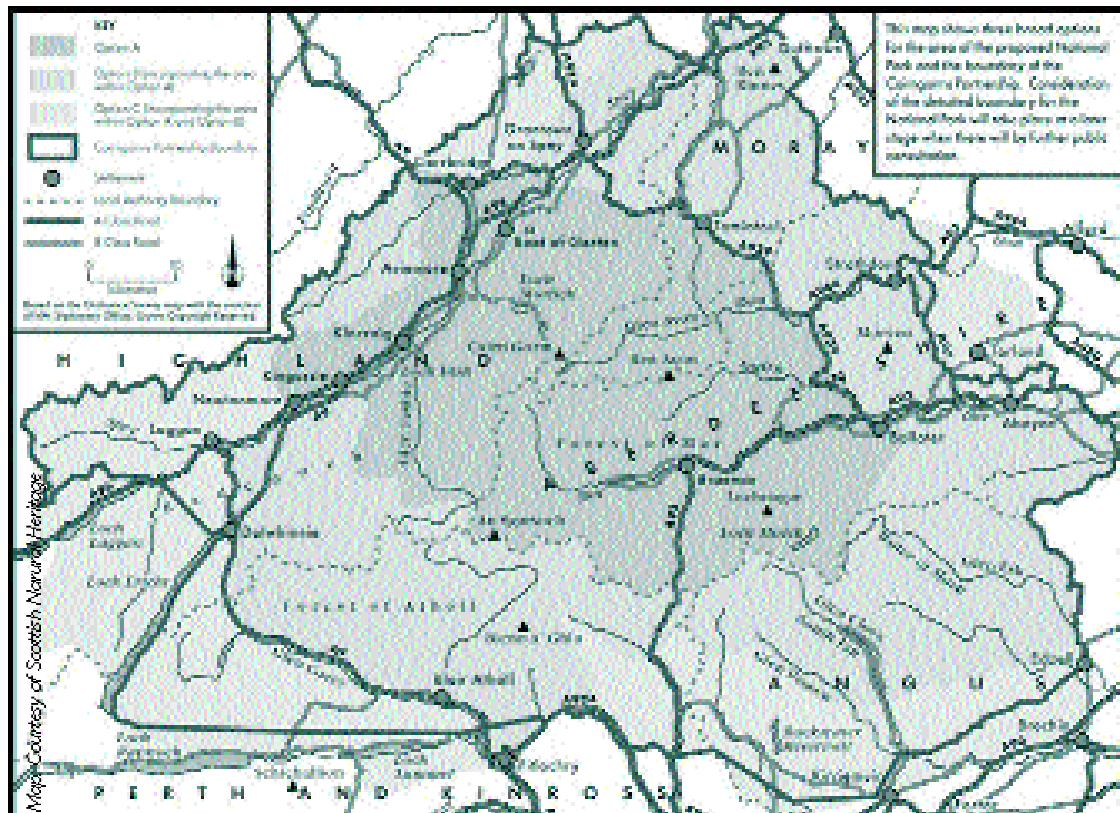


National Parks for Scotland - a step closer

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Options for the Cairngorms National Park

On 5th July 2000, the Scottish Parliament debated the final stages of the National Parks (Scotland) Bill and after final amendments passed it without division. The Bill received Royal Assent on 9th August 2000 as the 10th Act of the new Parliament. This is the culmination of a long debate about National Parks in Scotland. The Ramsay Committee reports at the end of the war (the Scottish equivalent to Hobhouse and Dower) did not lead to legislation. Nor did later efforts in the mid-1970s and the late-1980s secure a legislative solution for those areas of Scotland's outstanding landscape which evidently need greater care and management.

Now that we have an Act, Scottish Ministers have moved quickly to make proposals for both Loch Lomond & the Trossachs and the Cairngorms and, all going well, the first of these areas should achieve park status in early 2002, while the Cairngorms may be about a year behind that date.

But that is jumping ahead: the legislation allows for a two stage process of consultation before the creation of any park. The first step is that Scottish Ministers make an initial proposal to establish a park, and then appoint a reporter whose task is to consult on the details of this proposal and to make

recommendations back to Ministers. The Scottish Executive can also undertake this reporting task itself but SNH has been appointed to act as the reporter on Government's formal proposals for both the proposed parks.

Following this first round of consultation, Ministers have the options of not doing anything, of holding a public inquiry where matters still remain unclear or in dispute, or of moving to the next step of drafting a Designation Order. This Order is then the subject of a second consultation. It will specify Ministers' formal proposals on the membership, powers and boundary of each park, following the outcome of the first consultation. After this second period of debate, the Designation Order – revised if needed – will pass to the Scottish Parliament for its approval.

Parliament and its committees will have the opportunity, if they so choose, to debate these proposals at each step, and there is also a third consultation now underway over proposals for the elections to a National Park Authority. The Act allows for at least 25% of its membership to be elected locally, and the procedures for this are now open for wider debate.

Readers will have concluded that this is a fairly complex process. The two consultations for each park area will run for a minimum of 12 weeks: so, allowing time for assessment and review, and also for any engagement by the Parliament, it will take rather more than a year for any one park to move from initial proposal to an approved Designation Order. That timing allows for a tight timetable and no public inquiry. This extended period may test the patience of those who are anxious to move ahead quickly, but it is a very necessary part of the process that all the interests have a clear opportunity to enter the debate on the general merits of the proposal, as well as the details. The extended consultation also reflects the strong participatory approach the Scottish Parliament has adopted to conducting its business.

A participatory approach is also strongly built in to

the conduct of the consultation. While the details vary a bit between Loch Lomond & the Trossachs and the Cairngorms, the process began with the involvement of key local interests in designing the approach to the options to be presented during the consultation. A wide range of mechanisms will be used to capture the opinions and ideas of all the relevant parties – all local bodies and the special interest groups, and also the general public. A shortened version of the consultation paper will go to every household in the proposed park areas.

One main difference between the two consultations is that the first consultation in the Cairngorms will focus strongly on the area of the Park – how extensive should it be – with the details of the boundary being presented in the consultation on the Designation Order. In Loch Lomond & the Trossachs, the preliminary discussions have allowed SNH to move more towards identifying a draft boundary, although there are still options to debate about areas which might or might not be within the Park. There are differences also in the suite of powers proposed by Government. The main difference here is that the Cairngorms Park Authority is not being proposed as a planning authority in its own right, although it will have a strong engagement in the planning process. The Loch Lomond & the Trossachs Park will have a nearly full range of planning powers, except for structure plan preparation. For both parks, Government recommends that the number of elected members be 20% - the minimum required under the legislation – with the remaining 80% being appointees, half of them on the nomination of the local authorities.

The timings for the consultations differ: the consultation for Loch Lomond & the Trossachs has now closed. The Cairngorms consultation was launched in the week beginning 11th December and will close on 13th April. Copies of the consultation paper can be obtained from SNH and they are also available on our website: www.snh.org.uk. The SNH website also has other background information available and the Act can be found on the Scottish Executive website: www.scotland.gov.uk.

So an important step has been taken towards greater care of two of Scotland's most special areas. This consultation is just a first stage in the process. Inevitably, there is a good deal of other practical action in hand to pave the way for the creation of these two National Parks, should that be the eventual outcome. This preparatory work is most advanced in Loch Lomond & the Trossachs, where there has been an interim committee working over the last two years, led by the local authorities and building on the work of the existing Loch Lomond Park Authority. Of interest here is the degree to which this Park might extend eastwards into Perth & Kinross towards the area around Loch Earn, or westwards into Argyll to encompass much of the Argyll Forest Park.

The interim arrangements in the Cairngorms are less well developed on the ground. The current arrangements have been led on partnership basis through the Cairngorms Partnership, which has only a small staff, mainly working through its partner bodies. One critical issue for the initial consultation is the area of the Park. Three basic options are proposed as a starting point for debate, the largest of which is just a little larger than the existing area of operation of the Cairngorms Partnership. If this largest area is favoured, then this would be about four times larger than any other Park south of the Border.

Implementation of National Parks raises some important general challenges because wariness about the role of Parks in Scotland has not entirely gone away. The longstanding concerns about maintaining the economic status of these areas still stands high in local concerns, and the inclusion in the Act of a statutory aim for Parks to "promote sustainable economic and social development of the area's communities" reflects that concern. The creation of National Parks will give practical force to this debate. It affects all of our uplands and gives future Parks a critical role in providing a strong lead to sustainable development and sustainable use of natural resources in our most special landscapes.

And thereafter? Obviously there will be continued speculation about where a third or even a fourth park might emerge in Scotland. Some people think that we should aim boldly for a park in the western maritime environment, and other candidates considered in earlier reviews of National Parks are likely to re-emerge in the debate ahead. However, the first task is to get the two first parks up and running: indeed, it is likely that the main stimulus to debate about more parks will be the successful establishment of the first of what we hope will be a number of National Parks north of the Border.

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For further information about the designation process visit the SNH website at: www.snh.org.uk and the Scottish Executive: www.scotland.gov.uk.