

# Unfinished Business

## **A National Parks Strategy for Scotland**

Scottish Campaign for National Parks  
Association for the Protection of Rural Scotland





**This report was written by John Mayhew for the Scottish Campaign for National Parks (SCNP) and the Association for the Protection of Rural Scotland (APRS).**

**SCNP promotes the protection, enhancement and enjoyment of National Parks, potential National Parks and other nationally outstanding areas worthy of special protection. SCNP is a registered Scottish charity, No SC031008. APRS promotes the care of all of Scotland's rural landscapes. APRS is a registered Scottish charity, No SC016139.**

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# Section 1 Introduction and Summary

## Introduction

- 1.1 Scotland's landscapes rank amongst the best in the world, including wild mountains, pristine rivers and lochs, ancient forests, stunning coastline and islands, all rich in wildlife and history. With landscapes of such quality it would be reasonable to expect to see them recognised, celebrated and protected according to international best practice. However, out of 3,500 National Parks in the world, Scotland has only two.

## National Parks

- 1.2 'National Park' is the leading internationally-recognised designation for places of the highest national importance for natural or cultural heritage, including landscape, wildlife and recreation. While the term 'National Park' may have various meanings in different countries, National Park status is recognised across the world as the highest accolade which can be given to a place within its national context. There are over 3,500 National Parks worldwide, including such well-known places as Jotunheimen in Norway, Kilimanjaro in Tanzania, the Galapagos in Ecuador, Cradle Mountain in Tasmania, the Karakoram in Pakistan and Yosemite in the USA. Some such National Parks are truly wild areas, although across much of Europe most are wholly or partly lived-in, working landscapes. Scots-born naturalist, explorer and writer John Muir inspired the creation of the world's first National Parks in 19th-century USA and is known as the 'Father of National Parks'; the centenary of Muir's death falls in 2014. There are currently 15 National Parks in the UK, including for example Snowdonia in Wales and the Lake District in England. In 2012 the Northern Ireland Environment Minister announced that he was recommending National Parks legislation and that he hoped to see two National Parks created in Northern Ireland.

## National Parks in Scotland

- 1.3 Scotland has been relatively slow to realise the potential of National Park designation. Expert reports in 1945, 1974 and 1990 recommended the establishment of at least four or five National Parks in Scotland. Extensive research and debate in 2005 – 2007 established a clear case for one or more Coastal and Marine National Parks. After over 50 years of deliberation, the National Parks (Scotland) Act was eventually passed in 2000, but since then only two National Parks have been designated: Loch Lomond & The Trossachs National Park in 2002; and Cairngorms National Park in 2003. SCNP and APRS consider there are further areas of outstanding importance for landscape and recreation in Scotland worthy of National Park designation, and that this would best be done in the context of an overall agreed national strategy.

## Summary

- 1.4 This report argues that:
- National Parks bring a wide range of environmental, social and economic benefits
  - There is substantial national public support for National Parks, and local support for designating further National Parks in some parts of Scotland
  - There remains a strong case for designating more National Parks in Scotland
  - There is scope for improvement in the Scottish Government's operation of the two existing National Parks and any future ones
  - The Scottish Government should therefore prepare and implement a strategy to designate more National Parks in Scotland, including at least one Coastal and Marine National Park
  - This strategy should be fully integrated with the National Planning Framework, the sustainable Land Use Strategy and the National Marine Plan.



# Section 2 The Long Struggle

2.1 This section gives a brief summary of the historical development of policy on National Parks in Scotland over the last 65 years, as the context for the proposed strategy. A more detailed version is given at Appendix 1. All of the principal reports referred to are available on the APRS website [www.ruralscotland.btck.co.uk](http://www.ruralscotland.btck.co.uk)

## The Addison Report 1931

2.2 In 1929 several countryside organisations, including the newly-formed Association for the Preservation of Rural Scotland, pressed the Government to look into the need for National Parks in Britain. The resultant National Park Committee, chaired by Dr Christopher Addison, examined proposals for the safeguarding of areas of exceptional national interest and nature sanctuaries for the protection of flora and fauna. Its 1931 *Report of the National Park Committee* considered the Cairngorms as a possible National Park, but the Government of the day took no steps to implement any part of the Report.

## The Ramsay Report 1945

2.3 During the Second World War, the Department of Health for Scotland established a Scottish National Parks Survey Committee, chaired by Sir Douglas Ramsay and including eminent naturalist Frank Fraser Darling, to advise upon areas suitable for National Parks and to supervise a survey of potential areas.

2.4 The Committee reported in 1945, basing its recommendations on the definition of a National Park as:

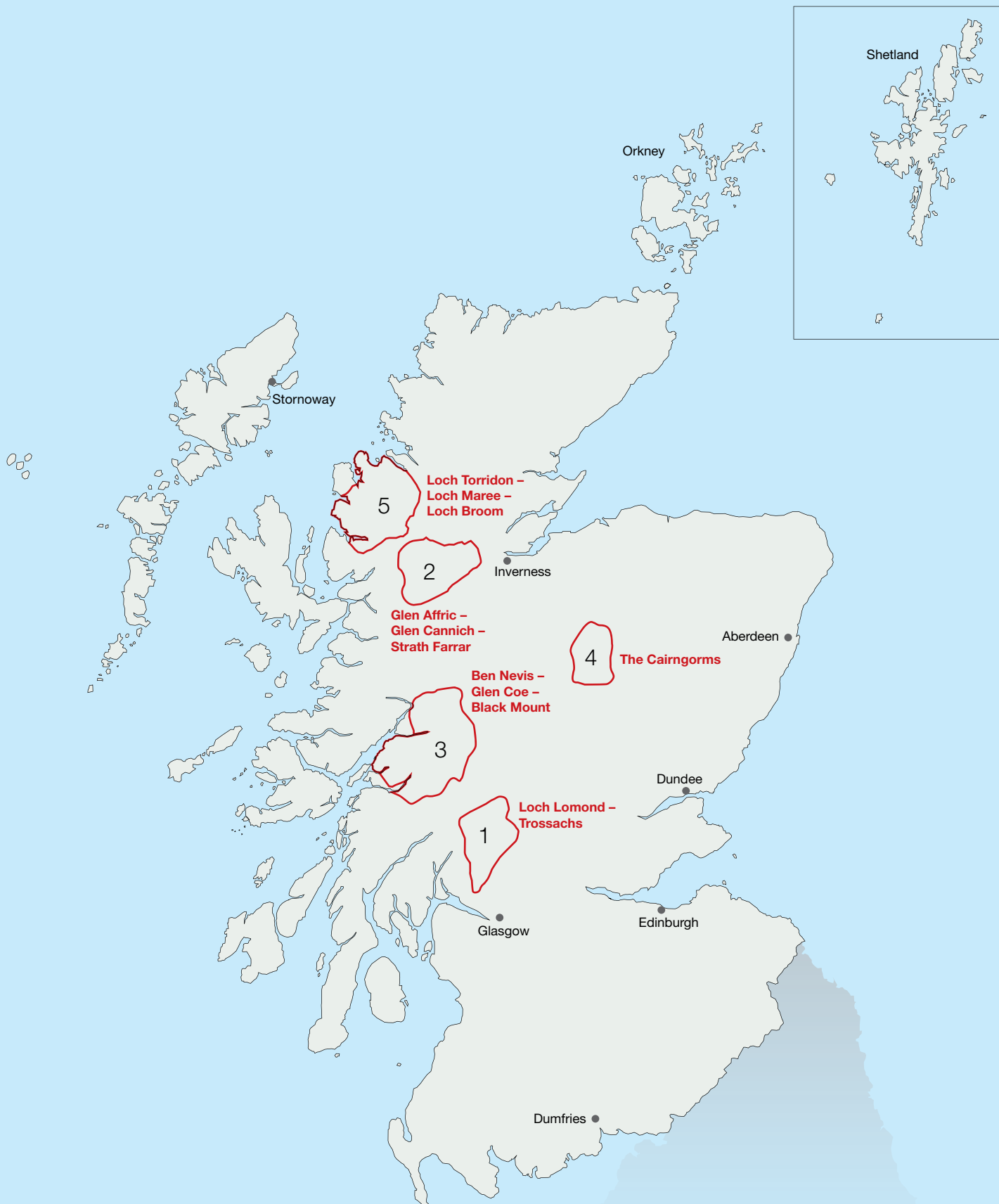
*“an extensive tract of country of outstanding natural beauty, preferably also of scientific, cultural or historic interest, owned or controlled by the Nation, accessible to all as a matter of right under suitable regulations, and administered by or on behalf of the Nation to the end that its distinctive values may be preserved unimpaired for the enjoyment and recreation of this and future generations”*

2.5 The Committee laid down seven selection criteria:

- a) Outstanding scenic beauty
- b) Accessibility
- c) Preservability
- d) Recreational facilities
- e) Educational, cultural and social interests
- f) Flora and fauna
- g) Accommodation.

2.6 It was noted that these criteria required beauty to be weighed against accessibility to some extent. The Ramsay Report stressed that designation of an area as a National Park did not preclude the maintenance or extension of economic land uses. Indeed, it noted that the areas most suitable for designation on account of their natural beauty generally had low levels of economic development and so were in need of additional sources of income. The phrase “extensive tract” introduced the idea of size as a criterion; National Parks were to be large enough for “the Nation” to enjoy and important enough to justify the intervention of the State. The recommended areas therefore excluded smaller and more accessible ranges such as the Pentlands, Ochils and Sidlaws.





**Figure 1**  
National Parks recommended by Ramsay Committee 1945

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\* For layout purposes the Shetland Islands are not shown in the correct geographical position.



- 2.7 The Committee recommended the following five areas, in the order given, as suitable for National Parks:
1. Loch Lomond – Trossachs
  2. Glen Affric – Glen Cannich – Strath Farrar
  3. Ben Nevis – Glen Coe – Black Mount
  4. The Cairngorms
  5. Loch Torridon – Loch Maree – Loch Broom.
- 2.8 The Committee also suggested that the following further areas, again in the order stated, might be placed on a reserve list for later consideration:
6. Moidart – Morar – Knoydart
  7. Glen Lyon – Ben Lawers – Schiehallion
  8. St Mary’s Loch.
- 2.9 The Committee also proposed the Merrick – Glen Trool in Galloway as a National Forest Park, whilst considering it eminently suitable for a National Park.
- 2.10 The Committee assumed that the land in any National Parks subsequently designated would be purchased by the state and would remain thereafter in permanent public ownership. The report argued that the success of National Parks and the tourism industry depended on the preservation of natural beauty. It was hoped that these benefits would be weighed along with those from the large-scale hydro-electric schemes then being proposed.

### The 1950s and 1960s

- 2.11 In 1951 the Secretary of State for Scotland decided not to proceed with Ramsay’s recommendations. The reasons for this were complex, but comprised at least five strands. First, influential landowners opposed public acquisition of their estates and the introduction of additional controls over their ability to manage their property. Second, the hydro-electric and forestry industries feared that the Committee’s recommendations were liable to sterilise large tracts of Scotland

from future development. Third, there was no significant pressure from recreational interests for more formal arrangements for access to the countryside, given the effective freedom of responsible access which existed in Scotland and relatively low visitor pressure. Fourth, it was considered difficult to single out specific areas for National Park status, given the high landscape quality of much of Scotland. Finally, there was opposition from local authorities to the potential transfer of some of their powers. However, to go some way towards safeguarding the most important areas, five ‘National Park Direction Areas’ (NPDAs) were established, in which certain categories of development proposals could be ‘called in’ for determination at a national level. Meanwhile, ten National Parks were established in England and Wales during the 1950s, including in Northumberland abutting the Scottish border.

- 2.12 In 1962 a commission by the National Trust for Scotland (NTS) led author and mountaineer Bill Murray to identify 21 ‘regions of outstanding beauty’ in his report *Highland Landscape*, including variations on Ramsay’s recommended areas. *The Countryside in 1970* conferences held during the 1960s highlighted the need for specific powers to promote landscape protection and countryside recreation. This led to the Countryside (Scotland) Act 1967 and the establishment of the Countryside Commission for Scotland (CCS) in 1968 as the agency responsible for the enjoyment of the countryside and the conservation of its natural beauty and amenity.
- 2.13 Various methods of landscape protection and recreation provision did emerge over this period. The Forestry Commission established five National Forest Parks in Scotland, NTS acquired extensive tracts of mountainous country, and local authorities designated many Areas of Great Landscape Value, four Green Belts and four Country Parks. However, these efforts lacked both adequate national co-ordination and a comprehensive framework for conservation management.

## A Park System for Scotland 1974

2.14 In 1974 CCS published *A Park System for Scotland*, its first comprehensive advice on its whole approach to its objectives. This argued for positive action to develop the existing arrangements for both landscape conservation and recreational development, within a more systematic framework.

2.15 The report identified the need for a comprehensive system combining landscape conservation with provision for the whole spectrum of outdoor recreation. This would extend from intensive organised activities in small areas near towns or cities to extensive informal recreation over larger, more remote areas. The report proposed such a system under four categories:

- **Urban Parks** – not within designated countryside but included to make clear the need to provide for the whole spectrum of outdoor recreation.
- **Country Parks** – relatively small areas near to towns, intended to provide recreation, enjoyment and education and to ease pressure on more vulnerable areas; four had already been designated.
- **Regional Parks** – larger, more diverse in character and serving larger catchment areas; probably managed by the new Regional Councils.
- **Special Parks** – to satisfy national levels of demand for recreation; likely to be in countryside of considerable natural beauty and amenity such as the Cairngorms, Glen Nevis/ Glen Coe and Loch Lomond/Trossachs (ie the Ramsay areas). Management would be by special park authorities, with delegated planning functions.

2.16 The report demonstrated reluctance by CCS to challenge the interests of local authorities or landowners; it preferred co-operation to dramatic change. It ducked the issue of whether Scotland should have National Parks, stating only that this “will no doubt continue to be debated”.

However, it is clear from the description of the proposed Special Parks that they would have effectively been National Parks in all but name. The 1974 CCS report also argued that there were areas beyond those proposed as Special Parks which contain landscapes of unsurpassed attractiveness which must also be conserved as part of our national heritage.

## The Sandford Principle

2.17 It became widely recognised in England and Wales after the first two decades of experience of managing National Parks that there could on occasion be tensions between their various objectives. The 1974 Sandford Committee Review of National Park Policies in England and Wales therefore recommended that National Parks legislation should be amended to make clear that the enjoyment of National Parks by the public ‘shall be in such a manner and by such means as will leave their natural beauty unimpaired for the enjoyment of this and future generations’. This has become known as the ‘Sandford Principle’. The concept was endorsed as government policy and has since appeared in legislation, which now also recognises that cultural as well as natural heritage must be embraced by the Principle.

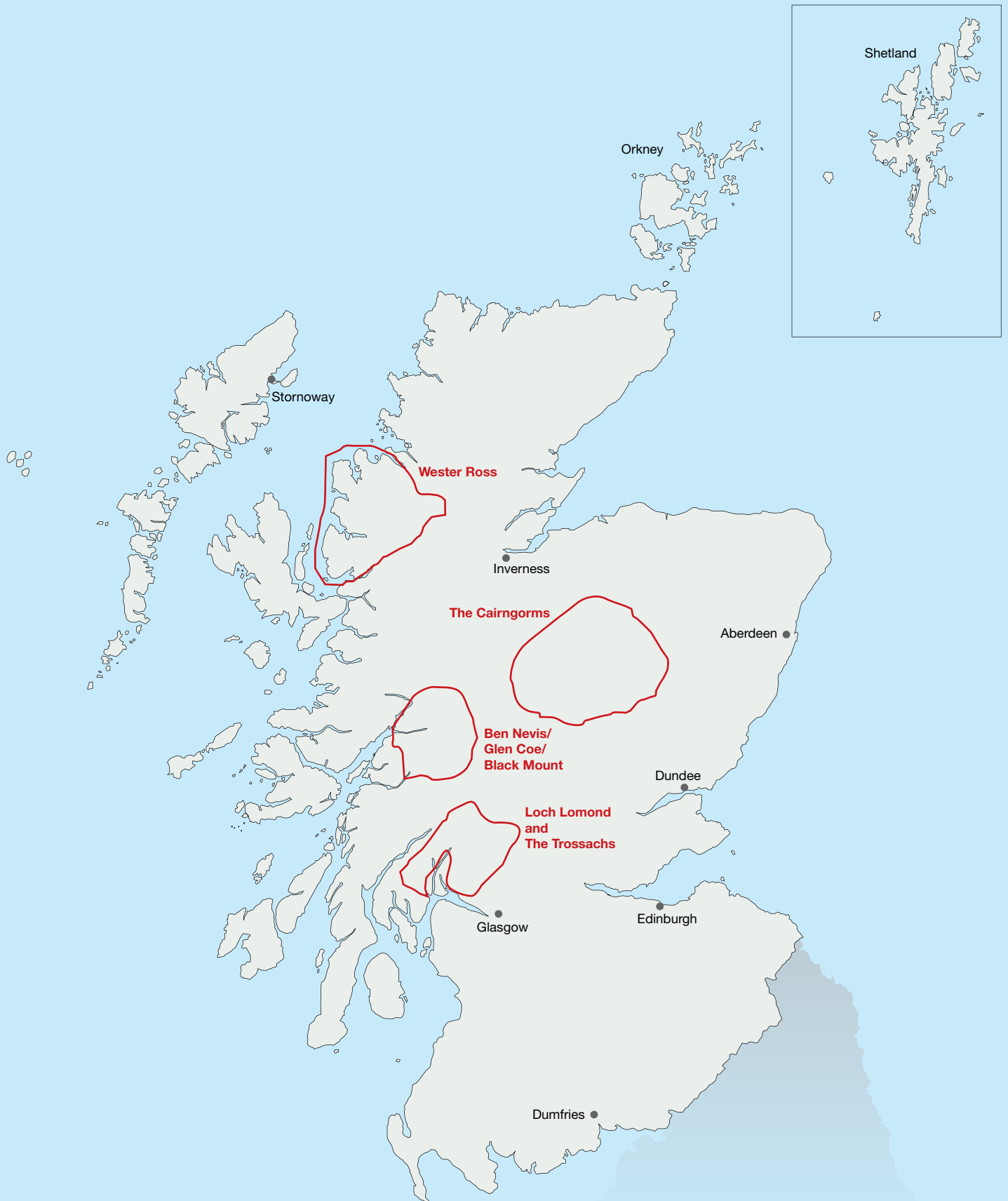
## Scotland’s Scenic Heritage 1978

2.18 CCS then carried out a review which led in 1978 to the publication of *Scotland’s Scenic Heritage*. This listed, mapped and described 40 areas of the finest examples of certain types of landscape for which Scotland is most renowned, again including all five Ramsay areas. In 1982 these were designated as National Scenic Areas (NSAs) and the NPDAs were withdrawn. Local authorities were required to consult CCS on certain classes of development within NSAs; where a local authority proposed to issue planning permission against CCS advice the final decision would be made by the Secretary of State for Scotland.

## The Mountain Areas of Scotland 1990

- 2.19 The 1974 proposals for Regional Parks were finally enacted in 1981 and four Regional Parks were established during 1986-90, but the proposals for Special Parks were set aside. However, the issue of whether Scotland should have National Parks did not go away, and in 1989 the Scottish Minister for Home Affairs and the Environment invited CCS to “study management arrangements for popular mountain areas such as the Cairngorms, taking into consideration the case for arrangements on national park lines in Scotland”.
- 2.20 After several months of research, consultation and internal debate CCS published its report *The Mountain Areas of Scotland – Conservation and Management* in 1990. This report set out the values attributed to Scotland’s mountains in the context of changing land use practices. It highlighted a slow process of attrition of landscape quality, the lack of an integrated approach to rural land management, inadequate incentives for land managers, poor management of recreation and tourism and the steady loss of wild land quality. It made a number of general recommendations for all upland areas, including indicative regional land use strategies, promotion of higher design standards, increased protection for wild land and better integration of land management grants.





**Figure 2**  
National Parks recommended by CCS 1990

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\* For layout purposes the Shetland Islands are not shown in the correct geographical position.

- 2.21 It also identified four important mountain areas which urgently required special management arrangements to protect their high heritage value:
1. The Cairngorms
  2. Loch Lomond and the Trossachs
  3. Ben Nevis/Glen Coe/Black Mount
  4. Wester Ross.
- 2.22 It argued that these areas should be called National Parks, be managed by independent planning boards (except for Wester Ross), have land management functions and have local community interests represented on their boards.

### Protecting Scotland's Finest Landscapes 1997

- 2.23 Despite these clear recommendations from CCS, the Government once again did not proceed with the designation of National Parks. It did however establish two Working Parties, which studied potential management arrangements for the Cairngorms and for Loch Lomond and the Trossachs in more detail and published further lengthy reports.
- 2.24 During the 1990s Scotland's non-governmental organisations (NGOs) grew increasingly dissatisfied with its landscape protection systems. This culminated in the 1997 Scottish Wildlife and Countryside Link (SWCL) discussion paper *Protecting Scotland's Finest Landscapes*, a 'call for action on National Parks in Scotland' supported by 24 NGOs. This paper analysed the problems caused by an inadequate protected areas system and the history of damaging conflicts in some of Scotland's finest landscapes, and called upon the Government to establish a network of National Parks.
- 2.25 In 1997 a new Government more sympathetic to National Parks was elected. Shortly after the SWCL paper was published, Environment Minister Lord Sewel announced the new Government's support for National Parks in Scotland. This was to be a matter for the proposed Scottish Parliament if Scotland voted for devolution, which it duly did in the 1997 referendum.

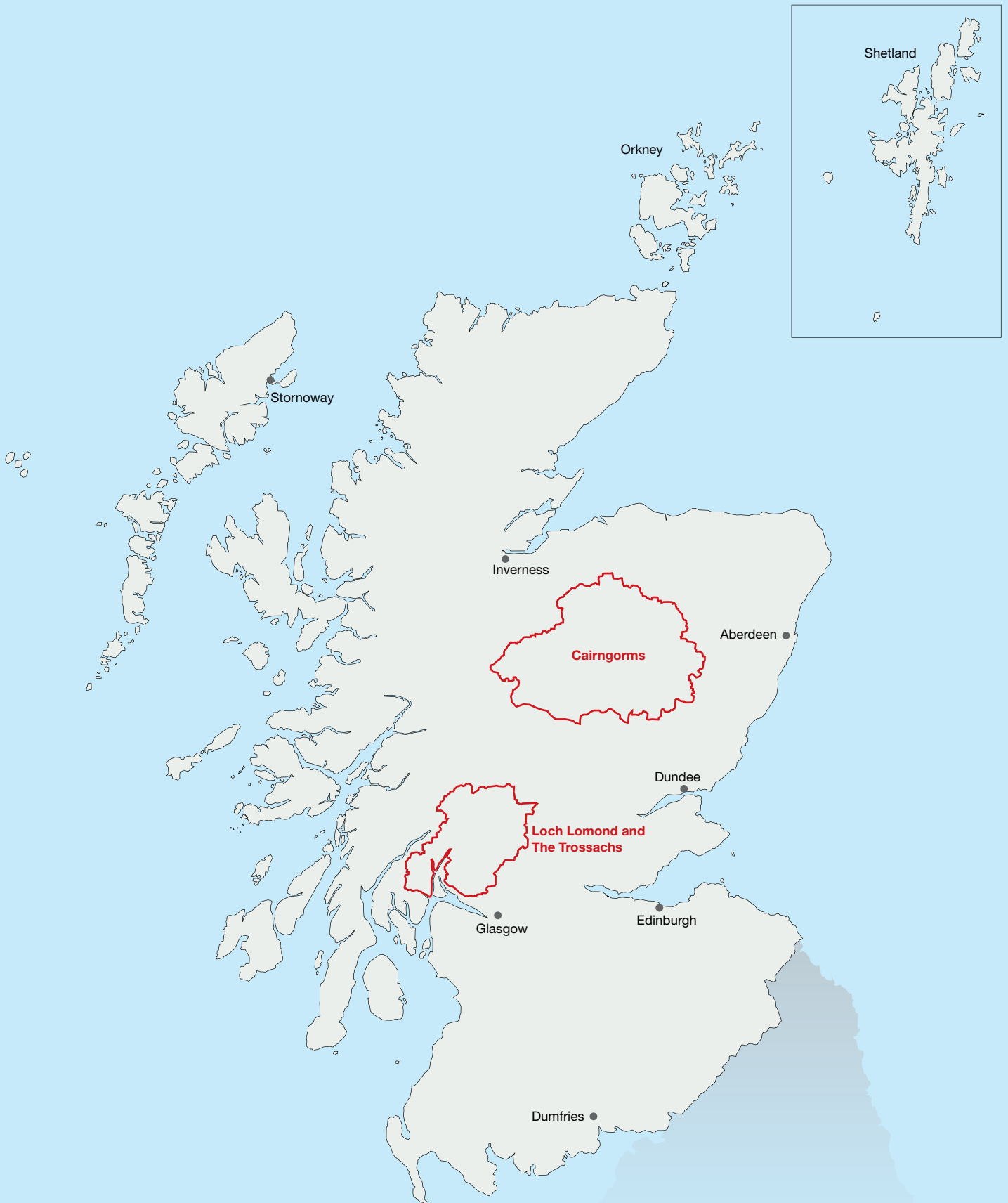
### National Parks (Scotland) Act 2000

- 2.26 The National Parks (Scotland) Act 2000 was one of the first passed by the newly re-established Scottish Parliament following devolution in 1999. Section 1 establishes the four National Park aims:
- a) to conserve and enhance the natural and cultural heritage of the area,
  - b) to promote 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, and
  - d) to promote sustainable economic and social development of the area's communities.

- 2.27 Crucially, Section 9(6) of the Act sets out a wider version of the Sandford Principle (see 2.17 above):

*“In exercising its functions a National Park authority must act with a view to accomplishing the purpose set out in subsection (1); but if, in relation to any matter, it appears to the authority that there is a conflict between the National Park aim set out in section 1(a) and other National Park aims, the authority must give greater weight to the aim set out in section 1(a)”*

- 2.28 Section 2 sets out the conditions for an area to be designated as a National Park:
- a) that the area is of outstanding national importance because of its natural heritage or the combination of its natural and cultural heritage,
  - b) that the area has a distinctive character and a coherent identity, and
  - c) that designating the area as a National Park would meet the special needs of the area and would be the best means of ensuring that the National Park aims are collectively achieved in relation to the area in a co-ordinated way.



**Figure 3**  
National Parks established 2002 – 2003

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\* For layout purposes the Shetland Islands are not shown in the correct geographical position.

- 2.29 The Act also sets out the process to be followed to designate National Parks in Scotland and the purposes and functions of National Park Authorities, including the requirement to prepare a National Park Plan.
- 2.30 After lengthy consultation and designation processes the Loch Lomond & The Trossachs National Park was designated in 2002 and the Cairngorms National Park in 2003. In 2008 the boundary of the Cairngorms National Park was extended to include parts of Highland Perthshire, in accordance with the original recommendations by Scottish Natural Heritage (SNH).
- 2.31 Scotland's National Parks (like its NSAs) benefit from the significant international accolade of being classified as Category V – Protected Landscape/Seascapes<sup>1</sup> by the International Union for Conservation of Nature (IUCN), the United Nations agency responsible for protected areas across the globe. This requires that such areas be managed to meet the international objectives prescribed for them, the primary one being:

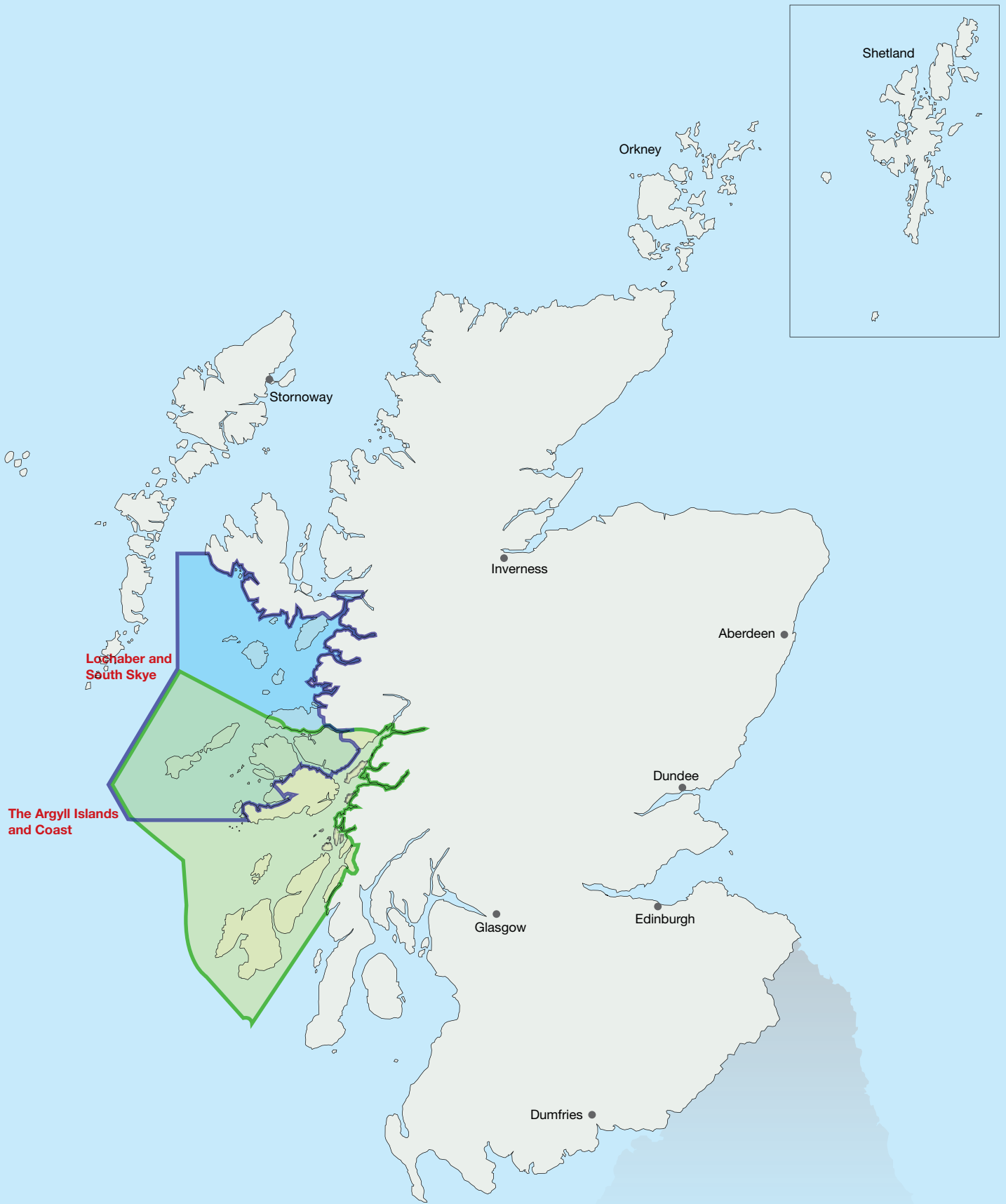
*“To protect and sustain important landscapes/seascapes and the associated nature conservation and other values created by interactions with humans through traditional management practices”*

### **Coastal and Marine National Parks 2005-2007**

- 2.32 The 2000 Act can apply to areas of sea as well as of land. In June 2005 the Scottish Executive asked SNH to provide advice on Coastal and Marine National Parks (CMNPs). In March 2006 SNH submitted its advice, presenting its findings on how a CMNP might operate and on possible areas that might be designated.

- 2.33 SNH stated that Scotland has a world-class coastal and marine resource. It had found support for the principle of a CMNP from some areas and interest groups, while others expressed concerns and reservations. SNH felt that the designation of a CMNP could:
- Enhance the care of an area of high natural and cultural heritage value;
  - Increase enjoyment and understanding;
  - Deliver local social and economic benefits;
  - Provide for greater involvement of local people in decision-making; and
  - Promote innovation, good practice and integrated approaches to sustainable development.
- 2.34 This approach would be underpinned by the better planning and management of the area and the activities that take place within it. SNH recommended that the National Park Authority for a CMNP should initially focus on planning and practical work, using basic powers and functions and modest expenditure.
- 2.35 A long list of potential areas was identified, based on heritage values and the coherence of defined areas. Most were in the North and West, including many of the island groups. A process of short-listing identified the following as the five strongest candidates:
- The Solway Firth;
  - Argyll Islands and Coast;
  - Ardnamurchan, Small Isles, and South Skye coast;
  - North Skye Coast and Wester Ross; and
  - North Uist, Sound of Harris, Harris and South Lewis.
- 2.36 It was agreed that further work would be required to refine these areas and to consider in detail their seaward and terrestrial extent.

1 / “A protected area where the interaction of people and nature over time has produced an area of distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values” / [www.iucn.org](http://www.iucn.org)



**Figure 4**  
Coastal and Marine National Parks recommended by Scottish Executive 2006

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- 2.37 Later in 2006 the Scottish Executive issued a consultation on its proposals for Scotland's first CMNP, based on the SNH advice and stressing the potential benefits and added value that a CMNP could bring to Scotland. It presented a detailed summary of the significance of and opportunities presented by each of the long list of ten areas identified by SNH. Ministers agreed with SNH's shortlist of the five strongest candidate areas. Within this shortlist two areas, Argyll Islands and Coast and Ardnamurchan, Small Isles and the South Skye Coast (or a combination of these two areas) were identified as possible strongest all-round candidates.
- 2.38 The next steps were to have been to decide the preferred location, to develop proposals on functions and powers and to publish a formal 'proposal' under the 2000 Act. However, this did not take place before the elections in May 2007, and the incoming SNP Government set aside the proposals to focus on broader marine policy issues. This ultimately led to the Marine (Scotland) Act 2010, which makes no reference to CMNPs.

### Isle of Harris Report 2008

- 2.39 During the early 2000s a group of people on Harris became convinced that National Park status would benefit their island, particularly in reinforcing its fragile economy, and in 2008 they commissioned *the Isle of Harris National Park Feasibility Study*. This made a convincing case that Harris met the three conditions set out in the 2000 Act, and set out the substantial and sustainable benefits that National Park status would bring. It argued a clear preference for a National Park as the ideal mechanism to help focus and encourage future heritage management and community development in Harris. However, the idea of a Harris National Park has so far failed to win support from local authority Comhairle nan Eilean Siar<sup>2</sup> or the Scottish Government.

### National Parks Review 2009

- 2.40 In 2009 the Scottish Government carried out a review of the two existing National Parks. However, the remit of the Review was relatively narrowly drawn, focusing largely on the role and composition of the two National Park Boards. Also, Stage 2 of the Review was dropped, denying the opportunity to discuss some of the more fundamentally important questions facing the National Parks beyond the relatively narrow range of administrative issues covered under Stage 1. The Review proposed the establishment of a ministerially-chaired National Strategy Group, but this has not so far been implemented.

### SNP Manifesto 2011

- 2.41 The SNP Manifesto issued before the 2011 Scottish Parliament elections included a commitment to "work with communities to explore the creation of new National Parks", but as of January 2013 the SNP Scottish Government has not yet taken any action to fulfil this commitment.

### Conclusion

- 2.42 At no point has it ever been decided that the number of National Parks in Scotland should remain at two. Three principal reports – in 1945, 1974 and 1990 – have consistently argued that Scotland has many landscapes of a quality meriting National Park status, and several where the pressures upon them require the special management regime associated with a National Park. The work on Coastal and Marine National Parks during 2005-2007 made a strong case for at least one more such area to be designated. The fact that only two National Parks have so far been established does not reflect a considered assessment that only two are justified. As the following sections will show, as we enter an era of ever faster and more unpredictable change, the arguments for increasing this number grow ever stronger. SCNP and APRS have concluded that this issue represents *Unfinished Business*.



# Section 3 Benefits of National Parks

3.1 This section sets out what SCNP and APRS consider to be the principal proven environmental, social and economic benefits of National Park status. Our hope is that this will help to convince more people in other areas of Scotland that National Park status is worth considering for their area.

## Summary of Benefits

3.2 National Parks provide a clear focus on a particular place, mechanisms to stimulate and co-ordinate positive action towards its conservation management and additional resources to reflect its importance to the nation. National Parks usually benefit from an agreed plan designed to safeguard the area's special qualities for future generations whilst managing competing pressures such as tourism, transport, energy, agriculture, forestry and fishing in integrated and positive ways. Governments normally provide additional national funding to help sustain communities in and around National Parks, encouraging jobs which support and look after these special places and their ways of life. National Parks often bring more visitors to remote areas, benefit tourism, farming and fishing interests and generate new commercial and marketing opportunities.

## Environmental Benefits

### Conservation Management

3.3 Designation of an area as a National Park generates a focus on active conservation management, that is on identifying its special qualities and promoting actions which protect or enhance those qualities. Scottish National Park Authorities (NPA) regularly demonstrate leadership by focusing on management challenges previously perceived either as too difficult to deal with or too peripheral to the priorities of local authorities or other public bodies. For example, the Cairngorms NPA has led the establishment of the Cairngorms Outdoor Access Trust, which has secured substantial resources to tackle the already extensive mountain path erosion across the Cairngorms massif, and is seeking to improve deer management arrangements across the National Park.

The Loch Lomond & The Trossachs NPA has tackled long-standing concerns about anti-social behaviour on East Loch Lomondside and power boating on Loch Lomond.

### Ecosystem Services

3.4 We all depend upon the services provided by ecosystems and their components: water, soil, nutrients and organisms. These 'ecosystem services' are the processes by which the environment produces resources used by people, such as clean air and water, food, wildlife habitats, flood management and the protection of carbon, nitrogen, nutrient and water cycles. They also include the cultural benefits people obtain from ecosystems including spiritual enrichment, reflection, recreation and aesthetic experiences. National Parks provide nationally important ecosystem services and have great potential to maximise this contribution, for example by linking up habitats to provide corridors of conservation value.

### Ranger Services

3.5 The principal means by which National Parks help visitors, advise owners and manage land are by providing countryside ranger services or co-ordinating existing ranger services. National Park designation should result in more effective co-ordination between any existing public and private ranger services as well as investment in additional provision.



**Landscape and Biodiversity Projects**

3.6 National Park status can generate additional resources to carry out priority projects agreed in the National Park Plan, drawing in charitable, rural development and lottery funding. This can be co-ordinated to invest in priority landscape or biodiversity projects, for example current Cairngorms National Park projects to conserve barn owls, red squirrels and wildcats. Such resources help make the funds provided by the NPA itself and other public-sector sources go further. The Forestry Commission has invested heavily by allocating increased resources towards managing forest landscapes in both Scottish National Parks; for example substantial new sums have been secured for the ambitious Great Trossachs Forest project.

**Testbeds**

3.7 National Parks are regularly used to pilot environmental schemes which are then adopted more widely. For example, Environmentally Sensitive Areas began in the Broads National Park in England; other initiatives which started life in National Parks include integrated rural development and 'one-stop shops' for advice to local businesses and residents. In future, society will need to find more environmentally sustainable methods of living and working. NPAs, helped by academic institutions, can create new approaches to sustainable development which can then be applied nationally. This could include adapting to climate change or addressing the challenges of 'peak oil'. For example, the Loch Lomond & The Trossachs NPA is promoting the introduction of water buses on Loch Lomond as a sustainable transport initiative.

## Social Benefits

**Health and Well-being**

3.8 National Parks provide nationally important social benefits by promoting a wide variety of types of outdoor exercise, which can help to combat heart disease and obesity and improve mental health. Large natural areas such as those in National Parks also

bring indirect benefits to human health, for example by absorbing particulate pollutants which contribute to lung disease and by reducing the risk of flooding, which regularly causes significant distress and inconvenience. They also provide significant opportunities for spiritual refreshment, which many people gain from wild places, and for escape from everyday pressures to enjoy quietness, peace and fresh air. Both Scottish NPAs have invested significantly in outdoor recreation initiatives, for example the Three Lochs Way linking Loch Lomond, the Gare Loch and Loch Long, the Speyside Way Newtonmore extension and village path networks such as that promoted by Explore Abernethy.

**Advice and Skills Training**

3.9 National Parks can provide a 'one-stop shop' for local people and businesses, giving tailored information on a range of subjects including business support and training, for example advice on LEADER or Scotland Rural Development Programme funding. In the Cairngorms National Park 2000 people from 200 businesses have benefited from a skills training programme for land-based businesses, including courses on black grouse management, catering for the less able visitor, drystone dyking, heather management, the Scottish Outdoor Access Code and water margin management. The Loch Lomond & The Trossachs National Park Community Futures Programme has led to 18 communities forming community development trusts to tackle local issues.

**Affordable Housing**

3.10 This is currently seen as the biggest single issue by the communities living in both Scottish National Parks. National Parks elsewhere in the UK have demonstrated commitment and leadership in trialling innovative approaches to securing affordable housing for local people, often in co-operation with housing associations and deploying legally-binding occupancy conditions. However, it is too soon to tell whether Scotland's National Parks will be able to address this challenge successfully.

### **Co-ordination**

- 3.11 National Parks can provide the necessary leadership to ensure that all public, private and voluntary bodies pull in the same direction to deliver integrated management across the whole area. The principal means of achieving this is through support for a single agreed National Park Plan, which sets out how the main issues identified for the area should best be tackled. NPAs can also act as positive intermediaries between local residents and existing local service providers.

### **Education and Interpretation**

- 3.12 The two Scottish National Parks have worked jointly on an externally-funded educational resource project to embed National Parks into the new national Curriculum for Excellence. The John Muir Award is an environmental award scheme focused on wild places which encourages awareness and responsibility for the natural environment, in a spirit of fun, adventure and exploration. John Muir Awards have been gained by 4,200 people in the Cairngorms National Park. Significant improvements to interpretation have been carried out by both Scottish NPAs, including signing, orientation facilities and publications. The Forestry Commission has refurbished its David Marshall Lodge visitor centre in the Trossachs and its Glenmore Forest Park Visitor Centre in the Cairngorms and has upgraded path and bike networks in both National Parks.

### **Permanence**

- 3.13 Designation as a National Park is a clear signal of long-term national commitment to its conservation. Temporary partnership arrangements may come and go, and are vulnerable to funding constraints and political change, but it is very rare for a government to abolish a National Park. Although some local people opposed the designation of National Parks in Scotland, there is some evidence that local support increased over their first ten years. For example, many MSPs made positive and supportive contributions to the two debates on Scotland's National Parks in the Scottish Parliament in March 2008 and November

2009, and during the 2008-2009 National Parks Review several local communities from areas near existing National Parks made cases for boundary extensions to include their areas.



## Economic Benefits

### Support for Traditional Land Uses

- 3.14 Some National Parks have a long track record in supporting traditional forms of farming and woodland management, in order to sustain the landscape and biodiversity benefits generated by those land uses. National Park status can help support jobs in the land-based sector, including crofters, rangers, stalkers, farmers and foresters, and can bring both direct and indirect benefits to those employed in businesses such as accommodation, food processing and building. National Park authorities can help people to access complex public funding schemes, including making collective grant applications.

### Multiple Benefits

- 3.15 National Parks can devise mechanisms which add value to the natural and cultural heritage without detriment to the aims of the National Park. For example the Hohe Tauern National Park in Austria has established a competition for traditional Alpine dairy farmers to provide National Park-branded dairy products. This has provided a series of benefits to the area: support for a rare breed indigenous to the region; maintenance of Alpine pastures intrinsic to the quality of the produce; maintenance of traditional buildings and stackyards; and the development of farm-based tourism business opportunities.

### Accolade

- 3.16 National Park status brings international-level recognition of the quality of the area, generating promotional benefits in terms of marketing and branding of local produce and services. For example, more than 200 businesses in the Cairngorms are using special National Park branding materials and the NPA has supported the Cairngorms Farmers Market and the Creative Cairngorms artists' and craft workers' association. Both Scottish National Parks have been awarded the European Charter for Sustainable Tourism, and 50 businesses in the Loch Lomond & the Trossachs National Park have achieved Green Tourism Business Scheme accreditation. NPAs

can act as champions of their local areas by advocating the maintenance of diverse rural economies, and can provide access to international expertise.

### Employment and Investment

- 3.17 NPAs employ additional staff directly, and also stimulate indirect employment through the 'multiplier effect' of sourcing goods and services from businesses based in and around the National Park. National Park status can attract more visitors, increase average spend per visitor and lengthen the visitor season, thereby increasing tourism-related employment and sustaining small-scale tourism businesses. National Parks tend to attract greater levels of inward investment, particularly for tourism, outdoor recreation providers and leisure developments.

### Spin-Off Effects

- 3.18 Studies<sup>3</sup> of the economic impact of National Parks in the UK and overseas demonstrate that National Parks generate employment, income and business development in their hinterlands as well as within their boundaries. This is due to National Park status raising awareness of the wider region in which it is located, to visitors passing through neighbouring areas en route to or from the National Park and to NPAs sourcing goods and services from the surrounding area. Studies have also shown that National Parks tend to have higher economic activity rates and lower unemployment than comparable areas nearby.

### Voluntary Donations Schemes

- 3.19 A National Park provides the sort of easily recognisable unit and management authority which can encourage people to contribute voluntarily to the area's upkeep. For example, visitors to National Parks have shown willingness to contribute to conservation projects through voluntary donation schemes such as the *OUR Park* scheme run by Friends of Loch Lomond & The Trossachs or the *Nurture Lakeland* initiative in the Lake District National Park.

3 / For example: Prosperity and Protection (Council for National Parks, 2006); Economic Contribution of National Parks (Campaign for National Parks, 2010); Valuing the National Park (Loch Lomond & The Trossachs National Park Authority, 2011) /



Glen Affric – not yet a National Park





# Section 4 Scope for Improvement

4.1 The principal aim of this Strategy is to protect and enhance Scotland's valued landscapes by encouraging the Scottish Government to designate more National Parks. However, in addition, a decade's experience of the first two National Parks indicates that there is scope to improve and strengthen their operation and that the case for designating more National Parks will be stronger if these issues are addressed. This section sets out the principal issues concerned, along with recommendations for addressing them. The designation of additional National Parks should not however be delayed until improvements are made to the existing ones.

## The Sandford Principle

4.2 Section 9(6) of the 2000 Act sets out a wider version of the Sandford Principle (see 2.17 above):

*“In exercising its functions a National Park authority must act with a view to accomplishing the purpose set out in subsection (1); but if, in relation to any matter, it appears to the authority that there is a conflict between the National Park aim set out in section 1(a) and other National Park aims, the authority must give greater weight to the aim set out in section 1(a)”*

4.3 The aim set out in section 1(a) is to conserve and enhance the natural and cultural heritage of the area. Section 9(6) therefore means that if there is a conflict between this aim and the other three relating to resource use, understanding and enjoyment and economic and social development, the National Park Authority (NPA) must give greater weight to the conservation aim. Both NPAs have been criticised for not doing so, particularly in relation to development management decisions taken under the town and country planning system, for example the proposed large-scale housing development at An Camas Mòr in the Cairngorms National Park and the proposed gold mine at Cononish in the Loch Lomond & The Trossachs National Park.

4.4 It is important to note that Section 9(6) only applies to the NPA, not to other executive agencies or public bodies<sup>4</sup>, yet the policies and activities of all of these can have significant impacts on the beauty of the natural and cultural heritage in National Parks. This has generated tension on occasion between agencies or public bodies seeking to promote resource use or economic or social development and NPAs seeking to promote the Sandford Principle.

4.5 We therefore recommend that Scottish Ministers should direct NPAs to give greater weight to the Sandford Principle, and should issue clear policy direction that the primacy of the first National Park aim applies to all executive agencies and public bodies operating within National Parks.

## Sustainable Development

4.6 Two of the National Park Aims established in Section 1 of the National Parks (Scotland) Act 2000 (the 2000 Act) include the word 'sustainable':

(b) to promote sustainable use of the natural resources of the area,

(d) to promote sustainable economic and social development of the area's communities.



<sup>4</sup> / including, for example, local Councils, the Forestry Commission, Highlands and Islands Enterprise, Historic Scotland, Marine Scotland, the Scottish Environmental Protection Agency, Scottish Natural Heritage, Transport Scotland or VisitScotland /

4.7 The word ‘sustainable’ is not defined in the Act and regular debate has since taken place over its meaning in the context of Scotland’s National Parks. However, *Scottish Planning Policy* (2010) makes clear that the Scottish Government supports the five guiding principles of sustainable development agreed internationally:

- living within environmental limits
- ensuring a strong, healthy and just society
- achieving a sustainable economy
- using sound science responsibly
- promoting good governance.

4.8 The fundamental principle of sustainable development is that it integrates economic, social and environmental objectives. For a policy, strategy, plan or activity to be sustainable, it must respect all five principles; living within environmental limits and achieving a strong, healthy and just society require a sustainable economy, sound science and good governance. These principles clearly apply particularly strongly in National Parks due to the wording of the National Park Aims quoted above.

4.9 We therefore recommend that Scottish Ministers should give clear policy direction that in dealing with National Parks all executive agencies and public bodies should pay particular attention to promoting the five guiding principles of sustainable development.

### Land Use Planning

4.10 NPAs need effective mechanisms to influence land use planning in order to successfully promote the National Park Aims. This applies both to those activities controlled by the town and country planning system and to those which are not.

4.11 The statutory town and country planning system is one of the principal tools at the disposal of both NPAs to promote National Park aims. However, two different planning systems are in operation in the

two National Parks. The Loch Lomond & The Trossachs NPA has full development planning, development management and enforcement powers. In the Cairngorms, however, a split system operates in which development management powers remain with the five constituent local planning authorities, whilst the NPA has development planning and ‘call-in’ powers over some development management decisions; enforcement powers are shared. This set-up has proved confusing to all involved, including local residents, developers and public bodies, and has demonstrated no compensating advantages.

4.12 Much land use activity with potential to affect the landscape of the National Parks falls outwith the statutory planning system, including management for agriculture, forestry, deer and recreation. Both NPAs therefore need effective mechanisms to influence land use outwith the planning system. Funding from the Scotland Rural Development Programme (SRDP) is particularly influential, as it brings approximately £1,600m per annum into rural Scotland, over 100 times the size of the budgets of both NPAs combined. The other key issue is that for the first time Scotland now has an integrated and sustainable *Land Use Strategy*, published in 2010, with the potential to have a positive influence both on the objectives of the SRDP and on patterns of land management in the National Parks.

4.13 We therefore recommend that Scottish Ministers use their powers to transfer development planning powers to the Cairngorms NPA, and put in place effective mechanisms to ensure that all SRDP funding contributes towards National Park aims. This could be achieved, for example, by requiring local land use strategies to be prepared for each National Park, which would integrate the objectives of the National Park Plan and the national *Land Use Strategy*.

## Relationships

- 4.14 Both NPAs have understandably put much effort in their first decade into engagement with those resident in the National Parks, seeking to build the crucial support of local communities for the concept of the National Park in general and the activities of the NPA in particular. However, these are National Parks in which many other individuals and groups have legitimate stakes, in particular the 'communities of interest' represented by the national non-government organisations (NGOs) which promote landscape protection, recreational access and biodiversity conservation. In 2011 several of the leading NGOs established a National Parks Task Force through the mechanism of Scottish Environment LINK. This aims to highlight the strategic issues involved with National Parks in Scotland and to provide a clear structure with which both NPAs can engage. It held a constructive first meeting with the CNPA in November 2011 and further meetings with both NPAs are in prospect.
- 4.15 We therefore recommend that both existing and future NPAs should establish formal mechanisms to engage with communities of interest, including those represented by the national NGO movement, as well as with local communities of place.

## National Park Plans

- 4.16 Section 11 of the 2000 Act gives National Park Plans (NPPs) a key role in achieving the National Park aims in a co-ordinated way. NPPs must set out the NPA's policy for managing the National Park and co-ordinating the functions of the NPA and of other public bodies in relation to the National Park. However, although the NPP is a plan for the whole National Park, not just for the NPA, public bodies are only given the fairly weak duty to "have regard to" the NPP. There is some confusion over the respective roles of NPPs prepared under the 2000 Act and Local Development Plans prepared under the Planning Acts.
- 4.17 We therefore recommend that Ministers should issue clear policy direction that all public bodies are expected to be closely involved in the preparation of the NPP and to play their part in delivering its aims. Mechanisms should be introduced by which all relevant public bodies formally commit to endorsing and following the NPP, including funding actions identified in it. The Scottish Government's recent undertaking to chair annual meetings of the relevant public bodies to cement their commitment to implement the measures in NPPs that fall within their remits is a positive step in this direction.

## Role of National Park Authority

- 4.18 The two existing NPAs have adopted different styles of management, partly due to historical differences in their development and partly through deliberate choice. The Cairngorms NPA presents itself as principally an enabling body which focuses on co-ordinating the activities of other agencies. For example, the ranger services in the National Park remain run by a mixture of voluntary, public and private bodies, and the NPA deliberately avoided the opportunity of direct involvement in managing a key area of land at the heart of the National Park when the future of the Cairngorm Estate, currently owned by Highlands and Islands Enterprise, was reviewed recently. On the other hand the Loch Lomond & The Trossachs NPA takes a more hands-on approach, including direct management of its own in-house ranger service. Such direct management can enhance the NPA's credibility and respect by demonstrating experience and best practice in conservation management and by directly delivering objectives appropriate to International Union for Conservation of Nature (IUCN) Protected Landscape/ Seascape status.
- 4.19 We therefore recommend that existing and future NPAs should preferably undertake direct conservation management of physical assets as exemplars, and in particular in-house management of a ranger service as the public face of the NPA.



# Section 5 Proposed National Parks

## Current Context

- 5.1 The current policy context for the management of Scotland's two existing National Parks and the designation of any new ones is provided by four key national documents: *Scotland's Landscape Charter*, the *National Planning Framework 2*, *Scottish Planning Policy* and the *Land Use Strategy*.
- 5.2 *Scotland's Landscape Charter* (2010) demonstrates how the principles of the European Landscape Convention (ELC) can best be applied in Scotland. The ELC, signed by the UK Government in 2006, promotes the better protection, management and planning of all landscapes across Europe. The Charter focuses attention on the actions everyone can take to ensure Scotland's landscapes are passed on to future generations in the best possible health. Developed by Scottish Natural Heritage with the Scottish Landscape Forum, the Charter invites communities, land managers, developers, local authorities, public bodies and non-governmental organisations to support its vision and commit themselves to the action it proposes.
- 5.3 The *National Planning Framework 2* (2009) states that "Scotland's two national parks are already demonstrating how environmental quality can be used to support economic and social development" and that "Scotland's National Parks protect some of our most precious natural heritage and make an important contribution to our tourism and leisure economy. They are important drivers of innovation in sustainable rural development and land management."
- 5.4 *Scottish Planning Policy* (2010) (SPP) firstly restates the four National Park aims, then clearly sets out the Sandford Principle and the status of the National Park Plan as follows: "In circumstances where conflict between the objectives arises and cannot be resolved, the 2000 Act requires that the conservation of the natural and cultural heritage should take precedence. The management strategy for each park is set out in the National Park Plan. Development plans within park areas should be consistent with the National Park Plan."
- 5.5 Scotland's first *Land Use Strategy* (2011) states that "Our two National Parks are of outstanding national importance because of their natural and cultural heritage. They were established to promote all three pillars of sustainable development – economy, environment and community." It gives the National Park Authorities (NPAs) a role in implementing the Strategy: "through National Park Plans (implementing current Plans and developing future ones), National Park Authorities in a collective and co-ordinated approach with other relevant public bodies can apply and put into practice the Principles and Objectives (of the *Land Use Strategy*), making choices about land use and priorities across the Park areas."
- 5.6 The SNP manifesto issued before the 2011 Scottish Parliament elections included a commitment to "work with communities to explore the creation of new National Parks", although the incoming SNP Government has not yet (January 2013) taken any action towards this end. One of our purposes in producing this document is therefore to help the Scottish Government to honour its manifesto commitment.



## Selection Criteria

- 5.7 The following criteria have been used to determine a recommended list of areas in Scotland which we consider to be suitable for National Park designation:
- Outstanding national significance for natural beauty, biodiversity, cultural heritage or landscape
  - Distinctive and coherent character
  - Land management patterns which demonstrate harmonious interaction between people and nature
  - Opportunities for appropriate small-scale quiet public enjoyment, consistent with conservation
  - Suitability for integrated management.
- 5.8 These are based on the conditions set out in Section 2 of the 2000 Act, somewhat expanded in light of subsequent experience. The ‘harmonious interaction’ criterion is drawn from International Union for Conservation of Nature (IUCN) Protected Area (see 2.31 above) Management Category V (Protected Landscape/Seascape), which is defined as “a protected area where the interaction of people and nature over time has produced an area ... with significant ecological, biological, cultural and scenic value”, ie rather than a “strict nature reserve” or “wilderness area”.

## Proposed National Parks

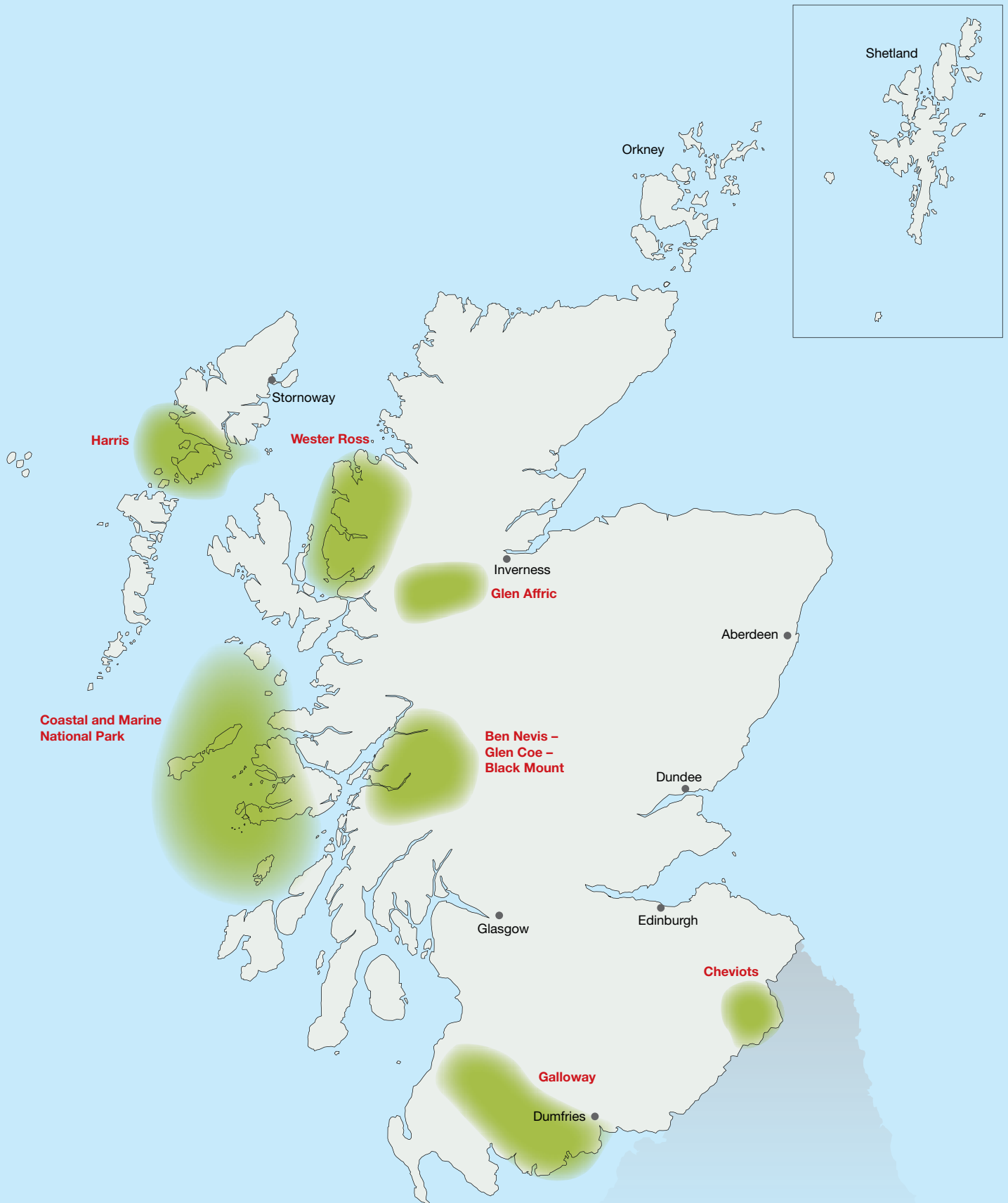
- 5.9 By applying the criteria set out above to potential National Park areas, we recommend National Park status for at least the following seven areas. Their approximate locations are shown on Figure 5, and brief descriptions are given below. These areas include all of the terrestrial areas proposed by the Ramsay Committee in 1945 and by the Countryside Commission for Scotland in 1974 and 1990, and two of the coastal and marine areas proposed by the Scottish Executive in 2007. They also include one area where local community support is particularly strong, and two areas representative of the landscapes of southern Scotland.

### 5.10 Ben Nevis/Glen Coe/Black Mount

This area includes the impressive massif of Ben Nevis, the highest mountain in the British Isles, as well as alpine Glen Nevis, dramatic Glen Coe, the expansive Moor of Rannoch and fjord-like sealochs Loch Leven and Loch Etive. It is very popular for hillwalking and winter mountaineering, and contains two downhill skiing and mountain biking resorts at Glencoe and Nevis Range. The National Trust for Scotland (NTS) owns a substantial area at Glencoe and the John Muir Trust owns Ben Nevis above approximately 650m. It was recommended for National Park status or equivalent in the 1945, 1974 and 1990 reports, and is mostly in Lochaber which currently brands itself as the Outdoor Capital of the UK. It has been subject to several integrated management initiatives, most recently through the Nevis Partnership. Much of the area is already designated as a National Scenic Area (NSA).



Galloway – not yet a National Park



**Figure 5**  
National Parks recommended by SCNP and APRS 2013

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\* For layout purposes the Shetland Islands are not shown in the correct geographical position.



### 5.11 **Cheviots**

#### **(Northumberland National Park extension)**

The Scotland/England border runs along the ridge of the Cheviot Hills, so the southern flanks of the Cheviot Hills in England are included in the Northumberland National Park, yet the northern flanks in Scotland have only limited protection through Area of Great Landscape Value (AGLV) designation. However, the landscape quality of the northern side is as great as, if not greater than, that to the south, so there would be a great deal of sense in extending the Northumberland National Park into Scotland. This would be the first cross-border National Park in the British Isles, although this would not be particularly unusual, as there are several examples of cross-border National Parks elsewhere in the world. The Cheviot Hills feature extensive grassy moorlands with frequent rocky outcrops. The largely treeless valleys which cut into the uplands often allow open views to layered ridges of hills, giving visual depth to views into and within the area. Strong contrasts prevail between the remote, wild summits and the quieter, less dramatic valleys.

### 5.12 **Coastal and Marine National Park**

The work carried out by Scottish Natural Heritage (SNH) and the Scottish Executive in 2005-2007 made a convincing case for the designation of at least one Coastal and Marine National Park (CMNP). SNH shortlisted five strong possible candidate areas; from these the Scottish Executive identified either Argyll Islands and Coast or Ardnamurchan, Small Isles and the South Skye Coast as possible strongest all-round candidates; it further suggested that a combination of these two areas might also be a strong candidate. We therefore propose a CMNP based around Mull, Coll and Tiree, extending northwards past Ardnamurchan to the Small Isles and southwards to Colonsay and possibly Islay and Jura. This area contains both outstanding coastal scenery and distinctive and contrasting island groups, ranging from the fertile and settled to the wild and remote. There are dramatic coastlines of

volcanic terraces and cliffs, exceptional marine wildlife and strong historical associations. There are five NSAs in this area: The Small Isles; Morar, Moidart and Ardnamurchan; Loch na Keal; Scarba, Lunga and the Garvellachs; and Jura.

### 5.13 **Galloway**

Any National Park in Galloway would preferably bring together the National Forest Park and the three NSAs, and could also incorporate an additional marine component in the Solway Firth. The three NSAs feature a rich variety of dynamic coastal scenery, including extensive estuaries and mudflats and several distinctive islands, with views south to the Cumbrian fells. There is a gradual transition from the coastline through a well-wooded farming landscape with many traditional features including fields, dykes and hedges to the upland hills. The National Forest Park includes the Merrick, the highest mountain in southern Scotland, and has more recently acquired reputations for mountain biking trails and for the quality of stargazing allowed by its dark skies. This diversity makes Galloway an outstanding example of the type of fine landscapes Scotland has to offer beyond its classic and best-known Highland scenery. Parts of this area overlap with the Galloway and Southern Ayrshire Biosphere reserve and with the Galloway Dark Sky Park.

### 5.14 **Glen Affric**

This was recommended for National Park status in the Ramsay report and remains one of the most beautiful glens in Scotland. The journey along it from east to west gives the experience of a gradual transition from dense and enclosed Scots pine forest past prominent lochs to exposed and wild open moorland. It forms part of a historic east-west route from coast to coast. Substantial parts of the lower glen are owned by the Forestry Commission, and the NTS property of West Affric includes its upper western reaches. Glen Affric is already designated as a NSA.

#### 5.15 **Harris**

The feasibility study completed in 2008 made a strong case for the Isle of Harris to become a National Park, and this proposal has the clear support of the local community, conclusively proven by a referendum. However, the 2008 study was explicitly confined to the terrestrial environment, whereas much of the landscape quality of Harris depends upon the interplay between sea and land. We therefore consider that any National Park based on Harris should have a coastal and marine element. Harris exhibits a rich variety of exceptional scenery, ranging from a wild and rocky mountainous interior to extensive coastal machair, dunes and expansive beaches. It also features a great diversity of seascapes, including dramatic island-studded sounds, and has a strong feeling of being on the very edge of Europe. Harris is part of the larger South Lewis, Harris & North Uist NSA.

#### 5.16 **Wester Ross**

This is Scotland's largest NSA, ranging from Little Loch Broom in the north through the wild land of Fisherfield and Letterewe to Loch Maree, Torridon and the Applecross peninsula. It is renowned for its scenic splendour, with spectacular and magnificent rocky mountains the backdrop to distinctive coastal crofting settlements. This is a landscape of many layers, with large sweeps of open, expansive moorland and pockets of native woodland as well as the great tracts of remote wild land. Water is abundant, both in freshwater lochs and the varied coastline, with views out to Skye and the Western Isles. Wester Ross was recommended for National Park status or equivalent in the in the 1945, 1974 and 1990 reports.

### Order of Designation

- 5.17 We consider that a pragmatic approach should be taken to the order in which the above areas are designated, recognising that there will inevitably be wide variations in the rate at which local support grows and detailed proposals are developed. The procedure towards designation could however follow the mechanisms employed in previous instances. One tried and tested process has been to establish a working group to study a particular location in detail and to recommend the best solutions for that area. This was the process followed both for the Cairngorms (*Common Sense and Sustainability, 1992*) and for Loch Lomond and the Trossachs (*The Management of Loch Lomond and the Trossachs, 1993*). Another mechanism is to employ experienced consultants to carry out such a study (eg *Isle of Harris National Park Feasibility Study, 2008*). Priority might be given to areas where local support is strongest or where threats to the significance of the area are greatest.

### Boundaries

- 5.18 This report focuses on the principle of establishing more National Parks, and does not therefore propose specific boundaries. The establishment of precise boundaries for any protected area is a complex and detailed task requiring both local knowledge and national expertise including from, for example, Community Councils and SNH. This task should be undertaken at a later stage once the principle of designation has been established, according to a consistent set of agreed criteria and in the context of a clear understanding of the geographical distribution of the special qualities for which the National Park is designated. Landscape Character Assessment will be a key tool to be used to establish the most appropriate boundaries. The feasibility of establishing buffer zones to protect the setting of any new National Parks should be considered as part of this exercise.

## Governance

5.19 The provisions of the 2000 Act allow flexibility in the governance arrangements for Scottish National Parks, which can to some extent be tailored to suit individual circumstances. The first two National Parks cover parts of three and five local authority areas respectively, and therefore each of those authorities nominates a number of members to the NPA. However, most of the areas proposed above would fall within a single local authority area; it might therefore be appropriate to vary the composition of the NPA, for example to include representatives of a range of other national and local interests.

5.20 There would probably be three exceptions to this:

- the proposed coastal and marine National Park would probably cover parts of Highland as well as of Argyll & Bute; it would have a relatively low resident population within its boundary, so it might be appropriate for eg recreational, conservation or commercial interests to be represented on the NPA
- the proposed Ben Nevis/Glen Coe/Black Mount National Park would fall mostly within Highland, but would probably extend partly into Argyll & Bute
- the proposed Galloway National Park might well extend into East and South Ayrshire, as does the recently-approved Biosphere reserve.

## Other Protected Areas

5.21 The designation of up to seven more National Parks in Scotland, however welcome, would not adequately address all of the issues related to protected landscapes in Scotland. Many of the 40 NSAs would remain outwith National Parks, and these would benefit from the sort of proactive management pioneered in recent years in Dumfries and Galloway. At the very least each should have an agreed management strategy which sets out the long-term protection and management of its special qualities for the benefit of the nation, local residents, visitors and future generations.

5.22 The coverage of non-statutory AGLVs or equivalent local landscape designations is patchy and varied; they have been designated over the years by local authorities according to varying sets of criteria. SPP encourages local authorities to designate Local Landscape Areas (LLAs) through the planning system to:

- safeguard and enhance the character and quality of landscapes which are important or particularly valued locally or regionally, or
- promote understanding and awareness of the distinctive character and special qualities of local landscapes, or
- safeguard and promote important settings for outdoor recreation and tourism locally.

5.23 However, the process of reviewing AGLVs and replacing them with LLAs, selected according to agreed and defensible criteria, is proceeding slowly and has not been treated as a priority by some local authorities. Also, even this process will not necessarily cover all the landscapes worthy of protection. This process needs to be completed, so that the Countryside Commission for Scotland's vision from 40 years ago, of an integrated and co-ordinated system of landscape protection, can finally be realised.

5.24 The three Regional Parks and 36 Country Parks also have important roles to play in landscape management, in addition to their primary role of providing facilities for informal outdoor recreation near to towns and cities. There might therefore be a case for creating more Regional Parks in suitable locations.



# Section 6 Implementation and Delivery

## Leadership

6.1 Scotland's National Parks need strong political leadership to fulfil their potential. They make an important contribution to national pride in Scotland, as they cover cherished landscapes of great beauty and historical resonance which are famous across the world.

6.2 The National Parks (Scotland) Act 2000 is significant as one of the first to be passed by the Scottish Parliament. Many MSPs made positive and supportive contributions to the two debates on Scotland's National Parks in the Scottish Parliament in March 2008 and November 2009. However, greater political commitment towards strengthening and expanding the family of National Parks in Scotland is required. The then Environment Minister gave an assurance in 2008 that there would be a "strategic and fundamental" review of National Parks, but the review which resulted was partial and incomplete. The first part of the review only addressed some minor changes in the governance arrangements for the two National Park Authorities (NPAs); Ministers dropped the second part, which should have tackled some of the more strategic issues outlined in this report.

6.3 In 2009 the Scottish Government announced that it would establish a ministerially-chaired National Parks Strategy Group, but has not done so. Such a Group could usefully be established with a remit to:

- assess the performance of the NPAs, the outcomes of their work and the value for money they provide
- develop criteria to international standards and a geographical strategy for designating further National Parks
- advise on any future bids for National Park status
- commission research on topics relevant to protected area management and sustainable development

- encourage exchange of good practice between the two existing National Parks, any future ones and international best practice
- review the roles of executive agencies and public bodies<sup>5</sup> relative to National Parks
- produce an annual report to the Scottish Parliament.

6.4 The current Scottish Government's 2011 Manifesto made a commitment to "work with communities to explore the creation of new National Parks", but it has not yet taken any action towards fulfilling this. Four interconnected issues are involved:

- There is no forward strategy for Scotland's National Parks
- There is no single agency or public body charged with the strategic thinking and leadership required to maximise the opportunities presented by National Parks and to resolve problems in a consistent and constructive way; the role of the National Parks Team within the Scottish Government is limited to co-ordinating and managing the existing system
- Scottish Natural Heritage is limited to routine engagement with the NPAs over management, policy, and planning issues; its relationships with the NPAs vary little from those which it has with local Councils
- The NPAs have not been empowered to act significantly differently from other local planning authorities.



<sup>5</sup> / including, for example, local Councils, the Forestry Commission, Highlands and Islands Enterprise, Historic Scotland, Marine Scotland, the Scottish Environmental Protection Agency, Scottish Natural Heritage, Transport Scotland or VisitScotland /

## A National Parks Service for Scotland

- 6.5 This report therefore recommends that consideration be given to the establishment of an overall National Parks Service, which could support the work of the existing and any new National Parks and of other protected landscapes such as National Scenic Areas and Regional Parks. A National Parks Service could provide independent advice, offer central expertise and promote integration of the management of all protected landscapes in Scotland. It could ultimately contribute towards a reduction in the number of public bodies, it could bring potential cost savings, and its creation would be in line with current moves towards central national bodies in other sectors of public life such as the fire service or the police force.
- 6.6 The two NPAs have suffered from constant underfunding, preventing them from fulfilling their full potential as exemplars of sustainable development. In recent years the two NPAs have received Scottish Government funding in the order of £14m per annum, which represents remarkably good value for money given the range of benefits they provide, as outlined in Section 3 above. At present levels of expenditure the planned spending on the 2014 Commonwealth Games would fund both existing NPAs for 50 years. The NPAs also need to be able to retain any income generated locally through for example planning fees, retail sales, parking or launching charges, without any corresponding reduction in Scottish Government grant.
- 6.7 We therefore recommend that the Scottish Government demonstrates the necessary leadership by delivering on its manifesto commitment to explore the creation of new National Parks and on its promise to set up a Ministerial Strategy Group on National Parks. That Group should include national representation of relevant communities of interest, and should be given clear responsibility for strategic thinking. The Scottish Government should also consider setting up an overall National Parks Service and should gradually increase the levels of funding available to existing and future National Parks.



Loch Lomond and The Trossachs National Park





# Section 7 Conclusions and Call to Action

## Conclusions

- 7.1 Scotland has some of the finest landscapes on the planet, many the equal of National Parks across the world. However, only 8% of Scotland is covered by National Parks so far, compared to, for example, 20% of Wales or 12% of Iceland. Scotland's first two National Parks have achieved a great deal in their first decade and represent remarkable value for money. They inspire pride and passion amongst local people and visitors, and they provide many valuable benefits to local residents, visitors and Scotland as a whole.
- 7.2 Now is the time to spread these benefits still wider, through a national strategy to add more parts of Scotland to the worldwide family of National Parks. This would bring additional resources to places which deserve it, strengthen Scotland's international standing for environmental protection and support our crucial tourism industry.
- 7.3 Some of these benefits can be delivered in other ways and by other bodies. However, we consider that designating a special area as a National Park is the best way to:
- generate a high profile
  - support its active management as well as its protection
  - encourage integrated planning and management by all public bodies, and
  - invest additional national resources in helping both residents and visitors to enjoy the landscape whilst conserving it for future generations.

## Call to Action

- 7.4 SCNP and APRS call upon the Scottish Government to:
- Establish the Ministerially-chaired National Parks Strategy Group promised by the 2009 Review
  - Prepare a national strategy for future National Parks in Scotland, including Coastal and Marine National Parks
  - Set in train the improvements proposed in this report in terms of legislation, structures, functions and powers
  - Recognise and take full advantage of the benefits of National Park status.
- 7.5 It would be a fitting tribute to the memory of John Muir, the 'Father of National Parks', if the Scottish Government were to announce the creation of Scotland's next National Park in 2014, the year of Homecoming and the centenary of Muir's death.





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- 01 / Glen Affric
- 02 / Arrochar Alps, Loch Lomond
- 03 / Loch Achtriochtan, Glen Coe
- 04 / Loch Maree Islands, Wester Ross
- 05 / Mull
- 06 / Glen Nevis
- 07 / Cairngorms Plateau
- 08 / Glen Quoich, Cairngorms
- 09 / Rum
- 10 / Loch Moidart
- 11 / Slioch reflected in Loch Maree, Wester Ross
- 12 / Buachaille Etive Mór, Glen Coe
- 13 / Liathach, Wester Ross
- 14 / The Cheviots in winter
- 15 / Loch Lomond
- 16 / Isle of Arran
- 17 / Rum
- 18 / Torridon, Wester Ross
- 19 / Loch Lomond
- 20 / Staffa
- 21 / Glen Affric
- 22 / Slioch and Loch Maree, Wester Ross
- 23 / The Cheviots
- 24 / Buachaille Etive Mór, Glen Coe
- 25 / Looking West from Sgurr a'Bhealaich Dheirg, West Affric

# Appendix 1

## National Parks Policy in Scotland – A Brief History

1. This Appendix aims to give a brief summary of the historical development of policy on National Parks in Scotland over the last 65 years or so, as the context for the proposed strategy. This does not claim to be a comprehensive review of what has been a lengthy and complex story. All of the principal reports referred to are available for more detailed study on the APRS website.

### A National Park for Scotland 1904

2. Efforts to protect and enable public access to Scotland's finest landscapes began in the 19th century; for example in 1884 James Bryce, MP for Aberdeen, unsuccessfully promoted legislation for access to the mountains. However, the first specific proposal that Scotland should have National Parks came in a 1904 essay by Charles Stewart of Appin, *A National Park for Scotland*, in which he argued for protected status for a large tract of the western Highlands and the strict preservation of the natural fauna within its boundaries. Stewart was particularly concerned to preserve wild animals of the open moorland and hillside which he felt might be threatened by the huge areas of state-backed plantation forestry being discussed at the time.

### The Addison Report 1931

3. In 1929 several countryside organisations, including the newly-formed Association for the Preservation of Rural Scotland (APRS – now the Association for the Protection of Rural Scotland), pressed the Government to look into the need for National Parks in Britain. The resultant National Park Committee, chaired by Dr Christopher Addison, examined proposals for the safeguarding of areas of exceptional national interest and nature sanctuaries for the protection of flora and fauna. Its 1931 *Report of the National Park Committee* considered the Cairngorms as a possible National Park, but the Government of the day took no steps to implement any part of the Report. In response to this lack of action and in an effort to keep alive public interest and support, the voluntary bodies formed a Standing Committee on National Parks in 1934.

### The Ramsay Report 1945

4. In 1942 APRS established the Scottish Council for National Parks (SCNP – now the Scottish Campaign for National Parks), which on behalf of about 30 interested bodies pressed the Secretary of State for Scotland for an assessment of potential National Park areas. During the Second World War, as part of the great wave of enthusiasm for post-war reconstruction which also gave birth to the welfare state and the planning system, the Department of Health for Scotland (DHS) established a Scottish National Parks Survey Committee, chaired by Sir Douglas Ramsay and including eminent naturalist Frank Fraser Darling. The Committee's remit was to advise upon areas which might be suitable for National Parks and to supervise a survey of potential areas by DHS officials. The Committee invited suggestions as to suitable areas from interested organisations, including both SCNP and APRS, and its report noted that none of the replies were adverse to establishing National Parks in Scotland.
5. The Committee reported in 1945, basing its recommendations on the definition of a National Park as:  
*“an extensive tract of country of outstanding natural beauty, preferably also of scientific, cultural or historic interest, owned or controlled by the Nation, accessible to all as a matter of right under suitable regulations, and administered by or on behalf of the Nation to the end that its distinctive values may be preserved unimpaired for the enjoyment and recreation of this and future generations”*
6. Rather more poetically, Committee member Peter Thomsen described a National Park as:  
*“a place where intelligent forethought has thrown a protecting arm around some still untouched remnant of the beauty of the world, leaving it to exercise its elevating and refining influence on all who come into contact with it”*
7. The Committee laid down seven selection criteria:
  - a) Outstanding scenic beauty – including mountain, glen, woodland and water
  - b) Accessibility – both to the area and within it, to include at least one area near the largest industrial centres and with complete freedom of access except for cultivated land, “vermin eradication” and deer control
  - c) Preservability – ie areas “free from disfigurement”, including the landscape outwith the boundary but visible from within it, ie buffer zones
  - d) Recreational facilities – including winter sports
  - e) Educational, cultural and social interests – including scenery, geology, natural history, architecture, history, crafts and customs, song, literature and poetry
  - f) Flora and fauna – opportunities for survival of species
  - g) Accommodation – in or near the area, including campsites.

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8. It was noted that these criteria required beauty to be weighed against accessibility to some extent. It was assumed that most access would be by rail or coastal steamer rather than by private vehicle. The report stressed that designation of an area as a National Park did not preclude the maintenance or extension of economic land uses, provided that this is compatible with its primary objectives and that agriculture and forestry are controlled by the National Park authority. It argued that National Park status should preserve rural life in the communities concerned, that increased farm produce would be necessary to meet the needs of more visitors and that fish farming might increase economic resources and attractions for visitors.
  9. The report argued that “judicious afforestation”, including a variety of hardwoods, was compatible with National Park status as long as provision was made for paths and viewpoints. It noted that several National Forest Parks (NFPs) were already projected or established by the Forestry Commission, suggesting that these should be considered as additional to rather than an alternative to National Parks. It argued that the designation of National Parks would not concentrate tourists within them, but rather would add to the general attractiveness of Scotland as a tourist destination and increase visitor numbers throughout the country. It was noted that the areas most suitable for designation on account of their natural beauty generally had low levels of economic development and so were in need of additional sources of income.
  10. The phrase “extensive tract” introduced the idea of size as a criterion; National Parks should be large enough for “the Nation” to enjoy and important enough to justify the intervention of the State, thereby distinguishing them from for example green belts, municipal parks and playing fields. The recommended areas therefore excluded smaller and more accessible ranges such as the Pentlands, Ochils and Sidlaws.
  11. The Committee recommended the following five areas, in the order given, as suitable for National Parks:
    1. Loch Lomond – Trossachs
    2. Glen Affric – Glen Cannich – Strath Farrar
    3. Ben Nevis – Glen Coe – Black Mount
    4. The Cairngorms
    5. Loch Torridon – Loch Maree – Loch Broom.
  12. It is notable that areas 2 and 5 come within a few miles of each other at Glen Carron. The Committee also suggested that the following further areas, again in the order stated, might be placed on a reserve list for later consideration:
    6. Moidart – Morar – Knoydart
    7. Glen Lyon – Ben Lawers – Schiehallion
    8. St Mary’s Loch.
  13. Field surveys were made of nine areas and summary reports, including geology, landscape, recreational opportunities and history were presented for all of these except for The Merrick – Glen Trool in Galloway which, although considered eminently suitable for a National Park, was instead proposed as a NFP.
  14. The extent of the proposed National Parks varied from 140 to 610 square miles (sq m) and comparisons were given to demonstrate that this was not excessive, including:
    - The largest US and Canadian National Parks are up to 4,000 sq m
    - Fjordland in New Zealand is 3,500 sq m
    - The English Lake District is 800 sq m.
  15. The land area of Scotland is approximately 30,000 sq m, so the Committee considered it reasonable to dedicate say a tenth of this to enjoyment and recreation; all eight recommended and reserve areas only totalled 2,600 sq m.
  16. The Committee assumed that the land in any National Parks subsequently designated would be purchased by the state and would remain thereafter in permanent public ownership. The report argued that the success of National Parks and the tourism industry depends on the preservation of natural beauty, so it was hoped that these benefits would be weighed along with those from the large-scale hydro-electric schemes then being proposed. The Committee preferred small-scale energy schemes which would supply light and power to their immediate neighbourhood and rural industries, so that the claims of amenity and productive use might be reconciled. The hope was expressed that the ugliness of industrial development near Fort William, which disfigured the grandeur of the landscape, could somehow be screened.

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## The 1950s and 1960s

17. In 1951 the then Secretary of State for Scotland decided not to proceed with Ramsay's recommendations, and it would be more than 50 years until National Parks were established in Scotland. The reasons for this were complex, but comprised at least five strands. First, influential landowners, including several Members of the House of Lords, opposed public acquisition of their estates and the introduction of additional controls over their ability to manage their property as they wished. Second, the hydro-electric and forestry industries feared that the Committee's recommendations were liable to sterilise large tracts of Scotland from future development. Third, there was no significant pressure from recreational interests for more formal arrangements for access to the countryside, given the effective freedom of responsible access which had long existed in Scotland and the lesser pressure from visitor numbers compared with, for example, the Lake District or Peak District. Fourth, it was considered difficult to single out specific areas for National Park status, given the high landscape quality of much of Scotland. Finally, there was opposition from local authorities to the potential transfer of some of their powers.
18. However, to go some way towards safeguarding the most important areas five 'National Park Direction Areas' (NPDAs) were established over the 'Ramsay' areas, with a mechanism by which certain categories of development proposals could be 'called in' for determination at a national level; these remained in force until 1982. Meanwhile, ten National Parks were established in England and Wales during the 1950s.
19. In 1962 a commission by the National Trust for Scotland (NTS) led author and mountaineer Bill Murray to identify 21 'regions of outstanding beauty' in his report *Highland Landscape*. These included variations on Ramsay's five recommended areas and on two of the three reserve areas; Murray's survey was confined to the Highlands, excluding lowland and island areas. *The Countryside in 1970* conferences held during the 1960s drew attention to the anomaly between Scotland and the rest of Britain over the provision of National Parks, and highlighted the need for specific powers to promote landscape protection and countryside recreation. This led to the Countryside (Scotland) Act 1967 and the establishment of the Countryside Commission for Scotland (CCS) in 1968 as the agency responsible for the enjoyment of the countryside and the conservation of its natural beauty and amenity.
20. Various methods of landscape protection and recreation provision did emerge over this period. The Forestry Commission established five NFPs in Scotland, NTS acquired extensive tracts of mountainous country and local authorities designated many Areas of Great Landscape Value, four Green Belts and four Country Parks. However, these efforts lacked adequate co-ordination and a comprehensive management or conservation framework.

## A Park System for Scotland 1974

21. CCS offered advice to the Secretary of State for Scotland on many relevant matters in its early years, but in 1974 it published its first comprehensive advice on its whole approach to its objectives, *A Park System for Scotland*. This proceeded from the premise that although National Nature Reserves were on the United Nations list of National Parks and equivalent reserves, no equivalent existed for designation and conservation management of landscapes of great beauty. It argued that positive action was desirable to develop the existing arrangements for both landscape conservation and recreation development, within a more systematic framework.
22. The report identified the need for a comprehensive system combining landscape conservation with provision for the whole spectrum of outdoor recreation. This would extend from intensive organised activities in small areas near towns or cities to extensive informal recreation over larger more remote areas; it was noted that the only large areas remote from roads in the UK are in Scotland, bringing special responsibility to cherish this important attribute. The report proposed such a system under four categories:
  - Urban Parks** – not within designated countryside but included to make clear the need to provide for the whole spectrum of outdoor recreation.
  - Country Parks** – relatively small areas (normally <400 ha) near to towns, intended to provide recreation, enjoyment and education and to ease pressure on more vulnerable areas; four had already been designated under the 1967 Act.
  - Regional Parks** – larger, more diverse in character and serving greater catchment areas; probably managed by the new Regional Councils with 75% CCS grant.
  - Special Parks** – to satisfy national levels of demand for recreation; likely to be in countryside of considerable natural beauty and amenity and therefore to be national assets requiring particular care and attention. These could be considered in places such as the Cairngorms, Glen Nevis/Glen Coe and Loch Lomond/Trossachs (ie the Ramsay areas); as they would probably be in areas with low population densities, a higher grant rate than the standard 75% would be justified. Management would be by special park authorities, largely appointed by local authorities but with a third of the members to be appointed independently by the Secretary of State with recreation and nature conservation knowledge. Special Parks would require delegated planning functions and would be designated as Areas of Special Planning Control (ASPCs) under the 1967 Act. Management agreements could be concluded with landowners aimed at channelling the public into less sensitive areas instead of a free-for-all between visitors and local interests.

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23. The report demonstrates clear reluctance by CCS to challenge the interests of local authorities or landowners; it argued that the legal and organisational change required to introduce arrangements for landscape analogous to those already in place for nature conservation would adversely affect local government interests, particularly through loss of planning powers. CCS had no wish to prevent change to the 'traditional' land uses of agriculture, forestry or sport or to the 'traditional' freedom of owners to use their land as they wish; it preferred co-operation to dramatic change. It ducked the issue of whether Scotland should have National Parks, stating only that this "will no doubt continue to be debated"; however it is clear from the description of the proposed Special Parks that they would effectively have been National Parks in all but name. The 1974 CCS report also argued that there were areas beyond those proposed as special parks which contain landscapes of unsurpassed attractiveness which must be conserved as part of our national heritage. These should be identified in structure plans as worthy of special protection together with policies to achieve this and should be designated as ASPCs under the 1967 Act.

#### **The Sandford Principle**

24. It became widely recognised in England and Wales after the first two decades of experience of managing National Parks that there could on occasion be tensions between their various objectives. The 1974 Sandford Committee Review of National Park Policies in England and Wales therefore recommended that National Parks legislation should be amended to make clear that the enjoyment of National Parks by the public 'shall be in such a manner and by such means as will leave their natural beauty unimpaired for the enjoyment of this and future generations'. This has become known as the 'Sandford Principle'. The concept was endorsed as government policy and has since appeared in legislation, which now also recognises that cultural as well as natural heritage must be embraced by the Principle.

#### **Scotland's Scenic Heritage 1978**

25. CCS then carried out a review which led in 1978 to the publication of *Scotland's Scenic Heritage*. This listed, mapped and described 40 areas of the finest examples of certain types of landscape for which Scotland is most renowned, again including all five Ramsay areas. In 1982 these were designated as National Scenic Areas (NSAs) and the NPDAs were withdrawn. Local authorities were required to consult CCS on certain classes of development within NSAs; where a local authority proposed to issue planning permission against CCS advice the final decision would be made by the Secretary of State for Scotland.

#### **The Mountain Areas of Scotland 1990**

26. Legislation enabling the creation of Regional Parks along the lines of the 1974 proposals was finally passed in 1981, and four Regional Parks were established at the Lomond Hills (1986), Pentland Hills (1986), Loch Lomond (1988) and Clyde Muirshiel (1990). However, the proposals for Special Parks were set aside, but the issue of whether Scotland should have National Parks did not go away. In 1989 the Scottish Minister for Home Affairs and the Environment invited CCS to "study management arrangements for popular mountain areas such as the Cairngorms, taking into consideration the case for arrangements on national park lines in Scotland".
27. After several months of research, consultation and internal debate CCS published its report *The Mountain Areas of Scotland – Conservation and Management* in 1990. This report set out the values attributed to Scotland's mountains in the context of changing land use practices. It highlighted a slow process of attrition of landscape quality, the lack of an integrated approach to rural land management, inadequate incentives for land managers, poor management of recreation and tourism and the steady loss of wild land quality. It made a number of general recommendations for all upland areas, including indicative regional land use strategies, promotion of higher design standards, increased protection for wild land and better integration of land management grants.
28. It also identified four important mountain areas which urgently required special management arrangements to protect their high heritage value:
1. The Cairngorms
  2. Loch Lomond and the Trossachs
  3. Ben Nevis/Glen Coe/Black Mount
  4. Wester Ross.
29. It argued that these areas should be called National Parks, be managed by independent planning boards (except for Wester Ross), have land management functions and have local community interests represented on their boards.

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### Protecting Scotland's Finest Landscapes 1997

30. Despite these clear recommendations from CCS the Government once again did not proceed with the designation of National Parks, although it did establish two Working Parties which studied potential management arrangements for the Cairngorms and for Loch Lomond and the Trossachs in more detail and published detailed reports for each area: *Common Sense and Sustainability: A Partnership for the Cairngorms* (Cairngorms Working Party, 1992) and *The Management of Loch Lomond and the Trossachs* (Loch Lomond and the Trossachs Working Party, 1993).
31. During the 1990s, increasing dissatisfaction with landscape protection in general and the absence of National Parks in particular grew within Scotland's network of non-governmental organisations (NGOs), co-ordinated through Scottish Wildlife and Countryside Link (SWCL). This culminated in SWCL's 1997 discussion paper *Protecting Scotland's Finest Landscapes*, a 'call for action on National Parks in Scotland' supported by 24 NGOs. This paper analysed the problems caused by an inadequate protected areas system, the lack of integrated powers and resources and a history of wasteful and damaging conflicts in some of Scotland's finest landscapes. SWCL called upon the Government to establish a network of National Parks designed to meet Scotland's specific needs, to cover both terrestrial and marine areas, to deliver significant social and economic benefits to local communities and to meet international criteria as defined by the International Union for Conservation of Nature (IUCN).
32. In 1997 a new Government was elected with a commitment to Scottish devolution and a more sympathetic attitude towards National Parks. Shortly after the SWCL paper was published, the recently-appointed Environment Minister Lord Sewel finally announced the new Government's intention to establish National Parks in Scotland. This was to be a matter for the proposed Scottish Parliament if Scotland voted for devolution, which it duly did in the 1997 referendum.

### National Parks (Scotland) Act 2000

33. The National Parks (Scotland) Act 2000 was one of the first passed by the newly re-established Scottish Parliament following devolution in 1999. Section 1 establishes the four National Park aims:
  - a) *to conserve and enhance the natural and cultural heritage of the area,*
  - b) *to promote 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, and*
  - d) *to promote sustainable economic and social development of the area's communities.*
34. Crucially, Section 9(6) of the Act sets out a wider version of the Sandford Principle (see 24 above):

*In exercising its functions a National Park authority must act with a view to accomplishing the purpose set out in subsection (1); but if, in relation to any matter, it appears to the authority that there is a conflict between the National Park aim set out in section 1(a) and other National Park aims, the authority must give greater weight to the aim set out in section 1(a)*
35. Section 2 sets out the conditions to be satisfied for an area to be designated as a National Park:
  - a) *that the area is of outstanding national importance because of its natural heritage or the combination of its natural and cultural heritage,*
  - b) *that the area has a distinctive character and a coherent identity, and*
  - c) *that designating the area as a National Park would meet the special needs of the area and would be the best means of ensuring that the National Park aims are collectively achieved in relation to the area in a co-ordinated way.*
36. The Act also sets out the process to be followed to designate National Parks in Scotland and the purposes and functions of National Park Authorities, including the requirement to prepare a National Park Plan.
37. After lengthy consultation and designation processes the Loch Lomond & The Trossachs National Park was designated in 2002 and the Cairngorms National Park in 2003. In 2008 the boundary of the Cairngorms National Park was extended to include parts of Highland Perthshire.
38. Scotland's National Parks (like its NSAs) benefit from the significant international accolade of being classified as Category V – Protected Landscape/Seascapes<sup>5</sup> by IUCN, the United Nations agency responsible for protected areas across the globe. This requires that such areas be managed to meet the international objectives prescribed for them, the primary one being:

*To protect and sustain important landscapes/seascapes and the associated nature conservation and other values created by interactions with humans through traditional management practices*

5 / "A protected area where the interaction of people and nature over time has produced an area of distinct character with significant ecological, biological, cultural and scenic value; and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values" / [www.iucn.org](http://www.iucn.org)

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### Coastal and Marine National Parks 2005-2007

39. The 2000 Act makes clear that its provisions can apply, with modifications if necessary, to areas of sea; indeed the Loch Lomond & The Trossachs National Park already covers a limited area of the intertidal zone in Loch Long.
40. In June 2005 the Scottish Executive's Environment Minister asked Scottish Natural Heritage (SNH) to provide advice on coastal and marine National Parks. In March 2006 SNH submitted its advice, reporting on work it had undertaken to fulfil this request and presenting its findings on how a coastal and marine National Park (CMNP) might operate and on possible areas that might be designated.
41. SNH stated clearly that Scotland has a world-class coastal and marine resource. It had found support for the principle of a CMNP from some areas and interest groups, while others expressed concerns and reservations. As one of a range of measures, SNH felt that the designation of a CMNP could:
  - Enhance the care of an area of high natural and cultural heritage value;
  - Increase the enjoyment and understanding of these assets by people from across Scotland and elsewhere;
  - Deliver local social and economic benefits such as more and higher quality jobs, diversified and robust businesses and stronger communities;
  - Provide for greater involvement of local people in decision-making; and
  - Promote innovation, good practice and more integrated approaches to sustainable development applicable throughout Scotland.
42. This approach would be underpinned by the better planning and management of the area and the activities that take place within it. In particular, a CMNP would need to provide a model of how fisheries can be managed better to ensure that both biodiversity and local livelihoods could be sustained.
43. SNH recommended that the National Park Authority (NPA) for a CMNP should initially focus on planning and practical work, using basic powers and functions and modest expenditure. Following the preparation of a Park Plan, further consideration could be given to any regulatory powers that the NPA may need, so that the concept of a CMNP could grow incrementally, having built consensus and goodwill.
44. A long list of potential areas was identified, based on heritage values and the coherence of defined areas. Most were in the North and West, including many of the island groups. A process of short-listing identified the following as the five strongest candidates:
  - The Solway Firth;
  - Argyll Islands and Coast;
  - Ardnamurchan, Small Isles, and South Skye coast;
  - North Skye Coast and Wester Ross; and
  - North Uist, Sound of Harris, Harris and South Lewis.
45. SNH advised that further work would be required to refine these areas and to consider in detail their seaward and terrestrial extent. The assessment work also highlighted a number of other places which could benefit from enhanced conservation and resource management effort, but for which the National Park mechanism was less appropriate. For small areas, further consideration could be given to a new form of locally-led management initiative or marine reserve.
46. SNH made considerable effort to seek views; it established a national stakeholder group and wrote to over 300 stakeholders, receiving over 100 responses. Key themes to emerge from stakeholders were:
  - There was support for the principle of a CMNP, with specific expressions of interest from Argyll and Bute Council, Dumfries and Galloway Council and the community on Fair Isle;
  - Some opposition was expressed, notably from fishing groups. Despite the positive role of National Parks in promoting sustainable development there were fears that a CMNP would impose further bureaucracy, remove local decision-making and restrict future development;
  - In the absence of specific proposals or practice, stakeholders also queried the added value of a CMNP and what it would deliver that could not be realised through other mechanisms.



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47. Later in 2006 the Scottish Executive issued a consultation on its proposals for Scotland's first CMNP, based on the SNH advice. This stressed the potential benefits and added value that a CMNP could bring to Scotland, citing numerous positive examples of coastal and marine National Parks, biosphere reserves and sanctuaries from around the world. It presented a detailed summary of the significance of each of the long list of ten areas identified by SNH and of the opportunities presented by each. Ministers agreed with SNH's short list of the five strongest candidate areas. Within this short list two areas in particular, Argyll Islands and Coast and Ardnamurchan, Small Isles and the South Skye Coast were identified as possible strongest all-round candidates. It was also suggested that a combination of these two areas (for example taking in Mull, Coll, Tiree, the Sound of Mull, Ardnamurchan, the Small Isles and the South Skye Coast) might also be a strong candidate.
48. The consultation document presented various options for the functions, powers and governance arrangements for a CMNP Authority, covering a range of approaches including planner, enabler, manager and regulator. It presented various options regarding planning, conservation, recreation management, zoning and relationships with fisheries and aquaculture. The next steps were to have been to decide the preferred location, to develop proposals on functions and powers and to publish a formal 'proposal' under the 2000 Act. However, this did not take place before the elections in May 2007, and the incoming SNP Government set aside the proposals to focus on broader marine policy issues. This ultimately led to the Marine (Scotland) Act 2010, which makes no reference to CMNPs.

#### **Isle of Harris Report 2008**

49. During the early 2000s a group of people on Harris became convinced that National Park status would benefit their island, particularly in reinforcing its fragile economy, and in 2008 they commissioned the *Isle of Harris National Park Feasibility Study*. This made a convincing case that Harris met the three conditions set out in the 2000 Act, and set out the substantial and sustainable benefits that National Park status would bring. It argued a clear preference for a National Park as the ideal mechanism to help focus and encourage future heritage management and community development in Harris. However, the idea of a Harris National Park has so far failed to win support from local authority Comhairle nan Eilean Siar<sup>6</sup> or the Scottish Government.

#### **National Parks Review 2009**

50. In 2009 the Scottish Government carried out a review of the two existing National Parks. However, the remit of the Review was relatively narrowly drawn, focusing largely on the role and composition of the two National Park Boards. Also, Stage 2 of the Review was dropped, denying the opportunity to discuss some of the more fundamentally important questions facing the National Parks beyond the relatively narrow range of administrative issues covered under Stage 1. The Review proposed the establishment of a ministerially-chaired National Strategy Group, but this has not so far been implemented.

#### **SNP Manifesto 2011**

51. The SNP manifesto issued before the 2011 Scottish Parliament elections included a commitment to "work with communities to explore the creation of new National Parks", but as of January 2013 the SNP Scottish Government has not yet taken any action to fulfil this commitment.

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## Appendix 2

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## Appendix 3

### Glossary

AGLV	Area of Great Landscape Value
APRS	The Association for the Protection of Rural Scotland
ASPC	Area of Special Planning Control
CCS	Countryside Commission for Scotland (former)
CMNP	Coastal and Marine National Park
CNPA	Cairngorms National Park Authority
DHS	Department of Health for Scotland (former)
ELC	European Landscape Convention
IUCN	International Union for Conservation of Nature
LEADER	Liaison Entre Actions de Développement de l'Économie Rurale (Links Between the Rural Economy and Development Actions)
LLA	Local Landscape Area
LL&TNPA	Loch Lomond & The Trossachs National Park Authority
MP	Member of Parliament
MSP	Member of the Scottish Parliament
NFP	National Forest Park
NGO	Non-Government Organisation
NPA	National Park Authority
NPDA	National Park Direction Area (former)
NPP	National Park Plan
NTS	The National Trust for Scotland
NSA	National Scenic Area
SCNP	Scottish Campaign for National Parks
SLA	Special Landscape Area
SNH	Scottish Natural Heritage
SNP	Scottish National Party
SRDP	Scotland Rural Development Programme
SWCL	Scottish Wildlife and Countryside Link (former)



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