested in one way or another that the DDO was a complicated and almost unworkable proposal that was in some way a backward step from the arrangements as proposed by SNH. One professional stated that *"it's a big muddle"*, while another felt that *"this [the DDO] is just a total fudge at the moment, it's neither one thing nor the other"*.

7.3 One particular aspect to arise in through the first key issue was that legalistic provisions, which require to be established in statute and should be of certainty, are inappropriately dealt with in the Draft Designation Order with language which makes legal determination of responsibility difficult. In essence, the reference to the word 'sharing' seemed to be one area which the planners disagreed with the most. Furthermore, the lack of detail in the draft order was a cause for concern, with one comment being made that there are many nuances of the development planning system which are not addressed by the draft legislation.

7.4 This led to the suggestion from each professional planner of a statutory protocol being set up to regulate responsibility over the call-in powers of the National Park Authority. The example was made of a protocol which exists between the Local Authorities and the Scottish Environmental Protection Agency (SEPA). In particular, each individual mentioned a desire for the planning functions to be delayed until at least a year of Park operation, and that the Park beginning should be delayed until July 2003. It was suggested

that this interim period would allow for the arrangements for what type of application would be called in could be better thought through, a protocol established in statute, and to have a more focused approach in the light of the proposed planning legislation to come into force in 2004. It would also allow the National Park Authority to get staff in place, and avoid a situation where Park Board could potentially alter radically as a result of local government elections one month after park operation. In this interim period, it was felt that the planning arrangements should reflect that status quo, and would perhaps operate in a manner more akin to the proposals made by SNH (2001a), where the National Park Authority would be a statutory consultee on certain types of development applications with direct effects on the Park objectives. The Local Authority, in return, would retain the development control function and development planning. Further reference was made to this point during discussion on the structure planning arrangements.

7.5 Also mentioned was the fact that there are actually very few development control applications submitted to the Local Authorities which are located in the montane zone. Each of the four professionals interviewed suggested that the number was negligible, and that the majority of these applications were of a minor nature. It was suggested that the Park Authority's time and, importantly, resources would be better spent on dealing more directly with the major objectives of the park, which were felt to focus on land management issues. It was suggested, in support of the Scottish Executive's position, that the major development pressures which characterise the Loch Lomond and the Trossachs National Park area are not present in the Cairngorms.

### **The suitability of the arrangements for managing the Cairngorms**

7.6 In relation to the above, the idea that the proposed arrangement for planning functions was suitable or not for tackling the land management issues of the Cairngorms was discussed in detail, and this point generated some interesting views. Firstly, and perhaps most importantly, is that each planner is adamant that the majority of land management issues are beyond the ambit of planning control. In particular, one individual stressed that *"the majority of this is so fine grained, that other devices with a land management focus (such as path creation orders or land management agreements, will be the way forward, rather than the crude technical approach of the planning system"*. It was also suggested that *"it's like taking a sledgehammer to crack a nut"*. Furthermore, it was felt by more than one interviewee that the planning system was perceived by those advocating full transfer of planning functions as being much more detailed than it actually is, and that as a result it was regarded out of proportion with the other land management tools available to a National Park Authority through the primary legislation. In particular, a corporate management plan in the form of the Park Plan, following directly the example of the Cairngorm Partnership's work plan was felt to be much more appropriate for tackling such issues.

## **Economic and social functions**

7.7 In terms of producing the park plan, each of the professionals interviewed suggested that the inclusion of the remit of economic and social well-being was a welcome one. However, the fact that this provision is once again not covered by a precise definition in statute could, in the view of one planner, become a problem. However, with a view to taking forward a partnership approach, it was suggested that the National Park Authority could help to combat a little of the peripherality issues which the area was suggested to suffer from. In particular, it was mentioned that a good opportunity arose through this remit for the National Park Authority to ensure a high quality of life for the occupants of the communities, and to ensure that tourist services were of a high standard. This, it was argued, would perform the functions of a support zone around the protected mountain core, and if the boundary would allow, it was suggested that this could form part of an IUCN Category 5 zone.

7.9 The issue of zoning was addressed by other individuals, who mentioned that they had tried to get such a mechanism for enabling a legalised zoning approach through the primary legislation, to no avail. One area which this sought to address on behalf of one council was to combat what was perceived to be an unwelcome inclusion of the Sandford Principle in the primary legislation. It was argued that zoning could be applied to areas where conservation could be followed most strictly, with other areas where the overt economic development needs of communities might take precedence in a support zone. In fact, it was demonstrated to me by Mr Fulton that in fact a rudimentary zoning system was already in place. He suggested that the high mountain core, with its complicated set of national and European designations could be managed as one zone, and the lower hills around this of managed upland moorland and some forestry operation was perhaps another, with a final communities zone on the boundary. Presented below (figure 1) is a map of this area, showing how the rudimentary zoning system could work. Outlined in the coloured shading are areas of Sites of Special Scientific Interest (SSSI), National Nature Reserve, Natura 2000 European Union designations and other designated landscapes (see key). The white areas surrounding these areas are the areas of managed upland moorland, and finally each community is detailed. Therefore, a suggested zoning for the implementation of planning could be based on this rudimentary zoning system.

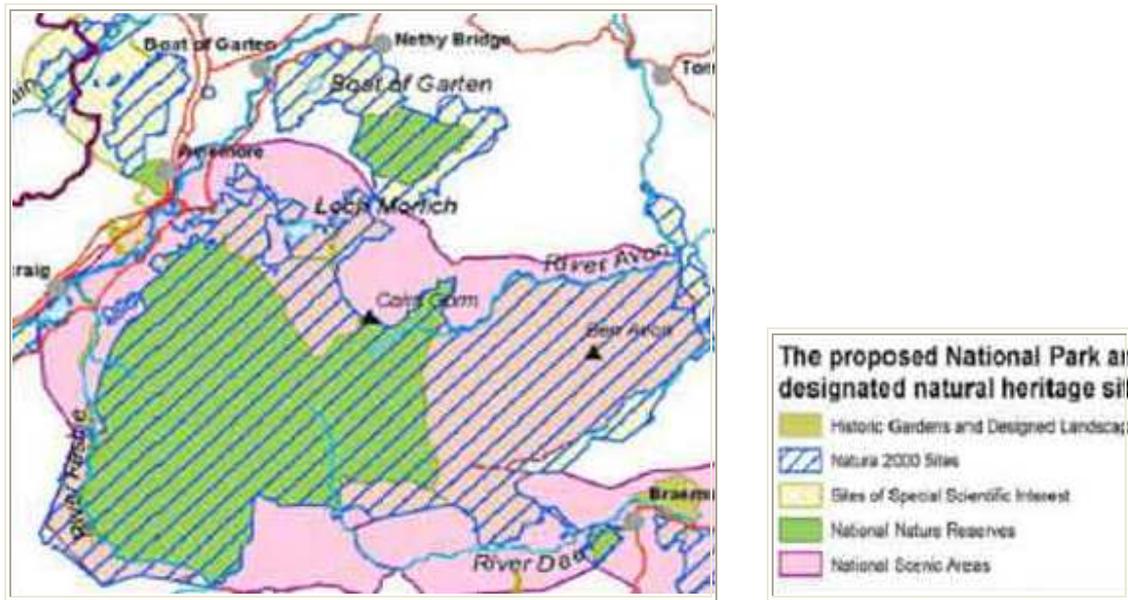


Figure 1: Map showing rudimentary zoning by landscape protection units. (Source: Scottish Natural Heritage 2000b)

### Development planning arrangements

7.10 Related to this issue of the park plan are the arrangements for the sharing of responsibility for the preparation of development plans. Each of the Local Authority representatives suggested that the preparation of a single local plan was not a sensible use of resources, and that the proposal was in fact going to lead to a lot of duplication. Most felt that a National Park population of around 20,000 people was not enough to justify a single local plan, which would normally cover over ten times that population. Furthermore the comment that there was no community of interest throughout the proposed park area, with each community being suggested to look outwards from the Cairngorms towards the nearest large centre suggested that the inclusion of these in a single local plan would be difficult. Additionally, it was suggested that the way the Draft Designation Order had been written it may mean that Local Authorities have to prepare up to three local plans for their areas. In addition to adding workload for planners, this was felt to add bureaucracy and once again not be an efficient use of resources. In terms of development control, the call-in provision was disliked by each member not only due to the possibility of every application being called in, but for the lack of a possible appeal, the possible democratic implications of this, and the lack of a protocol to establish proper grounds. In essence, this proposal was also suggested to be "bureaucracy gone mad"!

7.11 Secondly, and perhaps most importantly, is the debate over the nature of the relationship between the Structure Plans and the Park Plan. The councils felt that the structure plans should be the lead document, and that the local plans should be driven by this. With respect to the 2004 planning legislation this meant it would, in one individual's view, be *"extremely difficult to apportion out the relation between the National Park [plan] and the rural area local plan"*. The council staff therefore did not believe that the park plan should become a surrogate structure plan. Instead they felt that the status quo regarding structure planning should continue.

7.12 In addition, the Cairngorms Partnership are concerned over the establishment of seniority between the Park plan and the structure plans in the proposed arrangement. They believe that legal provisions must be made to establish where the policy cascade is driven from, and whether or not the existing structure plans are immediately out of date or not, upon adoption of the Park plan. Perhaps the most important point here is that a corporate park management plan, as proposed by the Cairngorms Partnership (though never in a public document) would be so large as to entail every management issue of the area, and would have a relatively small impact on planning.

### **Democratic accountability**

7.13 One other significant point which was discussed with each planner was the issues of democratic accountability arising from the proposed planning arrangements. Opinion did vary on this issue somewhat, depending on the nature of the area of the Council which has been proposed as part of the National Park. Each individual agreed that there would inevitably be an added layer of bureaucracy, with this possibly becoming unworkable should the arrangements be as proposed in the DDO for certain things. However perhaps the most salient point regarded a possible probity issue arising for Badenoch and Strathspey, which is a *"potentially grey area regarding disenfranchisement"*. It was suggested that for this area, five councillors from the Highland Council could be nominated to sit on the Park board as per the provisions both in the primary legislation and the draft designation order. However, since there are only five councillors for Badenoch and Strathspey it was felt that should they be determining a planning application which is then called in by the Park, these same members could ultimately be determining it under a different title. Of course, this situation may not arise, but each staff member interviewed used this as a demonstration of how much more thought needs to be put into the designation order regarding the 'sharing' of planning functions.

7.14 Each staff member also suggested that to have any planning application determined by a body which is not fully elected may mean that people feel that they are disenfranchised to some extent. Despite a provision that a planning committee of a National Park is not quorate unless the elected

members are in the majority, it was demonstrated that still some people have a legitimate fear that this will lead to some decisions being taken without the local interest being represented effectively. This once again relates to the need to decide whether prioritisation lies with the local or the national interest.

### **Summary**

7.15 It seems that none of the professional planners interviewed are particularly happy with the proposed arrangement of planning functions. In particular, the lack of statutory provision of a protocol and delineation of responsibility appears to be a significant issue, as is the issue of bureaucracy and democratic accountability, although each stressed that should the Local Authorities retain planning functions then there would be no problems of democracy. However, of most significance is the concern amongst planning professionals that there is no clear provision in the draft designation order regarding the arrangement for development plans and their relation to the park plan.

## **8. Presentation of results gathered by electronic mail interviews.**

### **Introduction**

8.1 The following section is a synthesis of the responses to the five key themes discussed in the questionnaire. Respondents to this included conservation or environmental non-governmental organisations, other National Park Authority planners, National Park campaign groups, and Local Authorities. In some cases anonymity was requested, and therefore direct quotes once again will not be acknowledged. (See section 3 on the methodology of formulating and distributing the email questionnaire).

### **Satisfaction with the proposed planning arrangements**

8.2 Most interviewees generally responded in the negative to this. The majorities of respondents is environmental campaigners and are therefore strongly advocating the full transfer of planning functions to the proposed Cairngorms National Park Authority, yet other Local Authority staff and planning professionals from other National Parks also suggested that there may be operating problems with such a complicated, ill-thought out proposal. The Cairngorms Campaign and the Mountaineering Council of Scotland are joined by the others in recommending that all National Parks in the UK are their own planning authorities, campaigning for parity with the Loch Lomond and the Trossachs National Park.

8.3 In particular concern was expressed over the National Park Authority becoming a duplicatory, shadow planning authority which is bogged down in called-in casework, and is perceived by the public as a negative, delaying factor which only serves to call-in proposals to then deny them. It was also

suggested that this would seriously hinder the possibility of the National Park Authority succeeding in taking a lead role in partnership working and consensus building. The Cairngorms Campaign and the Scottish Council for National Parks feel that the proposals leave ground for disputes between the Local Authorities and the National Park Authority, which due to the lack of a right of appeal will be difficult for Scottish Ministers to resolve. Furthermore, it was suggested in support of Parnell (1999) and against the views of Brindley (1998) that each of the three structure plans are in fact very different in content and priorities.

#### **The proposed planning arrangement's role in environmental management**

8.4 Once again, the majority of responses were in the negative. Those representing the opinion that the arrangement would not be suitable for tackling these most important issues suggested that although some of the conservation issues of the high mountains would not be dealt with by the much coarser-grained planning system, it was in fact the developments of smaller areas that were the problem. A repeated issue was that of housing development in important woodland, particularly in Badenoch and Strathspey. Here respondents suggested that they disagreed with the Executive's opinion that development pressure is not an issue in the Cairngorms area, and instead stressed that this was the immediate conservation issue.

8.5 A further important response was that many interviewees felt that the proposed National Park needs an integrated approach which through the proposed arrangement could not be administered. The IUCN stated that "*a strong stand alone planning authority is essential*", and the Scottish Council for National Parks (SCNP) feel that "*the planning function is the cutting edge of an NPA's responsibilities*". The National Trust for Scotland believe that a National Park, acting in the national conservation interest, is therefore in the best position to administer a fully integrated management strategy, and that the only way to do this is through having full control over all the various aspects of the planning system. One respondent suggested that it might in fact be inevitable that conflicts of interests arise through the proposed arrangements. Additionally, there appears to be a lot of suspicion relating to this issue that ties in with the boundary disputes in one view "restricted" to the south which prevents the National Park Authority being in "complete" control. Perhaps the only disagreement lies in one statement which suggests that the major conservation and land management issues lie outwith the remit of the statutory planning system. It is suggested by one planning professional that the National Park plan would therefore be a critically important management tool. Therefore this respondent suggests that where the planning functions lie is not, to this debate, critical.

#### **Economic and social functions**

8.6 Somewhat surprisingly this elicited the lowest response, although this could be a function of the fact that the majority of those targeted were primarily

environmental groups. Of most importance is the support found amongst respondents of the application of the Park Authority to the promotion of the sustainability of the communities within the proposed park area. Most respondents realised that it is important to have a holistic approach. However, caution was raised here in case the balance goes too far towards this role, to the detriment of the environmental conservation remit of the Park Authority. Therefore, it is suggested by one professional that the application of the Sandford Principle to all decisions is welcome. The National Park Authority is believed to need a positive contribution to the economic and social well-being of the area, by producing soundly based plans and having the necessary powers to implement them. The SCNP feels that the Government's proposals in the DDO are not best suited to give the NPA this function. The North East Mountain Trust states that *"if the NPA had full planning functions it could be far more effective in ensuring the long term sustainability of the communities, by making proper use of the zoning principle and preventing the expanding tourist industry destroying what it came to enjoy"*.

8.7 One other point raised regarded the possible exclusion of communities by virtue of being outside the Park. This is of particular importance with the proposed smaller boundary often cutting communities in two, for example the Strathspey town of Cromdale. Therefore it was suggested by Mr McPherson (International Year of the Mountains) that the National Park Authority should strive to care for the environment in a manner that is not at odds with the economic and social well-being of the communities which surrounds it. Perhaps this is a call for the Sandford principle to be applied less rigorously in the community zones, with the weighting of decision making tipped towards the economic and social well-being of the communities. Furthermore, a number of those interviewed suggested that the Park must not be the only agency responsible for these aspects, and that the other economic development agencies such as Highlands and Islands Enterprise must take a role in a partnership approach to it.

### **Democratic accountability**

8.8 The overwhelming response from both sides of this debate was that National Park Authorities are just as democratically accountable as Local Authorities. Since elected members (directly elected or Local Authority nominees) make up the majority of the National Park Authority board, most of the environmental conservation groups suggested that this was satisfactorily accountable. In fact, the National Trust for Scotland is of the opinion that this arrangement will be better for local democracy, since they suggest that the Local Authority nominees from each area will be more aware of local opinion and be better qualified to make decisions than the existing Local Authority structure, which covers a much wider geographical area.

8.9 Furthermore, the opportunity for public consultation on strategic plans was often mentioned as being important. The SCNP suggest that any member of the public will have the same right of consultation on strategic plans as they will if the Local Authority was the planning authority, and that the same rights of appeal against decisions exist. Therefore, they do not feel that there is any reason to suggest that a NPA as a planning authority is any less accountable as the Local Authorities. It was suggested that *"it is fair to say that giving the NPA full planning powers could serve to undermine the sovereignty of local authorities"*.

### **On the arrangements for strategic and local development plans**

8.10 The first point is that each respondent from an environmental organisation strongly supports the alternative view that if anything, it should be the structure plans which are created by the National Park, since it is these documents which drive policy through the local plan framework. Andrew McPherson commented *"this appears confused- it would seem to make more sense for the body leading on preparation of the local plan should also lead on strategic planning"*. It was felt by some that this further weakens the role of the National Park Authority. The North East Mountain Trust considers it imperative that the NPA should prepare the strategic plan for the park, with delegation to the Local Authorities for the Local Plan.

8.11 The Mountaineering Council of Scotland suggest that this strategic approach is vital, as *"there needs to be a strength somewhere that takes conservation seriously"*. They suggest that the Sandford principle needs not only to be applied in day to day decision making, but in the creation of the structure plans. The only way to do that, they suggest, is to have the National Park Authority set the structure plan for the area. Furthermore, Robert Maund (SCNP) suggested that the Park requires an integrated approach which is now lacking, suggesting that *"the idea that the structure plans could be updated in a similar time scale to reflect the Park's remit is unrealistic and ignores the Review of Strategic Planning currently being carried out by the Government"* He states that the existing Structure Plans were written in advance, and ignore the needs, of the National Park. This is, in his view unsatisfactory since the Park-wide Local Plans would be required to conform to these documents. One further view came from a National Park professional who suggested that the structure plans provide a vehicle for cross boundary thinking, and that for that reason they could be prepared by the Local Authorities. For example, it was suggested that some matters of structure plans require to be cross boundary, such as transport, and that therefore the need for the NPA to think outward from the boundary was high. However, the Park Authority would have to have a very high degree of input into the creation of the structure plans.

### **Summary**

8.12 Therefore, it appears to be that of those interviewed in this manner, a

large majority seem to support the full transfer of planning functions to the National Park Authority for reasons of environmental conservation and consistency of policy. Issues of democratic accountability, raised by the public consultation, do not appear to be such an issue to this group of people who share a national interest. Furthermore, coherent management through preparation of strategic plans appears to be a larger issue than is apparent through the public consultation.

## **9. Presentation of focus group.**

### **Introduction**

9.1 The purpose of the focus group was to elicit the views of member organisations of Scottish Environment Link (an umbrella body for all the conservation groups in Scotland) on the proposed planning functions debate for the Cairngorms National Park. It was felt that a focus group was the most appropriate method of gathering this data since it is often very difficult to co-ordinate a large group of mostly volunteers, who are dispersed across Scotland and even from abroad. See appendix 5 for a summarised transcript of the focus group and an attendance list. More on the methodological considerations of focus groups is contained in section three of this study.

### **The Discussion**

9.2 Every member of the focus group was asked to state their own individual or organisation's view on the Draft Designation order to stimulate initial discussion. What as interesting was that almost immediately two key themes became apparent; the first related to the boundary issue, and the second reflected the planning function debate.

### **Satisfaction with the proposed planning arrangement**

9.3 Significantly, the conservation organisations clearly support the full transfer of planning functions to the proposed National Park Authority. They believe that the new smaller proposal eliminated any possibility for zoning along the IUCN models as described earlier in this study, for planning purposes and for general management. It was suggested that the Draft Designation Order had failed to learn from the experience in England and Wales where full planning functions were transferred to each National Park Authority.

### **The proposed planning arrangement's role in environmental management**

9.4 In terms of development control, one professional planner who represented the Scottish Council for National Parks suggested that it is the worst possible solution for the communities as well as for the conservationist agenda. He demonstrated that the public in general were likely to become confused as to who would be determining each planning application. In particular he disagreed

with the Executive's view that there is little pressure for development in the area, suggesting that holiday home pressure was in fact already significant and increasing.

### **Development planning**

9.5 It was clear that the representatives thought that the proposal for the National Park Authority to prepare a local plan was in fact a good one, although they felt that it was weak without a responsibility for structure planning which they feel drives the local plans. Without the responsibility for strategic planning it was felt by some that the National Park Authority would not be able to get its objectives properly placed in the Local Authority's structure plans. The representatives thought that the National Park Authority would essentially become a shadow planning authority. This was disliked by both sides of the argument due to the duplicatory nature of the operation, and the waste of resources that this is perceived to be. It was felt that this shared arrangement would be unworkable and would create tension between the Local Authorities and the Park Authority, although one participant suggested that it would be made to work due to the high degree of political pressure for it to do so. In particular, it was suggested that the Local Plan would be driven by the Park plan but this was disagreed with by others, who felt that a local plan driven by Local Authority structure plans would render it useless.

### **Summary**

9.6 It was agreed by the group that the National Park in the Cairngorms should have parity with the Loch Lomond and the Trossachs National Park in terms of having full planning functions. Yet it became evident during the course of the discussion that many of the arguments being used to press for this were in fact the same as those being used by the Local Authorities to achieve a different end. For example, the issue of local community inclusion was raised this time to support a clear demarcation of planning functions with the Park Authority. However, perhaps the biggest difference in argument was that the conservationist groups tended to believe that the Park Plan would be able to implement its objectives for land management through the planning system, by means of a policy cascade through the local plans.

## **10. Comparison of the proposals with Snowdonia National Park.**

### **Introduction**

10.1 It is important to consider the issues of the proposed planning functions for the Cairngorms National Park within the context of another similar National Park in the United Kingdom. The Parc Cenedlaethol Eryri, or Snowdonia National Park gives what is possibly the most relevant and comparable analogue for the Cairngorms area, as a function of its remoteness from major centres of population, mountainous terrain, local demography, devolved management by the Welsh Assembly and the fact that it comprises an area of more than one

Local Authority. The following information was gathered from a desktop study of the Eryri Local Plan (1999), and telephone discussions with Mr Peter Ogden, Director of Planning and Environmental Policy, Parc Cenedlaethol Eryri.



**Photograph 1: Snowdon and Llyn Glaslyn (G. Neville)**

### **Planning Functions in Snowdonia National Park**

10.2 Since 1996, Snowdonia National Park Authority has been an independent Local Authority, as established under the Environment Act 1995. As such, it has full planning functions and is the unitary planning authority for the Snowdonia area. Although a Local Plan was adopted in 1999, in 2001 the Welsh Assembly made the Welsh National Parks responsible for preparing a single Unitary Development Plan for the area. This is unlike the English National Parks which are responsible only for the Local Plans for their area, with the relevant Local Authorities retaining the responsibility for the production of Structure Plans. Within Snowdonia, this arrangement gives the National Park Authority total control over strategic and local development planning, and the power to exercise development control. Mr Ogden felt that this was much easier than the previous joint working arrangements, especially since this involved two separate Local Authorities (the Brecon Beacons National Park combines the area of no fewer than seven individual Local Authorities). Through the previous joint working arrangement, it was felt that it was difficult to achieve a consistent National Park-wide strategy.

### **Managing the Park- the Park Plan and Unitary Development Plan**

10.3 As a result of the new provisions for the preparation of Unitary Development Plans, there are a number of issues arising which will have direct relevance to the Cairngorms. The first is that there is a difficulty where the relevant Local Authority does not accept that the National Park Authority is the

competent authority to deal with area-wide service provision, in terms of services such as transport infrastructure etc which must be applied throughout the whole Local Authority Area. This has led to tension over areas where policy differs, and a lot of struggle to achieve a reasonable understanding of the needs and objectives of each Authority. In particular, the remit of economic and social well-being became a "*significant problem*", where Local Authority attitudes to the separate remit created difficulties with joint working.

10.4 In terms of managing land, and other aspects of the National Park Authority's remit, there are a number of similarities with the proposed Cairngorms National Park. First is the point that many of the softer aspects of managing tourism and recreation are outwith the hard infrastructure which is dealt with by development planning. Proposals and strategy for land, recreation and tourism management are included in the Unitary Development Plan, which represents a departure from the traditional rigid approach to the previous statutory Structure Plans. However, this is seen by Mr Ogden as a grey area where the boundary of planning and management strategies has become indistinct. In particular is the debate as to whether or not the National Park Authority should be taking a role in the promotion and regulation of tourism, a feature which is likely to attract much interest in the proposed Cairngorms National Park also. Strategic management policy, once the domain of the Park Plan, has been included in the Unitary Development Plan. In particular this follows the IUCN Charter for Sustainable Tourism in Protected Landscapes, to which several English National Parks have already signed up, and Snowdonia NPA is to soon follow. Mr Ogden sees that the role of planning in this should be one of strategic delivery.

10.5 One of the most important land management tools available to any Authority is that of financial incentive, and this is the case for Snowdonia National Park. Throughout Wales the Tir Gofal Agri-environment scheme allows for the management of land under environmental stewardship schemes, under which farms with natural heritage assets are awarded grants. The Snowdonia National Park Authority has the power through the planning function to top-up these grants, giving a significantly greater value to the scheme and further enhancing the area's natural environment. This is directly comparable to the Cairngorms where private estates could benefit from some Park-wide agri-environment scheme administered to counter the effects of poor land management.

### **The economic and social role of National Parks**

10.6 The third duty of the English and Welsh National Parks is of course to have a role in ensuring the economic and social well-being of the communities within them. This, in terms of planning, is a difficult responsibility to define, and where the National Park Authority has a boundary with the Local Authority in terms of administering this function is difficult to establish. It is, in Mr

Ogden's view, "*all a little bit messy*". However, it is an important function and one which can be delivered through the planning system.

10.7 An important aspect of this is to ensure good liaison and joint working arrangements with the relevant Local Authorities. One of the ways to ensure this is to reach 'Heads of Agreement' with relevant public and voluntary bodies and agencies, to determine each other's important objectives and requirements, set out protocols for operation, and to ensure that early communication is followed to best deliver new projects. Within Wales one way in which this is being delivered is through the Environment Development Fund (EDF), whereby the Welsh Assembly has given the three National Parks in Wales £250,000 for three years to promote community based environment programs. Following on from the Local Agenda 21 principle (which, for various reasons, did not have much success in North Wales); the EDF project seeks to promote and improve contact between the National Park Authority and the communities within them. In Snowdonia, the project is heavily over-subscribed in terms of the number of projects seeking funding. It is led by the National Park Authority, with a partnership of one third public bodies, one third from the voluntary sector, and one third business interests. It is, in Mr Ogden's view, a better fit of the LA21 idea to UK National Parks.

10.8 Relating to this, each Welsh Local Authority is to be required to produce a community strategy by 2004, which is an umbrella strategy document for the provision of all Local Authority service provision. This must be prepared with the co-operation and in conjunction with the communities of the area. While this is a forward looking project, it will mean that the National Park Authority will be responsible for preparing this strategy for its area while the Local Authority will also have to produce one for the rest of the area. It follows many of the criteria for producing the Park Plan and has a similar aim of community well-being, and so therefore has a relationship with this management document. However, there is some confusion remaining over the legal hierarchy of the Park Plan and the Community Strategy.

### **Democracy**

10.9 Two thirds of the Snowdonia National Park Authority (12 members) are elected members of the Local Authorities which make up the area of the Park, and the rest (6 members) are nominated by the Welsh Assembly. However, none of the members of the Authority are directly elected by those living in the National Park. However, this situation is geared to reflect the political balance of each constituent Local Authority. The majority therefore are democratically accountable to the communities of the Park. The fact that these people all sit on the planning committee has not proved to be contentious in terms of local democracy, and there is no recorded feeling that local people feel disenfranchised by the National Park being the planning authority for the area.

## **Summary**

10.10 It is therefore possible to draw a number of comparisons between the planning functions in Snowdonia National Park and those proposed for the Cairngorms. Firstly it is evident that there are clear benefits associated with the Park Authority being the planning authority for the area, particularly in the area of preparing a unitary development plan. Although a partnership approach has merits, it is obvious that for environmental protection at the national level, there needs to be a strong leadership role performed by the Park Authority. Furthermore, the agri-environmental top-up scheme could easily be applied to the Cairngorms area. Finally, it is true that while the issues of democracy are important now in the Cairngorms, perhaps it is worth deliberating over this in the context of the experience from Snowdonia, where there is little evidence of people feeling disenfranchised.

## **11. Discussion and Recommendations.**

### **Introduction**

11.1 The results of both the qualitative and quantitative analysis are discussed here within the context of the proposed planning arrangements for the Cairngorms National Park. The key themes which were borne from an analysis of secondary data gathered from Scottish Natural Heritage's public consultation exercise are continued in this section as main headings, under which the main synthesis is carried out. The recommendations which follow from this discussion are presented here also.

### **General Powers and Functions for the Cairngorms National Park**

11.2 People from across Scotland and beyond have had the opportunity to comment upon the proposed powers and functions for the Cairngorms National Park, and this has been continued within this study, gathering the opinions of professionals, experts and local people. Firstly it is worth noting that the majority of people, from the initial consultation to recent door-to-door surveys of local residents support the transfer of most of the powers and functions outlined in Appendix 2 to the National Park Authority. Interestingly, this included a provision for the National Park Authority to become the Planning Authority for the area. However, in terms of the other main functions it is clear that there is majority support for the National Park Authority to have a role, either in partnership with the Local Authorities or alone, in the following areas.

### **Economic and social well-being**

11.3 It is highly significant that such a high percentage (nearly 80% in each community) of residents asked responded in favour of the National Park Authority having a role in the economic and social well-being of the communities of the Cairngorms. This is in line with the recent findings of the Review of English National Park Authorities (DEFRA 2002) which suggests that

while the role of economic and social development should not be a statutory purpose in English National Parks, it should be strengthened significantly through the fostering of sustainable rural development. The fact that the promotion of social and economic development is the fourth aim of National Park in Scotland is underpinned by the desire for such as expressed by local residents. Those professionals interviewed directly also expressed enthusiasm for this purpose. However, of most concern was the fact that the direct responsibility and limits of role for this is not set out clearly enough in the Draft Designation Order, and experience from Snowdonia National Park shows that the boundary of responsibility here is difficult to define. Joint working arrangements with Local Authorities in terms of administering this function is difficult to establish. Local Authorities often seem reluctant to relinquish any power or responsibility on what has traditionally been viewed as the mainstay of Council service provision, and they may often find it difficult to accept a National Park's role in administering such. However, it is important that service provision does not stop at the boundary of the National Park, and there cannot be a situation where services differ in one area due to a lack of co-operation. Therefore the view of one National Park planner that the Park Plan must reach outwards from the boundary of the protected area is justified.



**Photograph 2: An economic and social role-  
The Deeside Community of Braemar (G. Neville)**

11.4 It seems likely therefore that a partnership approach should be taken in the light of the experience of the precedent set by the Cairngorms Partnership work plan and the experience of Snowdonia National Park. While many of these aspects are not directly applicable through the statutory planning system, it seems important that the National Park Authority is in a position to drive strategic policy through the key management document, the Park Plan, and ensure that a high standard of economic and social well-being is delivered

throughout the Park area and to neighbouring areas through positive edge effects, such as local economic development at gateways (Underwood 2002). Of course, boundary issues must be resolved before such edge effects can be properly considered.

11.5 One way in which the planning system could prove critical to the economic and social remit of the National Park is through the application of a zoning system to the area. Support for a zoning system comes from both Local Authorities, with the Highland Council in particular advocating the benefits of such, conservation NGOs and the Cairngorms Partnership. It is argued that for the benefit of the communities, a zone for greater economic and social promotion be drawn up in line with the IUCN's Category 5 classification. This would lead to a greater concentration on the needs of the communities themselves, where perhaps more environmental policies give way to a greater focus on the economic and social well-being of the area. Under a zoning system stricter environmental policy could apply to a core montane zone with a lesser application of the Sandford Principle to the community zone. This would ensure that the economic and social role does not become lost to the needs of conservation, as is evidently feared by those responding to the initial consultation, some Local Authority staff and respondents to the Review of English National Park Authorities.

#### **Recommendation:**

*1. The National Park Authority should apply a zoning system to planning within the Park area, following the criteria of the IUCN Categories.*

#### **Affordable Housing**

11.6 Once again over 80% of residents in both areas of the proposed National Park supported the view that the National Park Authority should have a role in securing affordable housing in the Park area. This appeared to be a particular concern in the Badenoch and Strathspey area, with many people concerned that the growing number of holiday homes would eventually price local residents out of the housing market. This was of concern since it is often the case that local people who work on many of the estates are often poorly paid and therefore cannot afford new housing if bids are high due to competition for holiday residences. This is a direct concern of the planning system since *"a community's need for affordable housing is a material planning consideration which may properly be taken into account in formulating development plan policies and deciding planning applications"* (DETR 1998). The UK Planning Policy Guidance note 3 (PPG3 Housing) of 1992 outlines the Government's views on the way the statutory planning system can be used to provide for this need. It is clear that affordable housing should be included in the local plan for an area, and this should seek an element of affordable housing (either low-cost or

subsidised), as a stand-alone development or as part of a larger housing development.

11.7 Since there are currently several proposals for new housing on greenfield sites within the proposed Cairngorms National Park area, it seems likely that housing development proposals will be a major factor in the new Authority's work. This is in conflict with the belief that there is no significant development pressure in the Cairngorms, and appears to disprove such a statement. It is likely that the major development pressure will not be in the montane core but in individual applications for housing, especially in Badenoch and Strathspey. Therefore it is important to include policies for the provision of affordable homes in the area through the planning system. One way in which this could be done is as proposed for areas of the Dartmoor National Park, where it has been suggested that a second home constitutes a material change of use under planning law, and therefore requires planning permission. In this way, the National Park Authority (which is of course the planning authority for the area) can control the number of conversions to second homes that occur and can therefore manage demand for local affordable housing. Alternatively, the National Park Authority could enter into planning agreements to secure affordable housing as part of a larger development under planning gain.

**Recommendation:**

*2. The National Park Authority must use the planning system to secure a significant stock of affordable housing in the Park Area.*

**Regulation and promotion of public transport**

11.8 As Graph 3 shows, it seems much more important to the people of Braemar than Boat of Garten that the National Park Authority has a role in the promotion and provision of public transport. This question initially arose from calls from recreational conservation groups for public transport provision to major recreational sites such as the Spital of Glen Muick or the National Trust for Scotland's Linn of Dee car park, to alleviate problems of congestion and environmental damage. Cullinane and Cullinane (1999) suggest that within the UK's existing National Parks, 90% of visitors arrive by car. It is an easy assumption that the situation in the Cairngorms will be similar, if not a higher figure. They suggest the introduction of road pricing for these areas should be introduced in conjunction with the provision of realistic public transport alternatives (the first steps towards this have been taken at Glen Muick with the introduction of a £2 fee for car park users). In Snowdonia National Park, there are plans existing for a Park and Ride scheme, together with a ban on roadside parking under the Green Key Strategy. While much support exists in the Cairngorms for this recreational public transport provision, it has however emerged that a significant number of people in Braemar believe that a National

Park Authority, working under its remit to ensure the economic and social well-being of the area, should promote and provide public transport for the local people of the Park.

**Recommendation:**

*3. The National Park Authority should work to promote and regulate public transport for the area.*

**Promotion and regulation of Tourism**

11.9 Once again the majority of people across the Park area responded positively to the National Park Authority having a role in the promotion and regulation of tourism, particularly on Speyside (Graph 4) where tourism is a larger business. It is of course difficult for any Authority to administer this function through the planning system, but once again it was felt, particularly by conservation groups, that the National Park Authority should have a lead role in the strategic planning of tourism infrastructure through the development plans, and should be able to formulate and implement policy at a variety of scales across the Park. It seems that in Snowdonia, the Park Plan as a management tool is of vital importance not only in managing the hard infrastructure of tourism but in driving tourism policy and influencing the way tourism operates in the area. This was seen as a pro-active management policy rather than a reactive one. Therefore a role in the promotion and regulation of tourism is critical for the Snowdonia National Park.

**Recommendation:**

*4. The National Park Authority should use the planning system to formulate and implement tourism policy for the Park area, through the Park Plan and development planning.*

**Grant-aiding and Financial incentives as a National Park management tool**

11.10 A significant majority of residents believe that the National Park should have the power to provide grants and other financial incentives as a means to achieving National Park aims. In particular, this referred to land management and agri-environmental schemes. Once again this was mentioned in the context of a corporate management scheme, building on the work of the Cairngorms Partnership in the implementation of the objectives of the Work Plan. It was suggested that the Park Plan should follow this example. English experience, highlighted in the 2002 Review, has shown that the Park Authorities have support in terms of their being the co-ordinator for many environmental grant schemes such as Environmentally Sensitive Areas and the Countryside

Stewardship Scheme. It is suggested that the National Park Authorities have become a one-stop-shop in terms of advising on the availability of grants, although the review stops short of suggesting that they take on this role in the distribution of grants also. However, the Snowdonia National Park (and the other Welsh National Parks) has the power to supplement the Tir Gofal agri-environment scheme in order to increase the financial value of environmental projects to farmers. This, through the direction of the Park Plan, has directly enhanced the area's natural environment. This type of top-up scheme would be directly applicable to the Cairngorms.

**Recommendation:**

*5. The National Park Authority should have the power to administer and supplement grants under environmental improvement schemes.*

**Land Management in the Cairngorms National Park**

11.11 Graph 6 represents the lesser majority support for the National Park Authority to have the power to enter land management agreements and ultimately have last resort powers to manage land in accordance with the Park objectives. Furthermore, as table A15 in appendix 3 demonstrates, a large proportion of people believe that the main conservation and land management issues of the Cairngorms are in fact outwith planning control. This perhaps reflects the fact that there is some awareness that land management issues such as hill tracks, forestry, sporting and recreation are outwith the auspices of the statutory planning system. Certainly it is the case that many respondents to the initial consultation stated that the National Park should have some powers over these areas. The Scottish Ministers have argued that since these are outwith the planning system, it does not matter where the planning function lies. However, this is vehemently disagreed with by the conservation and environmental bodies, as they generally agree that the proposed arrangement of planning functions will not be able to tackle these issues, and suggest that land management must be tackled through an integrated approach with the National Park Authority as a strong stand-alone body driving and implementing policy for land management. This would require full planning authority, to be able to place a policy framework in strategic documents and interpret these into management objectives through the Park Plan, a critically important management tool in the opinion of many professional National Park staff. In particular, it is the case that in Snowdonia the Unitary Development Plan and the Park Plan are able to put into practice many policies which are normally outwith the planning system, such as the softer, non-infrastructure dependent tourism already mentioned (12.9).



**Photograph 3: The management of the high ground- Carn Toul and the Angel's Peak from Devil's Point. (G. Neville)**

**Recommendation:**

*6. The National Park Authority should be able to enter into land management agreements and if necessary, have powers of last resort to compulsorily manage land in accordance with the Park Plan.*

*7. The National Park Plan should perform a lead role in influencing policy through the integration of the Park Plan into the statutory planning system.*

**Democratic Accountability and community participation**

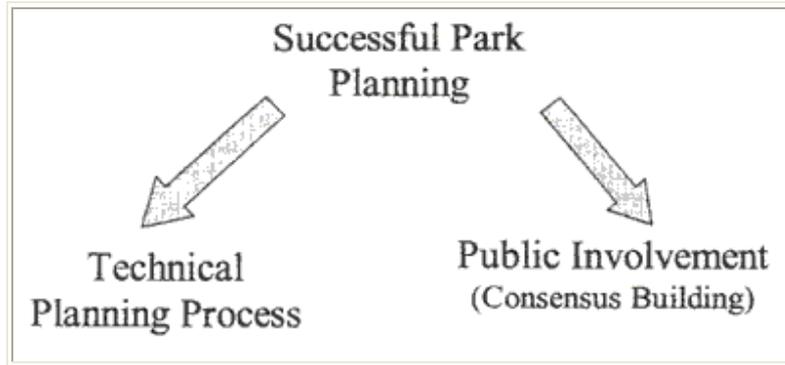
11.13 The fact that in Scotland five out of the twenty-five members of the National Park Authority will be directly elected by those people living in the National Park area is unique in terms of UK National Parks. This factor has had a major impact on the debate surrounding the democratic accountability of planning decisions taken solely by a National Park Authority. It does however raise an important concern that exists amongst the general population that the local democracy will be somewhat reduced, if the National Park Authority were to become the planning authority, and this links to a wider debate regarding community participation in protected area planning which exists more generally. Firstly, it is important to note that only a slim majority of around 53% of respondents in each community actually thought that planning decisions taken solely by the National Park Authority would be as democratically accountable as those taken by a fully elected Local Authority planning

committee. This of course means that around 47% of respondents either thought that they were being disenfranchised, or didn't know.

11.14 This fear of disenfranchisement relates to a bigger issue which has been repeated across the literature. It consists of a dichotomy in decision making between taking decisions at the local level in the local interest, or, as is the case for National Parks, taking decisions at a national level to secure the national or international conservation of a protected area. Steel and Weber have described this as a concern where *"the relationship between participation (democracy) and scientific expertise (technocracy) is mutually exclusive in character"* (2001; p119). In essence, it relates to a situation where decisions affecting local people in a protected area are taken out of their hands and decided on the basis of scientific knowledge. Planning is one area where this is a particularly important issue. In National Parks and protected areas, it is very much the case that some planning decisions are taken on the basis of a sound understanding of ecology and ecosystems, and not on the benefits of a proposed development to the community around it. One example of this is highlighted by Few (2001) who suggests that there are often attempts by planners in protected areas to 'manage' public involvement in the process in order to 'ease' planning decisions for the eventual benefit of the environment. This is named in Few's paper as 'containment'.

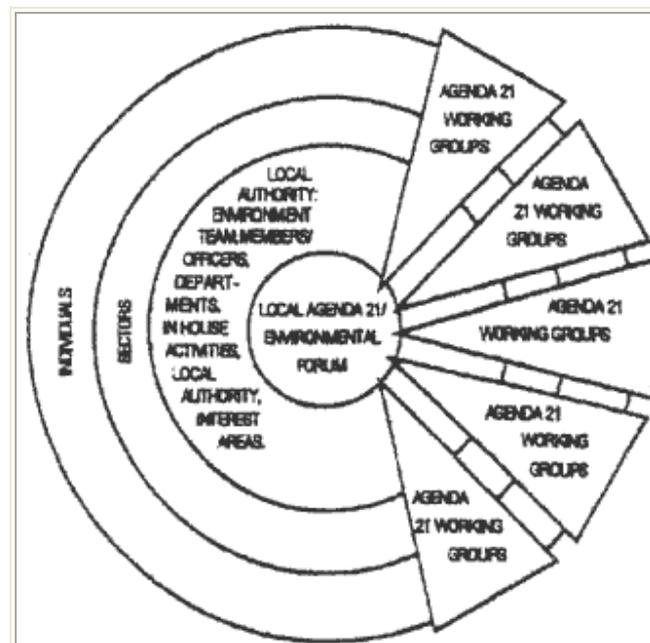
11.15 One solution to this quandary exists within the Local Agenda 21 paradigm, which suggests that through a process of consensus-building with communities in Parks and protected areas, the public can become involved once again in decision making, while due regard to the scientific factors required for environmental management are maintained. A Local Agenda 21 programme for a National Park has been seen as a *"collaborative management strategy that will incorporate the values and interests of diverse stakeholders in order to ensure sustainable management of protected ecosystems"* (Gbadagesin & Olatubosun 2000; p98). This would be set up under the partnership approach favoured by the Cairngorms Partnership, forming a round table for discussion between all stakeholders involved in the planning process. One such example exists in Germany, where communication between communities and a lead agency helped to implement an environmental management programme (Luz 2000). This can be graphically illustrated in the following way (figure 2 below), as demonstrated by McCool who states that *"successful protected area planning... involved both implementing a scientifically sound technical planning process and fully involving affected publics in the process in order to achieve a consensus"* (2001; p57).

11.16 The Local Agenda 21 process has been embraced by the Scottish Executive. Therefore it would be relatively straightforward to implement such a local community-environment partnership within Scotland's National Parks. In particular, this could follow the partnership approach taken by the Cairngorms Partnership in the Cairngorms National Park.



**Figure 2: Model of successful park planning.**  
 Source: McCool 2001, p57.

11.17 One of the most commonly used models of Local Agenda 21 implementation follows that of a sectoral approach, demonstrated in figure 3 below. In this approach to the model, it is imperative that the planning authority takes the lead role and there is a clear approach to local community involvement and consensus building for a National Park. Since a precedent already exists within the Cairngorms Partnership format for consensus-building across the area, it is therefore relatively straightforward to implement such a programme in the Cairngorms National Park with the Park Authority as the lead agency.



**Figure 3: The Sectoral LA21 model.**  
 Source: Freeman et al 1996; p73

11.18 Such a programme exists within the Snowdonia National Park. Although uptake of Local Agenda 21 has been poor across North Wales, the new scheme (in a similar format to LA21) funded through the Environment Development Fund gives the National Park Authority the lead responsibility in implementing community environment partnerships within the National Parks. As mentioned in paragraph 11.8, the uptake of this programme has been hugely successful in gaining recognition, contact and co-operation with communities and the programme is now heavily over-subscribed. Such a principle could be easily applied to the Cairngorms National Park.

**Recommendation:**

*8. The Cairngorms National Park Authority should take the lead in implementing a Local Agenda 21-style community - environmental partnership across the Park area.*

**Development Planning in the Cairngorms National Park**

11.19 A quick desk study of the current situation relating to development planning in the proposed Cairngorms National Park shows that against the findings of the Brindley (1998) study, there is in fact little convergence in terms of the timing of development plan implementation over the whole area. Table 9 below shows the adoption dates and lifespan of each Structure Plan and relevant Local Plan, assuming that the boundary of the Park extends to all five Local Authorities.

11.20 Such a confused picture of development plans across the area leaves many questions for those implementing National Park policy, irrespective of which Authority is the planning authority for the area. In particular is the question asked by each Local Authority planner and by the Cairngorms Partnership regarding where the Park Plan should be in relation to each of these documents, and what should happen to them once a Local Plan is produced for the Cairngorms area, as is proposed in the Draft Designation Order. UK planning law states that once a new development plan is adopted, all others cease to be relevant and the adopted plan becomes statutory. However, if a National Park produces a Local Plan immediately, it is demonstrated by table 9 that many Local Authority produced Local Plans could be in a position to supercede the National Park Local Plan by virtue of being adopted after the Park's Local Plan. It is argued that the Local Authority Structure Plans could not be updated quickly to reflect the Park policies, reducing the power of National Park status. Furthermore, the legal relationship between the Park Plan and these documents is not readily gathered from the proposals. It was felt by many professionals that the DDO suffers from being so

vague, that legal relationships cannot be determined. This is very important, since statutory documents must be established within a legal hierarchy. Experience from Snowdonia suggests that it is very important that the correct legal relationship exists before the implementation of the National Park Authority's functions.

**Table**  
**Development Planning in the Cairngorms area**

9

Area	Plan Type	Adopted	Ends
Highland	Structure	1998	2017
	Local	1997	2002
Moray	Structure	1999	2014
	Local	2001	2006
Aberdeenshire	Structure	2001	2016
	Local	expected 2004	2009
Perth and Kinross	Structure	expected 2003	2018
	Local	Highland 2000	2005
	Local	Eastern 1998	2003
Angus	Structure	expected 2002	2016
	Local	expected 2002	2007

11.21 This issue is particularly important in the light of the forthcoming 2004 planning legislation in Scotland, which aims to remove the tiered system for development plans in rural areas. If this were to be the case, then the Park wide local plan would be shadowing policy from a non-existent document, and the Park Plan would not have an established legal position in terms of driving policy for the area. It is for this reason that many planners have stressed the need for an interim period of one year, before the planning functions issue is resolved, to establish the proper legal responsibility and allow time for the National Park Authority to formulate proper policy, to be put in place once the interim period is over. During this interim period the status quo should be followed with the National Park Authority having statutory consultee status.

**Recommendation:**

*9. The Executive may wish to consider delaying the operation of planning functions until after the 2004 legislation is introduced.*

11.22 Furthermore, responses from other planning professionals and experts suggested that the problem of a poorly established legal relationship in terms of development planning and the Park Plan is a very serious one. Most of the respondents from environmental organisations supported the theory that since Local Plans must adhere to the policies of the Structure Plans above them, the provision for the National Park Authority to produce a Local Plan is pointless. Instead they suggest that the Park Authority should have the lead in strategic planning, and if anything should be left to the Local Authorities, it should be the formulation of a Local Plans for the community area which could be delegated. Once again this procedure would make intelligent use of the zoning principle. Such a strategic approach is considered vital for the conservation of the montane zone also, since a strategic approach would lay down policy not necessarily dealt with in Local Plans. In addition, it was suggested that the Park Authority could use the Structure Planning responsibility as a tool to enhance cross-boundary thinking, in response to many of the issues outlined in the preceding paragraphs. Finally, some experts believe that the Park Plan could become a surrogate structure plan, driving Park-wide policy and local development. It was suggested that in the context of the preference for a lightest possible touch, the Park Plan should become the key strategic document and almost every other planning responsibility could be delegated, at the discretion of the National Park Authority, to the relevant Local Authorities. Since so many of the planners expressed concern that the proposals as they stand would lead to a duplication of effort, it seems vital that a new procedure is developed. It is suggested that if the National Park Authority has the lead in all development planning, there would be less duplication of effort.

**Recommendation:**

*10. The National Park Plan should become a surrogate Structure Plan for the area.*

11.23 In terms of local support for the production of a single local plan, the majority do believe that such a provision will bring a coherent policy framework to the area. Although there appears to be a split across the proposed Park area here, the chi-square test shows that the number agreeing is greater than expected. Cross-tabulation of attitudes towards the coherent policy and how realistic a single local plan will be revealed that the vast majority of people think that a single Local Plan is a good idea, and that it is realistic.

**Recommendation:**

*11. The National Park Authority should prepare a single Local Plan for the*

area.

11.24 Although there are reservations amongst the local respondents for a full transfer of planning functions to the National Park Authority, there is clear agreement that some planning functions are necessary for the Park to achieve its objectives (Table 4). Furthermore, from the support which exists for the Park Authority to have all the functions described above, it is clear that residents feel that the Park should have a strong administration through the planning system. It is therefore possible that residents would accept the Park Authority as a planning authority, especially if there was some sort of delegation of powers for community planning under a zoning system back to Local Authorities. In the light of this, and with regard to each recommendation outlined above, it is recommended that:

**Recommendation:**

*12. The Cairngorms National Park Authority should become the planning authority for the area, with discretionary powers of delegation of certain functions to the Local Authorities.*

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### **Appendix 1: Supplementary text on the global National Parks context.**

#### **National Parks: The world view**

A1.1 In 1890, the Scot John Muir played an instrumental role in establishing the world's first National Park at Yellowstone in the United States of America. There are now more than 2700 National Parks (and other protected areas) in over 120 different countries (Wright 1996). This number increases yearly. National Parks are today seen as politically desirable by modern society, in both developed and developing countries. They are a rich source of both natural, ecological and biological resources (for example for Carbon Sinks), and an important area for cultural, spiritual and recreational renewal (Kaltenborn et al 2002), and this is reflected in the common twin aim of environmental protection and recreation. Such areas are becoming increasingly subject to international standards of good practice in design and management. Yet Scotland remained without any National Parks until the establishment of the Loch Lomond and the Trossachs National Park in July 2002. The Cairngorms National Park is currently undergoing consultation on the Draft Designation Order, and is expected to become a reality early in 2003.

A1.2 National Parks are invariably defined differently depending on many factors, such as country of origin, methods of administration and management, and cultural considerations. However, the global, general definition proposed by the International Union for the Conservation of Nature and Natural Resources (IUCN) at Caracas in 1994, and accepted by most of the world's governments is as follows;

*"An area of land and/or sea especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed through legal or other effective means" (IUCN 1994a, p1).*

The definitions then go on to state the diverse variety of values and purposes of National Parks throughout the world, describing such objectives as environmental protection and conservation, education, and recreational access. These should serve to accommodate the economic and social requirements of society while protecting the important ecosystems from over-exploitation (Wright 1996). McEwen & McEwen (1982) have a less altruistic view of national park aims. They state that *"National Parks can be seen as part of man's reaction to his own worthless exploitation of nature"* (McEwen & McEwen 1982; p3).

A1.3 Modern day National Parks are categorised by these varying priorities and objectives, and by the kind of landscape that they preserve. The world-wide categories are summarized in Table A1.1 below;

**Table A1.1: IUCN Categories of Protected Areas**  
(Source; adapted from Dower et al 1998 and Badger 1999)

Category	IUCN Definition
1.	Strict Nature Reserve / Wilderness area.
2.	Area managed for ecosystem conservation and recreation, i.e. National Park (worldwide).
3.	Managed for the conservation of specific natural or geological features, i.e. Site of Special Scientific Interest (UK), National Monument (USA)
4.	Area actively managed to maintain conservation interest, i.e. Natura 2000 network (Special Areas of Conservation, Special Protected Areas)-European Union.
5.	Area managed for landscape / seascape conservation which recognises past and present human land use impacts, i.e. National Scenic Area (Scotland).
6.	Area managed for sustainable use of natural ecosystems, combining

	long term protection of natural resources with their management to meet community needs, i.e. Managed Resource Protected Area / Extractive Reserves (Brazil).
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A1.4 It is important at this stage to point out that the National Parks in England and Wales, as established under the 1949 National Parks and Access to the Countryside Act do not meet the IUCN Category 2 requirements, and are therefore not recognised by them as such. This is due firstly to the fact that the Act established the parks with a dual function to preserve the natural beauty (and not specifically ecosystem conservation) and to provide access for recreation. It is secondly due to the fact that the areas designated as National Parks in England and Wales have been materially altered by centuries of agriculture, forestry and settlement, and are therefore not the pristine wilderness as required for Category 2 designation. However, they are listed as Category 5 areas, managed for their landscape conservation and recreational use, but with regard to past and present human land use impacts.

### **Models of national parks**

A1.5 National Parks have been designated for a large variety of purposes, and following a diverse range of models. According to Bishop et al (1998), they are multi-purpose designations with various objectives from ecosystem protection, conflict minimalisation, or access. In North America, it is the case that National Parks comprise of large, often uninhabited tracts of state-owned land, administered directly by the federal authorities. They aim to preserve, for eternity, areas with significant biological, historic or scenic features as a national heritage, and to encourage public understanding, appreciation, and enjoyment of this heritage, *so as to leave it unimpaired for future generations* (Bishop et al 1998, emphasis added). This final caveat underlines perhaps the most important facet of national parks, that is, the protection of the long term sustainability of the natural heritage for future generations. In Africa, Asia and Australasia, national icons (such as Uluru, or the tribal lands of the Masai Mara) are designated National Parks and are managed by a Government department. However, in Europe the opportunities for designation of large areas of wilderness land are small, due to the relatively dense population of most of rural Europe, and the resultant human impacts on the landscape. Therefore, National Parks across Europe vary greatly, from small areas where conservation objectives have to be administered alongside rural development aims (as in the Netherlands), larger areas which may contain many unsympathetic developments as in the French ski areas of the Haute Savoie National Park, or large areas of very remote wilderness as is the case in Scandinavia (Bishop et al 1998). However, across the continent the objectives of protection and enjoyment remain the same, and this is very much the case for the UK.

### **National Parks in England and Wales**

A1.6 National Parks in England and Wales were established in 1949 under the National Parks and Access to the Countryside Act (The 1949 Act). It set these areas up with the purpose of 'preserving and enhancing the natural beauty of the area'. The designation of National Parks under this act was a direct outcome of the National Parks Committee (The Hobhouse Committee) which reported in 1947. Ten National Parks in England and Wales were designated in the decade that followed, based on proposals made in the Dower report (1945) and the Hobhouse Report. These are presented in Table A1.2 below.

**Table A1.2: National Parks in England and Wales, Years of Designation**

National Park	Year of designation
Peak District	1951
Lake District	1951
Snowdonia	1951
Dartmoor	1951
Pembrokeshire Coast	1952
North York Moors	1952
Yorkshire Dales	1954
Exmoor	1954
Northumberland	1956
Brecon Beacons	1957

A1.7 These ten National Parks were selected on the strength of special value to the whole nation, on an almost entirely scenic, visual criteria. The wording of the designation meant that the Commission had to identify;

*"those extensive tracts of country in England and Wales to which it appears to the Commission that by reason of (a) their natural beauty, and (b) the opportunities they afford for open-air recreation, having regard both to their character and to their position in relation to centres of population, it is especially desirable that the necessary measures be taken"*

Of the ten Parks, two (The Peak Park and The Lakes) with independent boards, legally separate from the Local Authorities of the area. The other eight Parks were administered by a joint committee comprising the county councils of the areas. This situation was due to tensions arising out of the new Town and Country Planning Act 1947, giving the county councils planning control which they were unwilling to relinquish so soon. The independent Boards were furnished with limited Town and Country Planning functions, which the

Committee Parks administered through the existing Local Authority arrangements. A more detailed examination of the planning arrangements of the English and Welsh National Parks is in the following chapter.

A1.8 During the following years, several reviews were carried out, examining all areas of National Park policy and practice. Firstly, the 1968 Countryside Act replaced the National Parks Commission with the Countryside Commission, and gave it a much wider remit beyond the functions of administering the National Parks, and made requirements for this body to provide facilities to visitors, such as Ranger services in national and other parks. In addition, section 37 of the 1968 Act required the Commission to have due regard to the social and economic interests of the parks, as well as to the traditional interests of agriculture and silviculture. This was the first beginnings of a third dimension to the objectives of British National Parks.

A1.9 In 1972 Local Government re-organisation meant that National Park boards had delegated to them development control functions from the new county councils, and were for the first time obliged to present the policy of the Park in a single document, the National Park Plan. Furthermore, the provision for a full time officer- The National Park Officer- became a statutory duty. However, the first major review of National Park policy was carried out during this time by the national Parks Review Committee, chaired by Lord Sandford, which reported in 1974. This report recognised for the first time the uncomfortable dualism in the aims of the national parks, and explicitly addressed the issues arising from the damage caused by recreational access. This led to the new internationally recognised 'Sandford Principle', whereby all decisions regarding National Park policy, which may lead to a conflict between conservation and enjoyment, should be taken giving conservation the greater weighting. The committee also proposed that socio-economic concerns should be given status as the third objective of National Parks, but this was rejected by the Government.

A1.10 A further major review was carried out in 1991 by the National Parks Review Panel, chaired this time by Professor Ron Edwards. This report gave further, strong weight to the argument that the third purpose, of socio-economic well-being of the communities of the Park, should become statutory. In 1995, the Environment Act (Section 61[1]) (The 1995 Act) reflected these recommendations and, while not entirely accepting a statutory third objective, stated that the purpose of a National Park be;

- a. to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks, and;
- b. to promote opportunities for the understanding and enjoyment of the special qualities by the public.

In doing so, Section 62 of the 1995 Act placed a duty on the National Park Authorities that they should 'seek to foster the economic and social well-being of local communities within the National Park, but without incurring significant expenditure in doing so, and shall for that purpose co-operate with local authorities and public bodies whose functions include the promotion of economic or social development within the area of the National Park'. Importantly, this review and the ensuing 1995 Act also finally changed the arrangements for the administration of National Parks by joint committees and gave each park the opportunity for the delegation of development control, in addition to the statutory duty to produce a strategic local plan for the Park area, to complement the Park Plan.

## Appendix 2

A sample survey as administered during door to door research in the communities of Braemar and Boat of Garten, 26th and 29th July 2002.

## Planning in the Cairngorms National Park

Resident's Questionnaire- Upper Deeside area

- Q1** Are you ordinarily resident in the area?
- Yes .....
- No, a holiday visitor .....
- No, other .....

- Q2** The Draft Designation Order for the Cairngorms National Park leaves planning functions largely with the relevant Local Authorities. Are you satisfied with that arrangement?
- Yes, I agree with the arrangement .....
- No, I disagree with the arrangement .....

The next few statements relate to specific powers and functions relating to planning. Please indicate whether or not you agree with the need for these to be held by the National Park Authority.

- Q3** The National Park Authority should have a role in the economic and social well-being of the area, including having enterprise functions.
- Agree .....
- Disagree .....
- Unsure .....

- Q4** The National Park Authority should have a role in securing affordable housing for local residents in the area.
- Agree .....
- Disagree .....
- Don't know .....

- Q5** The National Park Authority should have a role in regulating and providing public transport in the area.
- Agree .....
- Disagree .....
- Don't know .....

- Q6** The National Park Authority should have a role in the promotion and regulation of tourism in the area.
- Agree .....
- Disagree .....
- Don't know .....

- Q7** The National Park Authority should be able to give grants and other financial incentives to meet its objectives.
- Agree .....
- Disagree .....
- Don't know .....

- Q8** The National Park Authority should have the power to enter land management agreements, with last resort orders to acquire or manage land in accordance with the Park Plan.
- Agree .....
- Disagree .....
- Don't know .....

The next few statements relate to public perceptions of the planning arrangements for the National Park. Please indicate whether you agree or disagree with them.

- Q9** Planning decisions made solely by the National Park Authority will be democratically accountable.
- Agree .....
- Disagree .....
- Don't know .....

- Q10** A National Park authority having planning functions will mean more bureaucracy.
- Agree .....
- Disagree .....
- Don't know .....

- Q11** Most of the environmental issues of the Cairngorms National Park area are outwith the control of the planning system.
- Agree .....
- Disagree .....
- Don't know .....

- Q12** It isn't necessary for the Cairngorms National Park Authority to have full planning powers.
- Agree .....
- Disagree .....
- Don't know .....

**Q13 Planning powers are essential to achieve the objectives of the Cairngorms National Park.**

Agree.....   
 Disagree.....   
 Don't know.....

The next few statements relate to the arrangements for producing a single Local Plan for the Cairngorms National Park.

**Q14 A single local plan will give a coherent policy framework for the whole of the Park area.**

Agree.....   
 Disagree.....   
 Don't know.....

**Q15 A single local plan isn't realistic for the Cairngorms National Park area.**

Agree.....   
 Disagree.....   
 Don't know.....

**Q16 A single local plan will represent a duplication of effort.**

Agree.....   
 Disagree.....   
 Don't know.....

**Q17 The work of the Cairngorms Partnership has been enough to ensure good practice in terms of planning decisions.**

Agree.....   
 Disagree.....   
 Don't know.....

Thankyou for your time in completing this Questionnaire. If you have any additional comments relating to the planning arrangements for the Cairngorms National Park, please write them here, or on an additional sheet.

Please send your completed Questionnaire to: Graham Neville, RRRP, Department of Geography and the Environment, University of Aberdeen, St Mary's, Elphinstone Road, Aberdeen AB24 3UF.

## Appendix 3: Full statistical account of the data obtained (Section 7).

**Table A1**

Economic and social role \* Are you ordinarily resident in the area \* Area of Survey Crosstabulation

Area of Survey				Are you ordinarily resident in the area		Total
				Yes	No, a holiday visitor	
Braemar	Economic and social role	Agree	Count % within Economic and social role	30 93.8%	2 6.3%	32 100.0%
		Disagree	Count % within Economic and social role	7 100.0%		7 100.0%
		Don't Know	Count % within Economic and social role	1 100.0%		1 100.0%
	Total	Count % within Economic and social role	38 95.0%	2 5.0%	40 100.0%	
Boat of Garten	Economic and social role	Agree	Count % within Economic and social role	41 89.1%	5 10.9%	46 100.0%
		Disagree	Count % within Economic and social role	7 100.0%		7 100.0%
		Don't Know	Count % within Economic and social role	7 100.0%		7 100.0%
	Total	Count % within Economic and social role	55 91.7%	5 8.3%	60 100.0%	

**Table A2**

**Securing affordable housing \* Are you ordinarily resident in the area \* Area of Survey Crosstabulation**

Area of Survey				Are you ordinarily resident in the area		Total
				Yes	No, a holiday visitor	
Braemar	Securing affordable housing	Agree	Count	32	1	33
			% within Securing affordable housing	97.0%	3.0%	100.0%
		Disagree	Count	5		5
		% within Securing affordable housing	100.0%		100.0%	
	Don't Know	Count	1	1	2	
		% within Securing affordable housing	50.0%	50.0%	100.0%	
	Total	Count	38	2	40	
		% within Securing affordable housing	95.0%	5.0%	100.0%	
Boat of Garten	Securing affordable housing	Agree	Count	43	5	48
			% within Securing affordable housing	89.6%	10.4%	100.0%
		Disagree	Count	9		9
		% within Securing affordable housing	100.0%		100.0%	
	Don't Know	Count	3		3	
		% within Securing affordable housing	100.0%		100.0%	
	Total	Count	55	5	60	
		% within Securing affordable housing	91.7%	8.3%	100.0%	

**Table A3**

Regulating and providing public transport \* Are you ordinarily resident in the area \* Area of Survey Crosstabulation

Area of Survey				Are you ordinarily resident in the area		Total
				Yes	No, a holiday visitor	
Braemar	Regulating and providing public transport	Agree	Count % within Regulating and providing public transport	32 94.1%	2 5.9%	34 100.0%
		Disagree	Count % within Regulating and providing public transport	6 100.0%		6 100.0%
	Total		Count % within Regulating and providing public transport	38 95.0%	2 5.0%	40 100.0%
Boat of Garten	Regulating and providing public transport	Agree	Count % within Regulating and providing public transport	41 91.1%	4 8.9%	45 100.0%
		Disagree	Count % within Regulating and providing public transport	12 92.3%	1 7.7%	13 100.0%
	Don't Know	Count % within Regulating and providing public transport	2 100.0%		2 100.0%	
	Total		Count % within Regulating and providing public transport	55 91.7%	5 8.3%	60 100.0%

**Table A4**

Promotion and regulation of tourism \* Are you ordinarily resident in the area \* Area of Survey Crosstabulation

Area of Survey				Are you ordinarily resident in the area		Total
				Yes	No, a holiday visitor	
Braemar	Promotion and regulation of tourism	Agree	Count % within Promotion and regulation of tourism	27 96.4%	1 3.6%	28 100.0%
		Disagree	Count % within Promotion and regulation of tourism	10 100.0%		10 100.0%
	Don't Know	Count % within Promotion and regulation of tourism	1 50.0%	1 50.0%	2 100.0%	
	Total		Count % within Promotion and regulation of tourism	38 95.0%	2 5.0%	40 100.0%
Boat of Garten	Promotion and regulation of tourism	Agree	Count % within Promotion and regulation of tourism	45 91.8%	4 8.2%	49 100.0%
		Disagree	Count % within Promotion and regulation of tourism	6 85.7%	1 14.3%	7 100.0%
	Don't Know	Count % within Promotion and regulation of tourism	4 100.0%		4 100.0%	
	Total		Count % within Promotion and regulation of tourism	55 91.7%	5 8.3%	60 100.0%

**Table A5**

Grant aiding function \* Are you ordinarily resident in the area \* Area of Survey Crosstabulation

Area of Survey				Are you ordinarily resident in the area		Total
				Yes	No, a holiday visitor	
Braemar	Grant aiding function	Agree	Count	33	2	35
			% within Grant aiding function	94.3%	5.7%	100.0%
		Disagree	Count	3		3
		% within Grant aiding function	100.0%		100.0%	
	Don't Know	Count	2		2	
		% within Grant aiding function	100.0%		100.0%	
	Total	Count	38	2	40	
		% within Grant aiding function	95.0%	5.0%	100.0%	
Boat of Garten	Grant aiding function	Agree	Count	48	4	52
			% within Grant aiding function	92.3%	7.7%	100.0%
		Disagree	Count	6	1	7
		% within Grant aiding function	85.7%	14.3%	100.0%	
	Don't Know	Count	1		1	
		% within Grant aiding function	100.0%		100.0%	
	Total	Count	55	5	60	
		% within Grant aiding function	91.7%	8.3%	100.0%	

**Table A6**

Land management agreements and orders \* Are you ordinarily resident in the area \* Area of Survey Crosstabulation

Area of Survey				Are you ordinarily resident in the area		Total
				Yes	No, a holiday visitor	
Braemar	Land management agreements and orders	Agree	Count % within Land management agreements and orders	19 90.5%	2 9.5%	21 100.0%
		Disagree	Count % within Land management agreements and orders	11 100.0%		11 100.0%
		Don't Know	Count % within Land management agreements and orders	8 100.0%		8 100.0%
	Total	Count % within Land management agreements and orders	38 95.0%	2 5.0%	40 100.0%	
Boat of Garten	Land management agreements and orders	Agree	Count % within Land management agreements and orders	29 90.6%	3 9.4%	32 100.0%
		Disagree	Count % within Land management agreements and orders	14 87.5%	2 12.5%	16 100.0%
		Don't Know	Count % within Land management agreements and orders	12 100.0%		12 100.0%
	Total	Count % within Land management agreements and orders	55 91.7%	5 8.3%	60 100.0%	

**Table A7**

Single local plan will give coherence \* Single local plan isn't realistic \* Area of Survey Crosstabulation

Area of Survey				Single local plan isn't realistic			Total
				Agree	Disagree	Don't Know	
Braemar	Single local plan will give coherence	Agree	Count	9	8	3	20
			% within Single local plan isn't realistic	34.6%	88.9%	60.0%	50.0%
		Disagree	Count	16		1	17
			% within Single local plan isn't realistic	61.5%		20.0%	42.5%
	Don't Know	Count	1	1	1	3	
		% within Single local plan isn't realistic	3.8%	11.1%	20.0%	7.5%	
Total			Count	26	9	5	40
			% within Single local plan isn't realistic	100.0%	100.0%	100.0%	100.0%
Boat of Garten	Single local plan will give coherence	Agree	Count	9	25	5	39
			% within Single local plan isn't realistic	45.0%	86.2%	45.5%	65.0%
		Disagree	Count	8	2	1	11
			% within Single local plan isn't realistic	40.0%	6.9%	9.1%	18.3%
	Don't Know	Count	3	2	5	10	
		% within Single local plan isn't realistic	15.0%	6.9%	45.5%	16.7%	
Total			Count	20	29	11	60
			% within Single local plan isn't realistic	100.0%	100.0%	100.0%	100.0%

The following tables represent a chi-square test on attitudes towards functions associated with the National Park Authority.

**Table A8****Economic and social role**

	Observed N	Expected N	Residual
Agree	78	45.0	33.0
Disagree	14	45.0	-31.0
Don't Know	8	10.0	-2.0
Total	100		

**Table A9****Regulating and providing public transport**

	Observed N	Expected N	Residual
Agree	79	45.0	34.0
Disagree	19	45.0	-26.0
Don't Know	2	10.0	-8.0
Total	100		

**Table A10****Promotion and regulation of tourism**

	Observed N	Expected N	Residual
Agree	77	45.0	32.0
Disagree	17	45.0	-28.0
Don't Know	6	10.0	-4.0
Total	100		

**Table A11****Grant aiding function**

	Observed N	Expected N	Residual
Agree	87	45.0	42.0
Disagree	10	45.0	-35.0
Don't Know	3	10.0	-7.0
Total	100		

**Table A12****Land management agreements and orders**

	Observed N	Expected N	Residual
Agree	53	45.0	8.0
Disagree	27	45.0	-18.0
Don't Know	20	10.0	10.0
Total	100		

The next set of tables represents a chi-square test on resident's perceptions of the National Park planning arrangement.

**Table A13****NPA will be democratically accountable**

	Observed N	Expected N	Residual
Agree	53	45.0	8.0
Disagree	34	45.0	-11.0
Don't Know	13	10.0	3.0
Total	100		

**Table A14****More bureaucracy**

	Observed N	Expected N	Residual
Agree	73	45.0	28.0
Disagree	13	45.0	-32.0
Don't Know	14	10.0	4.0
Total	100		

**Table A15****Environmental issues outwith planning control**

	Observed N	Expected N	Residual
Agree	66	45.0	21.0
Disagree	13	45.0	-32.0
Don't Know	21	10.0	11.0
Total	100		

**Table A16****Not necessary for full planning functions**

	Observed N	Expected N	Residual
Agree	67	45.0	22.0
Disagree	25	45.0	-20.0
Don't Know	8	10.0	-2.0
Total	100		

**Table A17****Some planning functions necessary**

	Observed N	Expected N	Residual
Agree	72	45.0	27.0
Disagree	19	45.0	-26.0
Don't Know	9	10.0	-1.0
Total	100		

**Table A18****Single local plan will give coherence**

	Observed N	Expected N	Residual
Agree	59	45.0	14.0
Disagree	28	45.0	-17.0
Don't Know	13	10.0	3.0
Total	100		

**Table A19****Single local plan isn't realistic**

	Observed N	Expected N	Residual
Agree	46	45.0	1.0
Disagree	38	45.0	-7.0
Don't Know	16	10.0	6.0
Total	100		

**Appendix 4: Summarised Transcript of Focus Group Discussion.**

**Legal:** Presentation of process by Jessica Pepper.

- Draft Designation Order for Cairngorms National Park is secondary legislation, in addition to the enabling legislation which is the National Parks (Scotland) Act 2000.
- After consultation, the Executive will produce a Final Designation Order, modified if required, and pass it to the Rural Development Committee to accept (no powers of modification).
- The Petition Process has been started and will be put to the Executive by the Petitions Committee nearer to the time of Laying of Final Designation Order.
- Planning Powers will therefore be in discussion with the Executive through the Petitions process.

#### Introductory comments on the Draft Designation Order:

- **Ian Lawson:** Nonsensical Boundaries. The fact that it cuts through the existing National Scenic Area, the supposed precursor to a National Park, is illogical and arbitrary. It also ignores the work done by the Cairngorms Partnership.
- **Andrew Thompson:** Illogical boundary in terms of size of area. Does not correspond to any current boundary area, and is smallest boundary of any recent (greater than 50 yr) designations.
- **Irvine Butterfield:** Smaller area cutting out the wildest country through the Tarf and Tilt hills south-west of Braemar and some areas of Cairngorm 'cohesive identity' such as the Gaike illogical.
- **Ian Robertson:** Unjustified arguments for boundary as DDO stands.
- **Melanie Nicoll:** DDO quote of "practical and sensible boundary" not explained satisfactorily.
- **Roy Turnbull:** Lack of Structure Plan means that Local Plan will be useless. Needs development control. Political boundary rather than any rational means to achieve a good National Park.
- **Bob Elliot:** Illogical.
- **National Trust for Scotland Staff:** Needs full planning powers. Small size does offer benefits for core area protection and management, but this boundary has been designated on political grounds. Could make some use of zoning, and buffer areas (**Alastair Clunas**). Needs to be thought of at an early stage.
- **Richard Shirreffs:** Illogical boundary. No rationale given for disregarding the work done by SNH as reporter.
- **John Foster:** Illogical: it ignores the work of SNG as reporter. Full Planning Powers needed, to allow NPA to prepare LP step in right direction but may be difficult for NPA to get proper policies to LA for structure plans.
- **Bill McDermott:** DDO does not meet primary legislation. Lack of planning powers awful. Structure Plan drives Local Plan so no benefit to park. Even Highland Council Planners don't like the arrangements! Doesn't meet terms of legislation, especially boundary.

- **Stuart Benn:** Planning is the biggest issue.
- **Lloyd Austin:** Policy analyst's view is that area issues are not as important as the powers for the NPA. Small area excluding settlements can give strong protection. The SNH proposal of a bigger area gives fewer powers. It is a political problem and the arguments need to be focused. Want same powers as Loch Lomond and the Trossachs National Park.
- **Mike Dales:** Failed to learn from international experience. Especially English and Welsh experience where the early 50 years without planning powers led to them all being given the powers. In forty years time do we need to be asking the same questions?
- **Paul Gallagher:** If Park has planning powers could have logical boundary not necessarily following LA units.
- **Jessica Pepper:** Acknowledge why DDO is as is. Management etc. Acknowledge strengths (or what the Executive think they are) and respond. Problem of Cairngorm NP minus half the Cairngorms.
- **Bob Aitken:** Boundary betrays SNH work, community consultation, Cairngorms Partnership. Now bearing fruits of weak Act, eg fudge of 'internal coherence'. SNH proposal too big- 16% of Scotland. Problems of resourcing this. Same resource for smaller area better. Previous boundary offered scope for IUCN Category 2 and 5 zoning, DDO loses this. Balance now distorted and Cat5 support area diminished.
- **Malcolm Payne:** Long term aim should be protection if IUCN Cat2 core. Support zone now taken away. Removing 2 LA areas not sensible in landscape terms- eg Blair Atholl crucial as access point for much of the wild land. Unfairly different approaches re LL&T NP.
- **Frank Bracewell:** Abrupt change in area without change in strategy so must query political reasons. Planning powers issue important but boundary reshuffle changes balance on Park Board and gives HC majority LA vote.
- **Jen Cook:** Overlooked consultation- 66% respondents wanted planning powers.

**Summary:** Virtually everybody thought that the boundary of the Draft Designation Order was illogical. It was agreed that this boundary has been thrust upon us, SNH, and others without consulting SNH as reporter or any other competent body, and that it is arbitrary, having been drawn up on political grounds rather than for sound conservation purposes. As such, the boundary ignores the work of the Cairngorms Partnership area, and the research of SNH as reporter. It could have gone smaller (IUCN Cat2) or Larger (IUCN Cat2 and Cat5 with zoning mechanism) but has failed to do either. There is a real problem over the phrasing of areas having "distinctive character"- this is far too vague and has led to these problems. This boundary will be very difficult to change. In terms of planning powers, some felt that it may be made to work via the local plan while others vehemently disagreed, feeling that the Local Plan was merely a gambit as a result of the pressure for planning powers

but, due to it being driven by the Structure Plan, will have no real merit. As such, it was felt that there would be real inter-committee tension in trying to work the proposed arrangement. Finally, it was agreed that as it stands, the DDO has failed to carry the aspirations of the original need for National Parks in Scotland.

### **Debate on the Planning Powers Issue:**

- **Bob Aitken:** It may be made to work, since it is politically necessary for it to do so.
- **Bill McDermott:** In terms of development control, it is the worst of all possible worlds for the communities. The public will be confused as to exactly who is responsible for what. Contrary to the Executives' view, there is high pressure for the development of holiday homes etc.
- **Ian Lawson:** If the planning powers is not given to the NPA, would we then prefer not to have a National Park at all? If it's that bad, do we want it kicked out?
- **Lloyd Austin:** If it was kicked out, would it take too long to get back to the stage of developing a National Park? Would that take longer than accepting the Park and remedying the problems?
- **Irvine Butterfield:** Politicians like precedent. If we can show the strengths of precedent of Loch Lomond and the Trossachs having Planning Powers then we can go to the politicians and say 'you got it right first time- why change it now?'
- **Lloyd Austin:** The problem there is that the Act offers the option of applying different solutions for different parts of Scotland.
- **Bill Wright:** Therefore the act is wrong? We need strong powers in a smaller area with good resources and stronger powers than previously offered.
- **Lloyd Austin:** The resources are at the back of people's minds. The significant decisions about boundaries are a political stitch-up between the Government and Highland Council's ex-convenor.
- **Bill McDermott:** The proposals are one dog's breakfast compared to SNH's other dog's breakfast!
- **Jen Cook:** Mike Rumbles (MSP- Rural Development Committee) stood at our (The North East Mountain Trusts') International Year of the Mountains event and publicly said it doesn't make sense why the Planning Powers should remain with the Local Authorities. But he is still going to vote yea to it. The Rural Development Committee can only say yea or nea, and he will vote it in in any state. We should put our faith in MSP's to change the Executive's mind.
- **Jessica Pepper:** The resources are not the issue. We have to put it across that the proposals are politically unacceptable. Remember that there are elections round the corner. Communities in Loch Lomond were crying out to be in the National Park, and they got in.

- **Bill McDermott:** National Park Authority would have to be a shadow planning authority- they will now need more planners than envisaged in SNH's original plan. Perth and Angus are very angry at their exclusion.
- **Bill Wright:** So we have a consensus that the planning powers issue is still unacceptable, but I am hearing one or two voices suggesting that we can live with it for the moment to get it in? The general view is that we can't?
- **Frank Bracewell:** National Trust Executive Committee Meeting agreed that the NTS would oppose boundary and proposed planning powers.
- **Bill Wright:** The arguments need to be simple and press for full planning powers as in Loch Lomond and the Trossachs. **AGREED by Consensus.**

### Debate on the Boundary Issue

- **Bill Wright:** The boundary is too small for zoning regarding Cat2 and Cat5 (IUCN) possibility. We should pursue the SNH boundary- any other intermediate line would be too confusing for MSPs.
- **Bob Aitken:** Not the SNH boundary. Argue either for SNH boundary for its reasons or even smaller IUCN Cat2 core montane zone cutting out the communities.
- **Lloyd Austin:** Individually agree with Bob, but as far as MSPs are concerned it has to be SNH boundary or bin it.
- **Jen Cook:** Tell them to follow their aims; find a cohesive unit.
- **Lloyd Austin:** They should have regard to the reporter in terms of SNH's unit boundary - but not on planning.
- **Ian Lawson:** The boundary drives planning and vice versa.
- **Bill Wright:** So we want SNH boundary and full planning powers? So do we want the NP as in DDO or do we bin it?
- **Jessica Pepper:** The park is a political reality. We need to revise it because it will go through as is otherwise.
- **Paul Gallagher:** It's currently a sellout to HC. If by this can we forget other National Park proposals?
- **Mike Dales:** If it took 40 years without planning powers or ten years without a National Park, then a new Park getting proper planning powers.
- **Lloyd Austin:** Need to put pressure on Ministers to get SNH boundary and full Planning powers until day before it goes to Rural Development Committee then threaten to bin it. There are planning powers in Act but discarded without explanation, the consultation was neglected.
- **Bill Wright:** The communities, Estates such as Glenlivet, the NFU in Angus are unhappy regarding the boundary, not planning powers- an unlikely alliance may be fostered there, they may want to sign up for one only.
- **Bob Aitken:** We need a slogan to wrap up both.

### **Summary of Planning Powers and Boundary Debate:**

The consensus view is that the planning powers issue is most important, but that the boundary is still unacceptable. The delegates all agreed that the National Park should have full planning powers including development control. This takes the view that the disparity between the Loch Lomond and the Trossachs National Park and the Cairngorms is unfair and illogical. The boundary was agreed to be too small for zoning between recommended IUCN categories 2 and 5. It was therefore the agreed aim of the delegates to lobby for the original SNH boundary or to reject the park outright. It seemed that the whole of the consultation exercise as carried out by SNH had now been rubbished.

### **Delegates attending Focus Group:**

- Ian Lawson, Cairngorms Campaign (Chair)
- Malcolm Payne, IUCN WCPA
- Bob Aitken, SCAC and IUCN WCPA
- Jessica Pepper, Parliamentary Officer, Scottish Environment Link
- Paul Gallagher, Scottish Wildlife Trust
- Mike Dales, Access and Conservation Officer, Mountaineering Council of Scotland
- Lloyd Austin, Head of Policy Operations, RSPB Scotland
- Stuart Benn, Inverness Office, RSPB
- Bill McDermott, Scottish Council for National Parks, National Trust for Scotland
- John Foster, APRS
- Alastair Clunas, Property Manager, Mar Lodge Estate, National Trust for Scotland
- Nina Sobecka, Policy Officer, NTS
- Paul Johnston, NTS
- Bob Elliot, NTS
- Duncan Stevenson, NTS
- Richard Shirreffs, Cairngorms Club, North-East Mountain Trust
- Roy Turnbull
- Melanie Nicoll, Cairngorms Campaign
- Ian Robertson, Cairngorms Campaign
- Irvine Butterfield, Cairngorms Campaign
- Andrew Thompson, Cairngorms Campaign
- Dorothy Breckenridge, Scottish Countryside Activities Council (SCAC)
- Jennifer Cook, North East Mountain Trust
- Frank Bracewell, NTS

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### **Notes to Readers**

This thesis was submitted to the University of Aberdeen and The Robert Gordon University, in in partial fulfillment of the MSc in Rural and Regional Resources Planning (Rural Environmental Management).