

Consultation on the proposal to extend the Cairngorms National Park into Perth and Kinross



Please give us your views!

**Scottish Natural Heritage
August 2008**

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Summary

Scottish Ministers have formally proposed to extend the Cairngorms National Park into Perth & Kinross. This is a consultation about the detailed arrangements. Please give us your views on the two key issues:

- Exactly where should the new boundary be.
- What changes should be made to the number of members each local authority nominates to the Cairngorms National Park Authority Board.

This consultation is part of the first step in the process to extend the boundary into Perth & Kinross. If, on reading our Report, Ministers decide to continue with their proposal, they will prepare and consult on a Draft modification to the Cairngorms National Park Designation Order. The final step would be for Ministers to lay a revised version of the Order before the Scottish Parliament.

How to comment

Please complete the feedback form, which is also downloadable from our website, and return it to us before 24 October 2008. We particularly welcome responses by Email.

If you would like more copies of this leaflet visit www.snh.org.uk/nationalparks, or Email or call us on the number below. You can also view paper copies at Pitlochry and Blairgowrie Libraries, in Mobile libraries in the proposed extension, and at Blair Atholl Water Mill; The Firs Guest House, Blair Atholl; Kirkmichael Village Shop; and the Spittal of Glenshee Hotel.

For a copy of this leaflet in large print, please phone 01479 810477, or email cairngorms@snh.gov.uk.

Where to send your comments

Email: Cairngorms@snh.gov.uk

Mail: Scottish Natural Heritage, Achantoul, Aviemore, PH22 1QD.

Our draft recommendations

Introduction

1. Scottish Ministers propose to extend the boundary of the Cairngorms National Park into Perth & Kinross on, or approximately on, the line indicated in the Cairngorms National Park Boundary Bill¹, which was introduced to the Scottish Parliament by John Swinney MSP in 2006.
2. As the first step towards implementing their proposal², in May 2008 Ministers asked us to consult people on two key issues:
 - exactly where the new boundary should be;
 - what changes should be made to the number of members each local authority nominates to the Cairngorms National Park Authority Board.
3. The purpose of this consultation leaflet is to seek your views on these two key issues.

Why extend the Cairngorms National Park into Perth & Kinross?

4. Ministers have made this proposal because, when the Cairngorms National Park Boundary Bill was being considered, the Parliamentary Committee in charge of examining it decided that there was a strong case for an extension to cover the area proposed in the Bill³. They thought that there were good arguments on geological and geographical grounds that the area is naturally part of the Cairngorms, and that its inclusion would enhance the coherent identity of the Park.
5. The Committee also noted that the communities of highland and eastern Perthshire area felt themselves to be part of the Cairngorms, and that including them in the Park was likely to bring economic and social benefits to the area. Ministers noted that, whilst there is a clear-cut body of evidence for proceeding with this boundary change, the same is not true of other proposed changes to the two national parks. They therefore intend to address the case for other boundary changes separately.

Where should the boundary be?

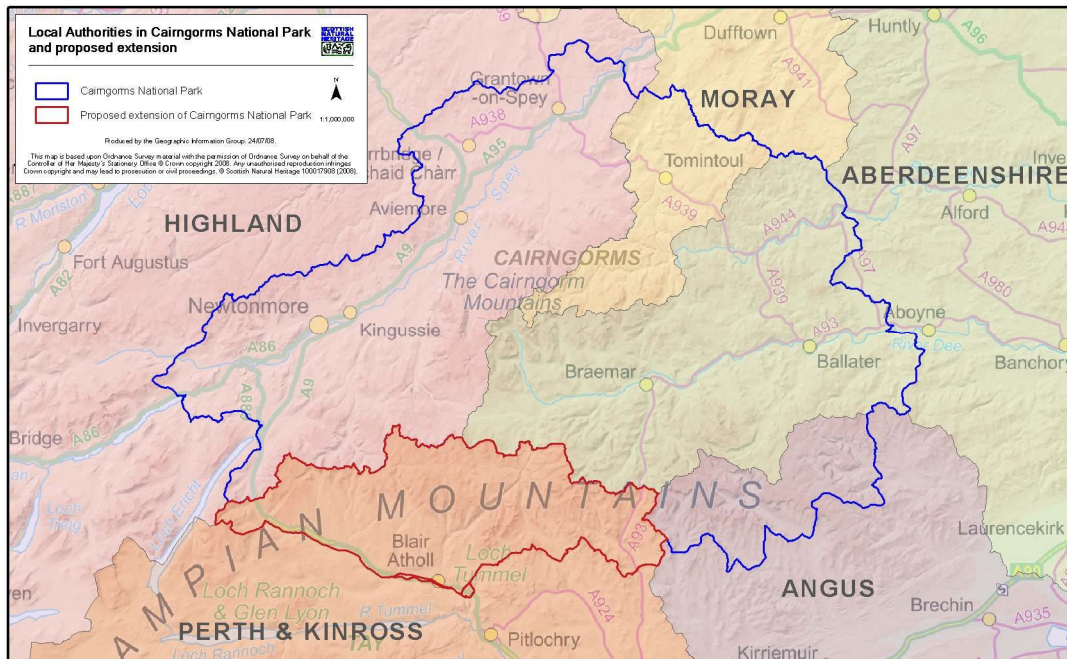
6. Our draft recommendations for the boundary are shown overleaf in Figure 1, and in detail on Maps 1-8. In two places the maps show alternative options. These options are described in paragraphs 11-16.
7. We have based our draft recommendations for the boundary on four factors. Firstly, Ministers have proposed that the boundary should be on, or approximately on, the line proposed in the Cairngorms National Park Boundary Bill. We have therefore used this line as the basis for our draft recommendations.

¹ SP Bill 72; session 2 [2006] and Explanatory Notes SP Bill 72-EN; session 2 [2006] available at <http://www.scottish.parliament.uk/business/bills/72-CairngormsNP/index.htm>

² The formal Proposal is available here: <http://www.snh.org.uk/pdfs/strategy/natparks/cairngorm/B260991.pdf>

³ <http://www.scottish.parliament.uk/business/committees/environment/reports-07/rar07-02.htm>

Figure 1: The Cairngorms National Park and the proposed extension, showing Local Authority boundaries



8. Secondly, during our informal consultations over the past few months some people have already told us that they think there are potential minor adjustments to the boundary proposed in the Cairngorms National Park Boundary Bill that would improve it. We have taken some of these minor adjustments into account in our draft recommendations for the boundary.
9. Thirdly, in deciding on whether to recommend any minor adjustments to the boundary proposed in the Cairngorms National Park Boundary Bill, we have referred to the three conditions that areas must meet in order to become National Parks – as set out in the National Parks (Scotland) Act 2000:
 - the area must be of outstanding national importance because of its natural heritage, or the combination of its natural and cultural heritage;
 - the area must have a distinctive character and coherent identity;
 - designating the area as a National Park should meet the special needs of the area and should be the best way of ensuring that the National Park aims are collectively achieved in relation to the area in a co-ordinated way.
10. Finally, we are following a set of guiding principles for drawing the detailed boundary of the Cairngorms National Park. They are listed in the box on the next page. These principles come from our *Report on the proposal for a National Park in the Cairngorms* (2001)⁴. They were based on the findings of a research project on best practice elsewhere, and views given to us in a public consultation. In some places we have slightly changed the

⁴ <http://www.snh.org.uk/strategy/natparks/sr-npc00.asp>

boundary proposed in the Cairngorms National Park Boundary Bill to better reflect these principles.

Guiding principles for developing the detailed boundary of the Cairngorms National Park.

- wherever possible the boundary should follow an easily distinguishable and permanent natural feature (such as a ridge or watershed);
- where administrative boundaries follow such features, they should be adopted;
- towns and villages and, where possible, their surrounding communities, should normally either be wholly included within, or excluded from, the National Park;
- the nature and location of public or private land ownership in the area should generally not be a determining element for the National Park boundary because this may be subject to change, but consideration should be given to the potential impact of the National Park boundary on land management operations;
- transient features such as field boundaries, paths or roads, all of which are likely to change in the future, should be avoided where possible;
- when field boundaries, paths or roads are used because of the absence of other features, they should be wholly included within the National Park area;
- rivers and burns are generally unsuitable for defining legal boundaries because they can change their courses. If they are used because there are no other suitable features, they should be wholly included in the National Park.

Wherever the final boundary is defined, it will be vital for the National Park Authority to work with local authorities to minimise any adverse impact on the land and communities outwith the boundary.

Boundary options

11. In two locations we have included alternative options for the boundary in our draft recommendations.
12. Options A and B are alternative options on Map 4 in the Blair Atholl area. Option A follows the line proposed in the Cairngorms National Park Boundary Bill. It follows the railway for most of the way, and follows the River Garry near Blair Atholl itself. Option B is an alternative that follows the southern boundary of the A9 between the points where the A9 and railway cross near Calvine and near Shierglas.
13. The key advantage of this Option B is that visitors travelling north on the A9, or the B8079 through Blair Atholl, would enter the National Park once and then stay in the Park, rather than crossing and re-crossing the boundary 3 times in the Blair Atholl area. A possible disadvantage is that

the A9 might be widened into a dual carriageway in future. This might require a further amendment to the boundary, if the Park is extended before the details of any road widening schemes are decided.

Question 1: Which option would make the best boundary for the National Park in the Blair Atholl area?

Option A

Option B

Another boundary line, please describe it here.

Question 2: Why do you think that your preferred option for the boundary in the Blair Atholl area would make the best boundary for the National Park?

14. Options C and D are alternative options on Map 5 in the area around Aldclune and Killiecrankie. There are no suitable permanent natural features that wholly include, or wholly exclude, communities in this area, so both Options follow other features. Option C is close to the line proposed in the Cairngorms National Park Boundary Bill, but we have made minor adjustments to make it follow defined features on the ground. Option C follows the railway, then a minor road, and then fences and walls to Creag Eallaich. Option C has the advantage that it is a fairly simple boundary to trace on the ground. However, it has a couple of disadvantages. Firstly, it divides the site of the Battle of Killiecrankie⁵. Secondly, it splits the dispersed communities around Aldclune, Urrard, Lettoch and Orchilmore.
15. Option D is a more complex boundary. It follows the railway, then a series of fences, dykes and a track to the Allt Girnaig. It then follows this river, and later a wall to join Option C on Creag Eallaich. This Option includes most, but not all, of the battlefield, and it avoids splitting villages and communities. Its disadvantage is that it is a complicated boundary to follow on the ground.
16. We considered a simpler version of Option D that followed the railway until it crosses the Allt Girnaig in Killiecrankie, and then followed the Allt Girnaig. However, this suffered from the disadvantage that it included four houses that are in the village of Killiecrankie, thus raising concerns about the National Park boundary splitting this community.

Question 3: Which option would make the best boundary for the National Park in the area around Aldclune and Killiecrankie?

Option C

Option D

Another boundary line, please describe it here.

⁵See, for example, <http://www.battlefieldstrust.com/resource-centre/stuart-rebellions/battleview.asp?BattleFieldId=65>

Question 4: Why do you think that your preferred option in the area around Aldclune and Killiecrankie would make the best boundary for the National Park?

Question 5: Are there any minor adjustments that you think should be made to the remainder of the proposed boundary? If so, please describe them and explain why your preferred adjustments would make a better boundary for the National Park.

What changes to the allocation of local authority nominations to the Cairngorms National Park Authority Board will be needed?

Introduction

17. Scottish Ministers have asked us for advice on the changes that should be made to the number of members each local authority nominates to the Cairngorms National Park Authority Board, to take into account the inclusion of part of Perth & Kinross Council within the boundaries of the National Park. Figure 1 on page 5 shows the local authority areas concerned.

The current situation

18. The Cairngorms National Park Authority Board has 25 members. Ten are appointed by Scottish Ministers, and 5 are directly elected by voters living in the National Park. The remaining 10 members are nominated by the four Local Authorities currently within the Park, as shown in Table 1.

Table 1: Current number of nominations to the Park Authority Board by each Local Authority

Local Authority	Number of nominations
Aberdeenshire	3
Angus	1
Highland	5
Moray	1
Total	10

19. At present, as no part of Perth & Kinross falls within the Park boundary, no members of the Board are nominated by Perth & Kinross Council. For the same reason, the electors in this part of Perth & Kinross are not involved in the elections for the directly elected Board members. We are not consulting on changes to the directly elected Board members at this stage. Once the boundary for the extension is finalised, the Government will modify the arrangements for the elections so that every elector who lives within the Park boundary has a chance to vote.
20. A strategic review of Scotland's two National Park Authorities is currently underway and the first stage of the review will look at the ways in which the functions of the Park Authorities can be best delivered; this will include consideration of the size and composition of the Park Authority boards. For the purposes of this consultation, the Scottish Government have asked us to assume that the number of Board members nominated by Local Authorities will remain at 10.

How should the nominations be shared out?

21. To date, the share of nominations between the four Local Authorities has been based on two principles:
- Each Local Authority should be able to nominate at least one Board member;
 - The remainder of the nominations should be allocated based on a combination of the share of the Park's population, and the share of the Park's area, in each Local Authority.
22. If the National Park is extended on the boundary proposed in the Cairngorms National Park Boundary Bill, there would be five Local Authorities with part of their area in the Park. The population, area, and potential allocation of Local Authority nominations to each Authority are shown in Tables 2 and 3. The allocations are based on the principles in the previous paragraph.

Table 2. Area in the proposed extended National Park in each Local Authority, and potential local authority nominations.

Local Authority	Area (Ha)	% of total area	Potential allocation of nominations based on area
Aberdeenshire	144,881	32%	3
Angus	32,399	7%	1
Highland	166,033	37%	4
Moray	38,331	9%	1
Perth & Kinross	69,642	15%	1
Totals	451,286	100%	10

Table 3. Estimated population in the proposed extended National Park in each Local Authority, and potential local authority nominations.

Local Authority	Estimated population*	% of estimated total population	Potential allocation of nominations based on estimated population
Aberdeenshire	3,458	21%	2
Angus	74	less than 1%	1
Highland	11,596	70%	5
Moray	736	4%	1
Perth & Kinross	784	5%	1
Totals	16,648	100%	10

* We calculated these population estimates using the 2001 Census data for 'output areas', and the 2008 Ordnance Survey Address-Point® dataset, filtered for domestic addresses. The 2001 census is now 7 years out-of-date, and so these figures do not reflect recent population changes. We think that this may particularly affect the Highland Council area, where a significant number of houses have been built since 2001. So the current population in Highland may be a little higher than that shown in this table.

Options

23. Following the principles for allocating Local Authority nominations (para 21), the data in Table 2 and 3 leads us to recommend that Angus, Moray and Perth & Kinross Councils should each nominate 1 Board member. It is more difficult to work out the best allocation of the remaining seven nominations between Aberdeenshire and Highland Councils.

24. There are two obvious options: either we place more weight on area and use the allocations in Table 2, or we place more weight on estimated population and use the allocations shown in Table 3. We are not aware of overwhelming arguments for favouring one approach over the other, so please tell us what you think and why.

Question 6: Which option do you prefer for the allocation of Local Authority nominations to the Park Authority Board?

Option based on area, as shown in Table 2

Option based on estimated population, as shown in Table 3

Another approach, please describe it here.

Question 7: Why do you support this allocation of Local Authority nominations?

What will happen next?

25. We will analyse the consultation responses and write a report of the findings by the end of November 2008. We will use the results of the consultation to amend our recommendations for Ministers, and submit them in a Report by the end of December 2008. We will Email or send copies of the consultation report and our Report to Ministers to everyone who responds to this consultation. We will also put both reports on our website.
26. Once they have received our Report, Ministers will publish it and lay it before Parliament. They could then decide to hold a Public Local Inquiry. If they decide to continue with their proposal to extend the Park, they will prepare a Draft modification to the Cairngorms National Park Designation Order⁶. The Government will run a public consultation on the draft modification to the Order, so you will then have another opportunity to comment on the proposal. The final step is for Ministers to revise the modification to the Designation Order in the light of the consultation, and to lay it before the Scottish Parliament.

Question 8: Do you have any other comments about the proposal to extend the Cairngorms National Park into Perth & Kinross?

⁶ Cairngorms National Park Designation, Transitional and Consequential Provisions (Scotland) Order 2003 available at <http://www.opsi.gov.uk/legislation/scotland/ssi2003/20030001.htm>