



Scottish Council for National Parks

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National Parks Review Consultation  
Landscapes and Habitats Division  
Rural Directorate  
The Scottish Government  
1 A North  
Edinburgh  
EH6 6QQ

12 February 2009

Dear Sirs

**National Parks Strategic Review – Response by the  
Scottish Council for National Parks.**

***Preface***

*The Scottish Council for National Parks (SCNP) was formed originally in 1943 and operated until 1967, when it was stood down as a result of the setting up of the Countryside Commission for Scotland. It was reconstituted in 1990 following the publication of the CCS's report on the 'Mountain Areas of Scotland' for Government, which recommended the creation of National Parks in Scotland. The SCNP's primary aim is to promote the protection, enhancement and enjoyment of nationally outstanding areas that are National Parks, or are appropriate to be designated as such, or are of sufficient merit to warrant special protection. This is manifest in our support for good stewardship of the country's best environmental assets and encouragement of environmentally sustainable methods of development, particularly within areas of national park potential. SCNP is a recognised Scottish Charity.*

**Response to Consultation.**

SCNP has always recognized that in the early stages of new National Parks in Scotland, mistakes will be made and that there will be a steep learning curve before we reach the point where we are comfortable that performance meets demands. However, we are clear that the creation of the first two National Parks was the right thing to do and that the approach being adopted, with all its faults, is an improvement on what went before. We accept the then Minister's statement at the beginning of the consultation document, namely:

*"At the outset, I want to say with enthusiasm how exceptionally important our national parks are to Scotland. Indeed, their iconic landscapes put Scotland on the international stage.*

*The parks demonstrate sustainable solutions for rural development and environmental protection, and contribute to the Government's greener Scotland and other objectives.*

*In the five years since the parks were established, they have made good progress."*

We are however, disappointed that the review, in spite of its title, is not in any real sense strategic and that the stage 2 part which would have given the opportunity to look at further National Parks and a



programme of implementation has been cancelled. The whole tone of the consultation document is disappointingly negative, eg, *'If, in the future, consideration were given to the designation of further national parks....'* *'....and if, in the future, there were to be further National Parks,....'*

This document does not reflect the commitment to National Parks that we hoped for and expected. There is no sense that government is offering or moving towards a vision for the future.

### **Responses to specific questions.**

#### **1. What are your views on the recommendation that the present arrangement of free-standing NDPBs for each National Park Authority should continue in the medium term?**

There is no practical alternative. The geographical distances between the existing parks and potential parks is so great as to make joint governing bodies unworkable. We think this is likely to be the case indefinitely and altering the National Parks Act would be very time consuming without producing real benefits.

#### **2. What are your views on:**

##### **a) The recommendation that a ministerially chaired National Strategy Group should be established?**

In general, this could be very opportune timing to establish an open and accessible mechanism for discussing the whole issue of National Parks and their relevance to environmental sustainability and sustainable development. There may be a better chance for strategic thinking to be injected through this mechanism than exists at present. We do not accept that the format for the group put forward in the consultation document is sound. It centralises power and could be seen as a vehicle for the Minister issuing his or her instructions to the national park conveners. National Park conveners are not necessarily the right people to be influencing whether there should be further National Parks because they have a direct interest in the outcome.

##### **b) The proposed remit of the group?**

A Strategy Group under a Minister could perform the following functions:

- 1) A formal mechanism for considering National Park and Regional Park matters;
- 2) An ability to commission research on protected areas;
- 3) A depository for research on sustainable development;
- 4) An exchange for good practice developments within National Parks;
- 5) An oversight of National Park performance;



- 6) The development of strategic thinking about terrestrial and marine designated areas;
- 7) A filter for considering bids for new National Parks;
- 8) The ability to interview regularly the NP and RP authorities, SNH, SEPA, Historic Scotland and the new MMO in regard to National and Regional Parks
- 9) Advice to Government on financial requirements and value for money of National and Regional Parks;
- 10) A duty to produce an annual report to Parliament;
- 11) Responsibility for quinquennial reviews.

To make the National Strategy Group as objective as possible within the constraints, it could be designed as a ministerial task force comprising people with established professional expertise rather like the Marine Task Force or a Standing Conference. In terms of personnel it need not be large, but it should have a senior person to steer it, not a committee clerk when the Minister is not there. An authority on protected areas could give it gravitas and international credence as Chair in the absence of the Minister. National Park and Regional Park authorities should not be represented on it but their Chairmen and Chief Officers should be called to give evidence. The same approach should apply to the environmental agencies.

### **3. Taking account of the above recommendations, what further steps (if any) would you like to see the National Park Authorities making towards working together?**

Any well run professional organisation should share experience of best practice not only with parks in Scotland but the rest of Europe and further afield. In this way we can avoid repeating the mistakes of others and promote success.

### **4. a) Do you agree that the size of National Park Authority Boards should be reduced? Yes or No**

No. Whilst people may think there are potential efficiency savings in a smaller Board, it must be appreciated that this is unproven and there is no perfect number. The Peak National Park in England had a Board of 35 and worked well because it was well managed and led. What makes it work is the approach of Board members, real understanding of the issues and high quality leadership. National Parks are publicly accountable, democratic organisations, not commercial businesses. As such, their Boards reflect a wide range of interests, local authority, directly elected and national. If those interests are still to be reflected, any change to Board size is likely to be very small and the effort needed to change legislation would be out of all proportion to the



upset which would be caused for a set of unproven gains. It is far more important to get all those who are appointed, by whichever route, to be properly trained in their responsibilities for such important areas. This would require much clearer guidance from government than is currently available.

**b.) If yes, what size do you think the Board should be?**

See above.

**5. a) Do you agree that the National Park Authority Boards should continue to contain a mix of 3 types of member (directly appointed, nominated by councils and directly elected)? Yes/No**

Yes.

**b) If yes, what would be the appropriate balance of the three types of membership?**

National Parks would not be so designated if they were not of national importance. It follows therefore that there would be merit in strengthening the national interest on the Boards so that they are not overwhelmed by the local and sometimes parochial interests.

**6. What are your views on the recommendation that having Ministers appoint Conveners and Deputy Conveners from among Board Members would help to strengthen the Parks accountability for public funding?**

In SCNP's view, it would be quite wrong to have Ministers appointing Conveners and Deputy Conveners. If Boards have been brought together through democratic and accountable selection processes, they can and should be trusted to appoint their own conveners etc. Local government is already funded to a major extent by government but there is no suggestion that it would be appropriate for Ministers to appoint their conveners. To confuse this process by talking about accountability is unnecessary. Boards and their Chief Officers are already accountable within the current system. To have the Minister making the appointments would impact on the independence of the conveners and deputy conveners, making them beholden to the Minister, potentially politicising the position in a wholly inappropriate way.

There is one final point not covered in your questions and that concerns the powers of the National Park Boards. In Loch Lomond and the Trossachs National Park, the Park is the planning authority. In the Cairngorms, the National Park is not the planning authority but has call-in powers. When the Parks were being set up, SCNP argued for both Parks to have the same planning



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authority powers and asked for a rational justification of why they needed to be different. This was never satisfactorily explained and it has become clear that for the public at large in the Cairngorms, the call-in system is seen as cumbersome and is not readily understood. We are not suggesting for a minute that the call-in powers have been improperly used, just that it is cumbersome and inefficient. Even to get an article 4 direction in a conservation area requires the compliance of one of the constituent councils and the real danger is of progress being governed by the pace of the slowest.

The Welsh and English National Parks went through a similar process of 'horses for courses' but in the end it was decided that the only really sensible solution was for all the Parks to be the planning authorities for their respective areas. We urge that the Cairngorms National Park should be made the planning authority without further delay.

To conclude, government has rightly committed itself to creating a strategy for managing the seas around Scotland. This should also be done in relation to our iconic landscapes whether marine, coastal or land based. In the absence of any commitment from government, SCNP has come together with the Association for the Protection of Rural Scotland (APRS) to form a partnership and raise money for a three year project to promote just such a strategic approach.

Yours faithfully

Robert Maund  
Chairman