

CAIRNGORMS NATIONAL PARK AUTHORITY

FOR DECISION

Title: Cairngorm Estate Transfer: Consultation Response

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Purpose

To agree the Cairngorm National Park Authority's response to the consultation on the transfer of Cairngorm Estate from Highlands and Islands Enterprise (HIE) to Forestry Commission Scotland (FCS).

Recommendation

That the Board approves the consultation response set out in Annex 1.

Executive Summary

HIE and FCS are consulting on the transfer of Cairngorm Estate from the former to the latter. The CNPA response supports this transfer subject to the delivery of an inclusive approach to the Estate's management and the delivery of a range of public benefits. The consultation includes proposals for future governance which we offer a view on, and make suggestions on decision making and engagement with stakeholders.

The consultation also asks about short-term environmental improvements, and suggestions for improvements brought about from the integration of Cairngorm and Glenmore Estates. We suggest that it is important that a full management planning process be undertaken before any decisions are made on the future of any facilities on the Estate. This process should be undertaken with a wide range of stakeholders, and should consider opportunities to deliver a wide range of public benefits through building linkages with all of the Estate's neighbours.

CAIRNGORM ESTATE TRANSFER: CONSULTATION RESPONSE – FOR DECISION

Background

1. The Scottish Office transferred Cairngorm Estate from the Forestry Commission to HIE's predecessor body, the Highlands and Islands Development Board, in 1971 and earmarked it for winter sports development. The estate covers 1,418 hectares. About one third is leased to Cairngorm Mountain Ltd which operates the ski area and mountain railway. Much of the rest is designated as a Natura 2000 site. A map of the Estate and its neighbours is presented in Annex 2.
2. In November 2005, the Board of the Cairngorms National Park Authority considered the future ownership and management of Cairngorms Estate in response to a review by Bidwells on behalf of Highlands and Islands Enterprise. The Board:
 - a) agreed that at this stage the CNPA should not seek to own land but should focus instead on influencing management by others;
 - b) agreed that there should be wide stakeholder involvement in deciding the future ownership and then in running Cairngorm Estate; and
 - c) encouraged FCS to explore further the possibility of assuming ownership of Cairngorm Estate subject to them adopting an inclusive approach to its management and delivering a range of public benefits.
3. In August 2006, Board agreed a response to consultation on visitor management arrangements at Cairngorm Mountain. The response supported the proposed amendments to the visitor management arrangements.
4. Board has previously agreed the strategic framework and more detailed policies on land management. Of particular relevance to this consultation is: land should be managed in an integrated manner in order to deliver a wide range of private and public interest management objectives in line with the aims for the CNP set down by government in the founding legislation; and that in order to achieve this the CNPA should work with land managers and other interests in order to achieve an effective dialogue between all interests so as to agree management objectives for individual management units through an inclusive and transparent consultative process.
5. FCS and HIE have now issued a consultation on the transfer of the Estate from HIE to the FCS. The purpose of the consultation is to 'seek and confirm views on the proposed transfer of Cairngorm Estate from Highlands and Islands Enterprise to Forestry Commission, and on the proposed future structures for management.' The consultation paper is set out in annex 3.

The CNPA Response

6. Annex 1 sets out the proposed response from the Cairngorms National Park Authority.

7. The CNPA supports the transfer to Forestry Commission Scotland subject to them adopting an inclusive approach to its management and delivering a range of public benefits. Our response focuses on how those two conditions can be delivered, and the role of the CNPA in supporting that process.

An inclusive approach to the management on Cairngorm Estate

8. The consultation paper sets out arrangements for stakeholder engagement through a Management Executive, Advisory Forum and a Mountain Core Ranger Liaison Group. We strongly welcome the principle of stakeholder engagement. Effective stakeholder engagement should mean that the management of the Estate should benefit a wide range of people and interests, reduce bureaucracy and deliver a range of public benefits in an integrated way. It also minimises misunderstandings and the breakdown of relationships.
9. To ensure effective stakeholder engagement, we suggest:
 - a) the roles and responsibilities of the three or any other groupings be clearly agreed and communicated, particularly in how they relate to each other. In particular responsibility for decision making should be clarified;
 - b) that bureaucracy is minimised and a culture of 'meetings for meetings sake' be avoided. Many private sector bodies, NGOs, local communities and individuals have limited resources for attending meetings. We also wish to promote efficiency in the public sector too. Where possible, meetings should be held at a time and place to suit as many as possible; papers should be circulated in good time and best use of email and other systems should be used;
 - c) that all groupings and meetings should be transparent, with minutes and papers made available through a website and through direct circulation;
 - d) that in addition to direct stakeholder engagement, we suggest that developing and delivering a management plan is a key process in engaging with a wider set of stakeholders, enabling a strategic approach to the management of the Estate and communicating clearly what is going to happen and when. A management plan should build on recent and existing management plans such as the National Park Plan, CRAGG strategy and the HIE 2005-2009 Cairngorm Estate Management Plan. Given the proposed change in ownership, we suggest that a joint management plan with Glenmore be developed to build opportunities of natural heritage and recreational linkages. The management plan should also integrate with the surrounding estates to deliver the best possible public benefits across the Cairngorms National Park. This should support the work being lead by Scottish Natural Heritage on developing the benefits from linking National Nature Reserves in the Cairngorms;
 - e) you will be aware that the National Park has been considering aspects relating to the management of ranger services across the Park with a view to providing a cohesive approach across the whole Park that meets the needs of

visitors, land managers and communities. We note the ongoing review of ranger service and would like to discuss this further with FCS; and

- f) the suggestion to develop a Mountain Core Liaison Group is interesting and may have some merit as the area clearly has certain special management needs, perhaps in common with the Lochnagar/Whitemouth massif, and is comparable with the proposed action for the Central Cairngorms in the recent consultation on the Cairngorms National Park Outdoor Access strategy. However, the proposed Liaison Group would affect a much larger area of land than is the subject of the current consultation and we are not convinced that this suggestion is directly linked to the transfer of land from HIE to FCS. There may also be difficulties in FCS convening such a Liaison Group without any ability to influence work plans or work programmes for the future. We suggest that this proposal put on hold for the present time and that we look at it as part of both the wider review of management arrangements for rangers and the development of the Outdoor Access Strategy in the Park.

10. We would welcome an opportunity to discuss these aspects of stakeholder engagement further with FCS and HIE.

Delivering a range of public benefits on Cairngorm Estate

11. We welcome the reference to the aims of the Cairngorms National Park in the transfer consultation document. The role of the CNPA is to ensure that these aims are delivered in a co-ordinated way, and the emerging National Park Plan sets out the objectives, outcomes and actions and priorities for public sector bodies and others to this end. Cairngorm Estate offers an opportunity to deliver a range of public benefits. For example, we are keen that the area's importance for recreation is recognised, and that we secure the public investment in skiing infrastructure, path networks, the arts project as well as natural heritage. The stakeholder engagement processes, including management planning as described above provides tools for ensuring that a range of public benefits be delivered.
12. The consultation proposes a short-term environmental improvement programme, including the removal of skiing infrastructure and some buildings. We are not in a position to offer a view on this, and suggest that no immediate decision be taken on this programme. Instead, the proposals should be considered as part of the future of the Estate through the development of a management plan as proposed above. The development of the management plan should consider the current state of the infrastructure and discuss options with various stakeholders for the future. Discussions with FCS and HIE suggest that this proposal to consider the improvements as part of a wider process, and gathering and providing more information is possible, and that there are no impending reasons for the removal of the infrastructure, for example, for health and safety reasons.
13. We would welcome the opportunity to discuss the delivery of a range of public benefits, and the links to the National Park Plan.

Responsibilities of the Cairngorms National Park Authority

14. The transfer of the Estate may have implications for the responsibilities of the Cairngorms National Park Authority. For example, the Section 50/49A agreements relating to the funicular railway and the role of the CNPA as the Planning Authority. We would welcome the opportunity to discuss this in more detail with the FCS and HIE and other relevant organisations.

Recommendation

15. **That the Board approves the consultation response set out in Annex 1.**

Consultation

16. This paper is the result of discussions among staff in the Cairngorms National Park Authority, and through discussion with Forestry Commission Scotland and Highlands and Islands Enterprise.

Implications

Financial Implications

17. There are no immediate financial implications for the Authority, beyond staff time in discussing the transfer and potentially attending the Advisory Forum and Management Executive, and Mountain Core Ranger Liaison Group.

Presentational Implications

18. The consultation response builds on the previous response for the transfer and there are no presentational implications. Our suggestions have been discussed informally with FCS and HIE.

Implications for Stakeholders

19. The consultation response proposes focuses on how stakeholder engagement can be undertaken. In particular, we propose that the Environmental Improvement Programme be discussed with a range of stakeholders as part of a wider management planning process which considers the future of the Estate and its delivery of a wide range of public benefits.

Next Steps

20. After discussion and decision at Board, the draft response will be finalised and submitted to FCS and HIE. We will then look to meet and discuss our response further, offer our support for the development of a management plan, and participate in the stakeholder engagement processes as appropriate.

Fiona Newcombe

November 2006

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**Annex 1 Cairngorms Estate Transfer Consultation
CNPA draft Response
November 2006**

Introduction

1. In November 2005, the Board of the Cairngorms National Park Authority considered the future ownership and management of Cairngorms Estate in response to a review by Bidwells on behalf of Highlands and Islands Enterprise. The Board:
 - a) agreed that at this stage the CNPA should not seek to own land but should focus instead on influencing management by others;
 - b) agreed that there should be wide stakeholder involvement in deciding the future ownership and then in running Cairngorm Estate; and
 - c) encouraged FCS to explore further the possibility of assuming ownership of Cairngorm Estate subject to them adopting an inclusive approach to its management and delivering a range of public benefits
2. We welcome the opportunity to comment on the consultation on the proposed transfer of ownership of Cairngorm Estate from Highlands and Islands Enterprise to Forestry Commission Scotland.

Cairngorms Estate Management Plan

3. We suggest that if the Cairngorm Estate is transferred to Forestry Commission Scotland, then consultation with a wide range of stakeholders be undertaken and a management plan written to steer the future of the Cairngorm Estate. We suggest that this management plan include Glenmore Estate. We suggest that non-urgent decisions about the future of the Estate should be delayed until this is completed. We suggest that the management plan include ways of delivering the priorities emerging from the Park Plan, and other plans such as the CRAGG strategy. We also propose that the management plan incorporate integration with all neighbouring land holdings. We welcome the brief suggestion of a management plan in paragraph 53 of the consultation, and would be pleased to help develop it.

Consultation questions

4. *Do you agree with the proposed transfer of the HIE Estate on Cairngorms to the Scottish Executive Ministers with management by Forestry Commission Scotland?*

The CNPA supports this transfer subject to them adopting an inclusive approach to its management and delivering a range of public benefits. Forestry Commission Scotland has a strong track record in managing land to deliver public benefits, and promoting wider stakeholder engagement in its management to build upon in its management of the Cairngorm Estate.
5. *Do you agree with the proposed structure for future governance on Cairngorms Estate?*

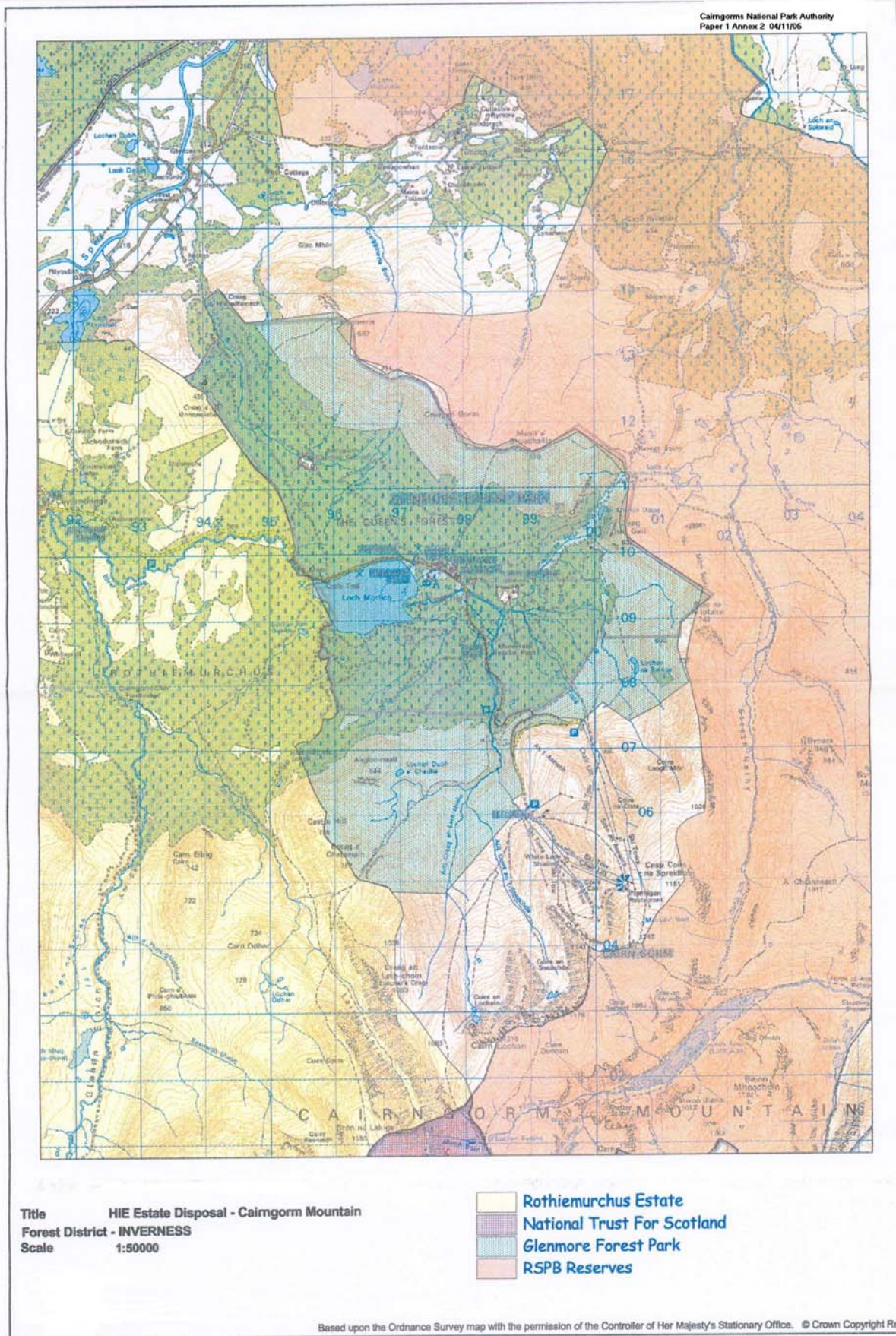
We strongly welcome the principle of stakeholder engagement. Effective stakeholder engagement should mean that the management of the Estate should benefit a wide range of people and interests, reduce bureaucracy and deliver a range of public benefits in an integrated way. It also minimises misunderstandings and the breakdown of relationships.

6. To ensure effective stakeholder engagement, we suggest:
- a) the roles and responsibilities of the three or any other groupings be clearly agreed and communicated, particularly in how they relate to each other. In particular responsibility for decision making should be clarified;
 - b) that bureaucracy is minimised and a culture of 'meetings for meetings sake' be avoided. Many private sector bodies, NGOs, local communities and individuals have limited resources for attending meetings. We also wish to promote efficiency in the public sector too. Where possible, meetings should be held at a time and place to suit as many as possible; papers should be circulated in good time and best use of email and other systems should be used;
 - c) that all groupings and meetings should be transparent, with minutes and papers made available through a website and through direct circulation;
 - d) that links and overlap with existing groupings such as CRAGG be carefully considered;
 - e) that in addition to direct stakeholder engagement, we suggest that developing and implementing a management plan is a key process in engaging with a wider set of stakeholders, enabling a strategic approach to the management of the Estate and communicating clearly what is going to happen and when (please see above for more details);
 - f) you will be aware that the National Park has been considering aspects relating to the management of ranger services across the Park with a view to providing a cohesive approach across the whole Park that meets the needs of visitors, land managers and communities. We note the ongoing review of ranger service and would like to discuss this further with FCS; and
 - g) the suggestion to develop a Mountain Core Liaison Group is interesting and may have some merit as the area clearly has certain special management needs, perhaps in common with the Lochnagar/Whitemouth massif, and is comparable with the proposed action area for the Central Cairngorms in the recent consultation on the Cairngorms National Park Outdoor Access strategy. However, the proposed Liaison Group would affect a much larger area of land than is the subject of the current consultation and we are not convinced that this suggestion is directly linked to the transfer of land from HIE to FCS. There may also be difficulties in FCS convening such a Liaison Group without any ability to influence work plans or work programmes for the future. We suggest that this proposal be put on hold for the present time and that we look at it as part of both the wider review of management arrangements for rangers and the development of the Outdoor Access Strategy in the Park.

7. We would welcome an opportunity to discuss these aspects of stakeholder engagement further with FCS and HIE.
8. *If not, who do you think should have responsibility for day to day decision making on Cairngorms Estate and why?*
Please see our response to the previous questions
9. *If not, who/what bodies should share the responsibility of advising managers of Cairngorm Estate (see paragraphs 58-59) and why?*
Please see our response to the previous questions
10. *Do you agree with the short-term environmental improvements proposed in paragraph 67?*
We strongly recommend that the short-term environmental improvements proposed in paragraph 67 be considered through a full management planning process, and through consultation with a wide range of stakeholders.
11. *What sort of improvements would you like to see brought about on the integration of Cairngorm and Glenmore Estates?*
The integration of the two Estates provides an excellent opportunity to manage a unified ecological, landscape and recreational and visitor management unit. The timing is very helpful with the current review of the Cairngorms National Nature Reserve, and the transfer provides an opportunity to deliver a high quality NNR across the two estates.
12. We welcome the proposal for an integration study, and suggest that is a key part of the development of the management plan. We suggest that a management plan for both Estates is delivered. The management plan offers an opportunity to deliver integration between Glenmore Estates and Cairngorms Estate, and also between Cairngorm Estate and its other neighbours. We propose that a full consultation on a management plan is the best way to elicit views on improvements through the integration of the two estates; nevertheless, we are pleased to offer our initial thoughts below:
13. Ecological and landscape improvements can be delivered through further creation of habitat networks, and management for species and habitats as described in the emerging Park Plan. We would be particularly interested in the continued development of a successional change in vegetation from the glen floor to a natural tree line, and in the development of integrated deer management across the area.
14. We would also encourage the interpretation and conservation of the archaeology and other cultural heritage of Glenmore and Cairngorm Estate.
15. Recreational and visitor management improvements can be delivered through an integrated ranger service that builds on the current high quality of service, to become a strong partner in the Park Plan priorities.

16. On a practical level, it will mean further opportunities for integration of resources between the two Estates, leading to more efficiency in the public sector. This should be done in a way that builds on current resources; the transfer should not lead to loss of jobs or investment in the two estates.

Annex 2 The Cairngorm Estate and its neighbours



Annex 3 The consultation paper

CAIRNGORM ESTATE

TRANSFER CONSULTATION DOCUMENT

PART 1

INTRODUCTION

1. This consultation document seeks views on the proposed transfer of ownership of Cairngorm Estate from Highlands and Islands Enterprise to Forestry Commission Scotland.
2. Cairngorm Estate is located twelve kilometres east of Aviemore within the Cairngorm National Park. It covers 1418 hectares of moorland and mountain. The peak of *Cairn Gorm* (which gives its name to the wider area) is on the boundary of the estate.
3. The Estate has been a centre for winter skiing since the 1950s and also provides for year-round public access to the mountains. The Cairngorm Mountain funicular railway was constructed in 2002 and attracts around 220,000 visitors each year to this beautiful, challenging and fragile environment.
4. The area is valuable for its wildlife, hosting mountain plants and sub-arctic birds such as dotterel and ptarmigan. The Estate contributes to the wider Cairngorm area which is unique in Scotland for the scale, range and transition of mountain habitats. The geo-morphological (landform) features are also internationally renowned with magnificent cliff buttresses, ridges and deeply indented gullies.

Reasons for the Proposed Transfer

5. Cairngorm Estate is currently owned by the regional development agency, Highlands and Islands Enterprise (HIE). With completion and successful operation of the funicular railway, HIE is looking to identify a new owner. HIE's stated aspiration is that the estate should continue to be managed in the public interest. Any owner will have to balance the role of the funicular railway and ski slopes in underpinning tourism in the area, with the need to manage public access and care properly for this sensitive environment.
6. In July 2005, HIE appointed land management specialists Bidwells to determine ownership options for the estate. Scenarios considered included; continued public ownership, private ownership, community-led ownership and ownership by a non-governmental organisation.
7. Views were sought from public agencies, local community councils and business organisations, as well as from neighbouring landowners and others with an interest in the future ownership of the estate.
8. The Estate is of national significance and comes with substantial financial and statutory conservation obligations. Public ownership was seen by most as the only suitable option. However, many of those consulted stressed the need for an inclusive approach to management, with structures to allow interested parties to inform management decisions.
9. The suggestion that Forestry Commission Scotland might take on Cairngorm Estate was widely publicised and attracted broad support. Forestry Commission Scotland is the agency of the Scottish Executive responsible for forestry and the management of the National Forest Estate.

10. Various other options - purchase by Cairngorm Mountain Ltd (which manages the ski facilities and funicular railway), Cairngorm Mountain Trust, Scottish Natural Heritage or Cairngorm National Park Authority were considered by these organisations and rejected or discounted in favour of a transfer to Forestry Commission Scotland.
11. Forestry Commission Scotland (FCS) accepts that it has the skills and capacity to manage the estate for the public benefit. The Commission already manages several areas of sensitive mountain environment (including close working with the skiing area at *Aonach Mor* near Fort William) and many sites designated for wildlife conservation. FCS is also the largest manager of recreational land in Scotland. Its holdings include the Glenmore Forest and visitor centre on land adjacent to Cairngorm Estate.
12. The level of local and national interest in the area means that the management of the Cairngorm Estate is always in the public eye. Balancing the recreation and conservation priorities has not always been achieved to everyone's satisfaction. In recent years management has been geared towards a sustainable, balanced approach but issues continue to attract debate.
13. Forestry Commission Scotland is clear that if it does take 'ownership'¹ of the estate it would wish to see greater partnership-working through a management structure which enables involvement of relevant local and national interests.

OBJECTIVES OF THE CONSULTATION

14. The purpose of this consultation is *'to seek and confirm views on the proposed transfer of Cairngorm Estate from Highlands and Islands Enterprise to Forestry Commission Scotland, and on the proposed future structures for management'*.
15. The consultation process is not considering the detail of how the land and commercial activity would be managed but rather which interests should be involved in the management decision-making and how they should be represented.
16. PART 2 of this report provides detailed information on the estate, covering the environmental, economic and social context for ownership.

PART 3 presents the proposed transfer and suggested structures for management.

PART 4 sets out a list of questions and provides instructions on how to respond to the consultation.

Forestry Commission Scotland manages the National Forest Estate on behalf of ministers of the Scottish Executive ¹

PART 2

DETAILS OF THE ESTATE

17. This section sets out in more detail the existing economic, environmental and social issues relevant to the ownership and management of the estate.

RECENT HISTORY

18. Cairngorm Estate was purchased by The Forestry Commission in 1923 as part of Glenmore Estate. In 1947 Glenmore Estate was designated a Forest Park, a measure which gave some emphasis to the conservation of wildlife and to the natural scenic beauty. In 1954 the environmental value of the wider area was formally recognised with the creation of the Cairngorm National Nature Reserve. The reserve did not include Glenmore Estate which was seen to be sufficiently protected under Forestry Commission ownership.
19. Skiing facilities started to be developed in 1956 by the Cairngorm Winter Sports Development Association, a group of local landowners and business people. The road up from Glen More was built in 1960, followed over the years by a range of chairlifts, tows, car parks and cafes. The area that is now Cairngorm Estate was earmarked for winter sports and transferred in 1971 to HIE's predecessor body, the Highlands and Islands Development Board. The ski facilities were developed over a third of the estate (598ha) and managed under lease by The Cairngorm Chairlift Company. This became known as Cairngorm Mountain Limited in 2002 with the opening of a year-round funicular mountain railway.
20. In 2003 the area was included in the Cairngorms National Park, one of only two such parks in Scotland.

THE ENVIRONMENT

Designations

21. Cairngorm Estate lies within a **National Scenic Area** and within the **Cairngorms National Park**. The aims of the park are:
 - To conserve and enhance the natural and cultural heritage of the area.
 - To promote sustainable use of the natural resources of the area.
 - To promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public.
 - To promote sustainable economic and social development of the area's communities.
22. Nearly half of the estate lies within *Natura 2000* sites. These European designations highlight habitats and wildlife of international importance and include:
 - **Cairngorm Special Protection Area (SPA)** designated under the EU Wild Birds Directive to protect wild birds and their habitats. In this case the focus is on dotterel, ring ouzel, peregrine, snow bunting and ptarmigan.
 - **Cairngorm Special Area of Conservation (SAC)** designated under the EC Habitats Directive for a variety of habitat types. The Cairngorm Estate includes;

- Northern Atlantic wet heaths with *Erica tetralix* (heather), dry heath, Alpine and subalpine heaths, and siliceous alpine and boreal grassland.
23. The SPA and SAC cover the same parts of the estate and extend beyond onto other areas of the Cairngorms. Overall they are some of the largest designated sites in Britain. The Scottish Executive is required to protect Natura 2000 sites and, where necessary, to bring the habitats and species populations into favourable condition.
 24. The **Northern Corries Site of Special Scientific Interest (SSSI)** – a British designation - includes the western half of Cairngorm Estate. The qualifying interests are many, including the habitats and birds which are referred to in European designations but also the geomorphological features - '*one of the finest assemblages of glacial, fluvio-glacial and periglacial landforms and erosion surfaces in Britain and Europe*'. The SSSI is given category 1 importance (international or national importance) within the Cairngorms Geological Conservation Review.
 25. The Northern Corries SSSI ranges in altitude from 350m on the lower slopes in Glenmore Forest up to the summit of Cairn Lochan at 1215m. It provides an excellent example of the transitions in habitat and wildlife (especially birds) as you go higher up the hill.
 26. The much larger **Cairngorm SSSI and Cairngorm National Nature Reserve (NNR)** cover the full range of natural heritage features on neighbouring estates. The boundary stops for historical reasons at the Cairngorm Estate but this is currently under review and the NNR may be extended to encompass parts of Glenmore Forest and Cairngorm Estate.
 27. The Cairngorm mountains are also a **candidate World Heritage Site**

Conservation Measures

28. One of the main management issues for the *Natura* 2000 sites and the SSSIs is the potential threat to the wildlife posed by the large number of recreational visitors, many of whom visit the area by way of Cairngorm Estate. When planning permission was granted for the funicular railway in 1997 various conditions were imposed to limit the threat and to monitor the impact. Using powers under the Town and Country Planning Act 1972 (section 50) the planning consent required that a visitor management plan be drawn up. This sets out the management of the car parks, the provision of a network of footpaths and also the 'closed system' for the funicular railway, whereby non-skiing visitors may not leave the top station of the funicular to access the mountains. Those wishing to explore the mountains must climb from the car-park.
29. A monitoring process is also required to measure the impact of visitors on the environment and the visitor management measures. The Visitor Management Plan, together with certain other conditions which affect the management of the funicular, are generally referred to as 'the section 50 agreement'. The conditions in this agreement will be binding on any future owner. The following parties form the section 50 management team and have legal duties under this agreement: Scottish Natural Heritage (Chair), The Highland Council, Cairngorm Mountain Ltd, Highlands and Islands Enterprise (land-owner).
30. The construction of the funicular railway received a grant from the European Regional Development Fund and the terms of this grant also require that the

funicular implement the Visitor Management Plan (using a 'closed system') so as to limit any threat to the European designated *Natura* sites.

Managing Visitors

31. The Visitor Management Plan has now been in place for five years and considerable work has gone into upgrading and maintaining paths to cater for the majority of visitors. A policy of zoning aims to accommodate most walkers within the area covered by the existing facilities and paths. Access into the wider area is not promoted. People do, of course, have a right of responsible access to the Cairngorms. The Cairngorm Interpretive Plan aims to raise awareness of the importance and fragility of the area and to encourage responsible access.
32. Annual monitoring is carried out to assess the impact of the non-skiing visitors on the environment. The monitoring covers visitor numbers and behaviour, use of footpaths, and changes to habitats, birds, soils and geomorphology.
33. In 2005 there were;
 - 157,474 vehicles using the *Coire Cas* car park at the foot of the funicular railway, bringing an estimated 470,000 people.
 - 163,085 non-skiing visitors using the funicular railway.
 - 56,304 skiing visitors.
 - at least 35,000 summer walkers accessing the mountains.
34. Visitor surveys suggest that most people understand the decision to prevent access to the mountains from the funicular, though many would do so if permitted. It is also clear that the majority of walkers use the path network and facilities provided. Generally, the number of people walking 'off-path' is declining.
35. One species that is monitored is the dotterel, a migrant bird nesting on montane habitats from late April through to late August. The surveys try to see if disturbance from walkers and dogs is affecting their breeding.
36. Five years is a short time to start to discern trends in habitats and populations of birds and indeed the way in which monitoring is carried out is still being refined. So far, Scottish Natural Heritage is generally satisfied with the Visitor Management Plan and with the process and outcomes of monitoring.

ECONOMIC AND FINANCIAL ISSUES

37. Ownership of the Cairngorm Estate carries with it substantial financial responsibilities concerning the ownership of ski and visitor facilities and management of the estate. Currently Highlands and Islands Enterprise own the estate including the funicular railway and most of the land, buildings and infrastructure within the Cairngorms ski area.
38. Cairngorm Mountain Ltd. (CML) is the operating company for the Cairngorm Funicular and leases the railway, its rolling stock, tracks and operational buildings from HIE. CML is responsible for maintenance. The lease runs for thirty years from 2001 and only covers operation of the ski-area, not the whole of the HIE estate. Cairngorm Mountain Ltd currently pay rent of £100,000 per year but this is subject to regular review. With skiing contributing around 40% of income, a poor snow year can have substantial impact on returns. The conditions of the European (ERDF) grant

- are such that any profits must be reinvested in the facility or in enhancing the environment.
39. CML also have a sublease to the Scottish Ski Club for the site of their hut in *Coire Cas* and provide premises to the Uphill Ski Club. The former lease runs until 2015.
 40. Although CML employ and manage the Cairngorm Ranger Service, HIE pay the cost under an agreement made in 1991. The annual cost of estate management including the cost of the Ranger Service amounts to around £115,000, slightly more than current income.
 41. The Estate has a long term arrangement with the Cairngorm Reindeer Company providing grazing on the estate.
 42. The main financial legacy is contained in the planning consent that requires the removal of the funicular railway in the event of it no longer continuing to operate. There are also conditions arising from the European ERDF grant towards the funicular railway which could result in all, or part, of this grant having to be repaid in certain circumstances.
 43. Transfer of the estate provides an opportunity to re-organise some of the management agreements and to review rents, obligations and responsibilities. If Forestry Commission Scotland is to be the new owner there is scope for integration with the management of the adjacent FCS Glenmore Forest and visitor centre.
 44. There are also wider economic responsibilities. The recreational resource is of significant value to the tourism businesses within the area and provides employment. Much of the economic activity in the surrounding area is dependent on tourism. The development of the funicular railway is seen as providing a year-round visitor attraction, creating more permanent employment for staff and strengthening the overall attraction of Badenoch and Strathspey. Cairngorm Mountain Ltd has a core staff of around 80 full time equivalent jobs with up to another 40 seasonal jobs depending on the snow.
 45. An economic appraisal of the development undertaken in 2003² estimated that the funicular brought an increase of 23 direct jobs and 84 jobs overall in the Moray, Badenoch and Strathspey area.

²The Cairngorm Mountain Funicular Railway Economic Impact Evaluation. A report for Moray Badenoch and Strathspey Enterprise and Cairngorm Mountain Ltd by Brian Burns Associates in association with Steve Westbrook - economist and Snedden Economics and Market Research.

SOCIAL CONSIDERATIONS

46. The importance of the Cairngorm Estate for recreation and natural heritage means that there are many stakeholders with an interest in how it is managed including mountaineers, skiers, ramblers, environmentalists and simply people who love Scotland's wild places. Alongside these 'communities of interest' there is a local community whose work, business opportunities and local environment can be influenced by the activities on the Estate.
47. One of the four aims of The Cairngorms National Park is to promote sustainable economic and social development of the area's communities and HIE is clear that the local community should have a voice in the future management of the Estate.
48. There are no people living permanently on the Cairngorm Estate itself but about 250 people live on neighbouring estates while Aviemore and its surrounds have a population of close to 3000.
49. Cairngorm Mountain Limited is actively developing ways of extending and strengthening links with the local community and with other interest groups. The company operates as a social enterprise and is a subsidiary of the Cairngorm Mountain Trust. The Trust has helped deliver additional projects over and above the work of Cairngorm Mountain Ltd. Recent projects have included the Cairngorm Mountain Garden and a visual arts project. Cairngorm Mountain Trust has fifty invited members. The Trust is working to strengthen the representation of the local community in its membership.
50. Cairngorm Estate also contributes to CRAGG (Cairngorm Rothiemurchus and Glenmore Group). This is an informal partnership of local communities, recreational users, businesses, land managers and public agencies set up in 2000 to help develop mutual understanding and collaboration in delivering the aims of the (then proposed) national park. CRAGG has developed a draft management strategy for the area.

PART 3

THE PROPOSAL

51. The following pages present a proposal for the transfer of ownership of Cairngorm Estate to Forestry Commission Scotland. A range of organisations and individuals have a legitimate interest in the Cairngorm Estate and how it is managed. Based on initial discussions between Forestry Commission Scotland and Highlands and Islands Enterprise, possible structures are proposed to accommodate those interests in the future governance of the property.

OWNERSHIP

52. *Ownership* of the land shall be vested in the Scottish Executive Ministers and put at the disposal of Forestry Commission Scotland.
53. The existing tenant, Cairngorm Mountain Ltd, will continue to lease part of the land. Cairngorm Reindeer Company will be brought under the existing Forestry Commission lease. A number of sub-leases will be provided for certain snow-sport interests.

MANAGEMENT

54. *Management* will be undertaken by Forestry Commission Scotland via its agency Forest Enterprise Scotland. Day to day management will be conducted on the basis of a management plan in line with FCS estate and business procedures. The management of leased areas will be subject to additional provisions in agreement with the tenants.
55. Forestry Commission Scotland would be supported by a Management Executive and an Advisory Forum.

Management Executive

56. This group will provide the executive management of the area and will remain responsible for management decisions and for work undertaken through the lease held by Cairngorm Mountain Ltd. The Management Executive will liaise with others to chart a future direction for Cairngorm Estate and to add value to the day to day management. They may also undertake joint programmes and projects from time to time, for example, habitat restoration or environmental improvement programmes.
57. The Management Executive shall meet every 1-2 months and comprise:
- Forestry Commission Scotland (Chair)
 - Cairngorm Mountain Ltd
 - Cairngorm National Park Authority – by invitation for specific items
 - Scottish Natural Heritage – by invitation for specific items
 - Cairngorm Reindeer Company – by invitation for specific items

58. The group will seek advice from an *Advisory Forum* on strategic matters.

Advisory Forum

59. This Forum will advise the Management Executive on strategic decisions regarding future management of the former HIE Estate on Cairngorm. The Forum will be established in recognition of the social, economic and environmental importance of the Cairngorm Estate in the National Park and to the wider community. The Forum will function in recognition that decisions regarding the estate cannot be taken in isolation and that wider views on the way forward need to be sought. The Forum would be specific to the Cairngorm Estate and would complement the work being done by CRAGG.
60. The Advisory Forum will meet 3-4 times per year initially then 2-3 times per year thereafter. Membership of up to 20 representatives will be invited from:

Public Bodies

Forestry Commission Scotland (Chair and Secretariat)
Cairngorms National Park Authority
Scottish Natural Heritage
The Highland Council
HIE Inverness and East Highland

Community Representatives

Member of Rothiemurchus and Glenmore Community Association
Member of Aviemore Community Council
Highland Councillor from within Badenoch & Strathspey, to represent the wider community

Recreation Representatives

Mountaineering Council for Scotland
Ramblers' Association for Scotland
Glenmore Lodge / Cairngorm Mountain Rescue Team
Snowsport representative (BASI)

Business Representatives

Cairngorm Mountain Limited
Cairngorm Chamber of Commerce
Aviemore and Cairngorm Destination Management Organisation (ACDM)

Conservation Representatives

Local conservation representative
National conservation representative nominated by LINK

Others

Cairngorm Reindeer Company
Cairngorm Mountain Trust (Chairman)
Cairngorm Campaign

61. The agendas and minutes of the deliberations of the Forum together with any papers tabled will be published on the FCS website. The deliberations of the Management Executive will be made available to the Forum through a standing paper at Forum meetings.
62. The proposals outlined above will be reviewed after a period of 5 years from the date of transfer of the estate to FCS.

FINANCIAL AND LEGAL CONSIDERATIONS

63. FCS will take on legal obligations as landowner under the section 50 agreement and sit on the Section 50 management team.
64. HIE will retain financial responsibility for the removal of the funicular railway and any repayment of ERDF funding in the event of these obligations being triggered. The Cairngorm Mountain lease will be amended to incorporate the FCS requirements for future management of the Estate.

FUTURE MANAGEMENT CONSIDERATIONS

65. Transfer of Cairngorm Estate to the Forestry Commission Scotland will enable better integration with the management of the Glenmore Estate. Land management is becoming more strategic with spatial planning on the landscape scale. This goes as much for visitor management as for habitat and species management. The road leading up to Cairngorm Estate passes through Glenmore Forest Park which includes a visitor centre. It would be sensible to look at opportunities to enhance the overall visitor experience and minimize the environmental impact of recreational visits. A detailed integration study is proposed to set out such opportunities and consider the best means of taking them forward.
66. The Cairngorm Ranger Service is the principal point of contact for many hill-walkers in the area. The rangers cover much of the core mountain area in the Cairngorms and assist a group of land-owners/managers. The current arrangements for the provision and management of the ranger service for the estate are under review.
67. A **Mountain Core Ranger Liaison Group** is proposed to help improve liaison between the Cairngorm Ranger Service and other key bodies. It would co-ordinate the work of land-managers and rangers operating in the mountain core to ensure a sound and seamless visitor management and information service. Members would include FCS (Convener), Royal Society for the Protection of Birds, National Trust for Scotland, Avon and Rothiemurchus Estates, Cairngorm National Park Authority, Scottish Natural Heritage and Cairngorm Mountain Rescue Team. The group will meet 1-2 times per year.
68. As part of the transfer it is proposed that a short term **Environmental Improvement Programme** be considered to improve the estate. Subject to planning this would include;
 - the removal of redundant skiing infrastructure:
 - Chairlift No 10 -*Coire-na-Ciste*
 - Chairlift No 11 - West Wall
 - Ski Tow No 5 -*Fieciell* T-bar

- Ski Tow No 12 -*Aonach* Poma
 - Foundations of former Ski Tow No 16
- demolition and removal of the former ticket office and toilets at the *Coire na Ciste* car-park, and
- the scaling down of roading above the *Coire Cas* car park.

PART 4

CONSULTATION

This consultation document seeks views on the proposed transfer of ownership of Cairngorm Estate from Highlands and Islands Enterprise to Forestry Commission Scotland. Please respond to the questions set out below using the accompanying Response Form.

Questions

- 1 Do you agree with the proposed transfer of the HIE Estate on Cairngorm to the Scottish Executive Ministers with management by Forestry Commission Scotland?
- 2 Do you agree with the proposed structure for future governance on Cairngorm Estate?
- 3 If not, who do you think should have responsibility for day to day decision making on Cairngorm Estate (see paragraphs 53-56) and why?
- 4 If not, who/what bodies should share the responsibility of advising managers of Cairngorm Estate (see paragraphs 58-59) and why?
- 5 Do you agree with the short-term environmental improvements proposed in paragraph 67?
- 6 What sort of improvements would you like to see brought about on the integration of Cairngorm and Glenmore Estates?

Consultees

The consultation document and response forms have been sent to the organisations listed in Annex 1 and are available on the Forestry Commission website <http://www.forestry.gov.uk/consultations>. There have been a number of press releases and members of the public are also invited to respond.

How to Respond

Responses should be made on the **Response Form** and preferably emailed to cairngorm@forestry.gsi.gov.uk or sent by post to Cairngorm Consultation, Forestry Commission Scotland, Inverness Forest District, Tower Road, Smithton, Inverness IV2 7NL.

Responses must be accompanied by a completed **Respondent Information Form**. Unless you request that your response be treated as confidential, it will be made available to the public in the library of the Forestry Commission Scotland in Inverness. Both **forms** can be downloaded from the Forestry Commission website <http://www.forestry.gov.uk/consultations>

The closing date for responses is **15 November 2006**.

Responses will be acknowledged and collated into a report in December 2006. A copy of the report will be sent to those who respond and to the full list of consultees shown in Annex 1. The report will also be placed on the Forestry Commission website <http://www.forestry.gov.uk/consultations>.

Annex 1

List of Consultees

Armed Forces
Accommodation Providers in Badenoch & Strathspey
Association for the Protection of Rural Scotland
Aviemore Business Association
Aviemore Destination Marketing Group/ ABSC
Badaguish Centre
Biological Recording ISC
British Association of Ski Instructors
Buglife
Badenoch and Strathspey Conservation Group
Cairngorms Access Forum
Cairngorms Campaign
Cairngorms MTB Club
Cairngorm Mountain Ltd
Cairngorm Mountain Trust
Cairngorm Mountain Rescue Team
Cairngorms National Park Authority
Cairngorms Ski Club
CRAGG
Centre for Ecology and Hydrology
Cairngorms Chamber of Commerce
Community Councils (in Badenoch and Strathspey)
Deer Commission for Scotland
Deer Management Group
Badenoch and Strathspey Local History Society
Fire Authority
Forest Holidays
Glenmore Lodge
Glenmore Shop (Mr Wilson)
Highland Council Education Dept + Schools
The Highland Council
Historic Scotland
Inverness, Nairn, Badenoch and Strathspey Enterprise
John Muir Trust
Local Recorders (Natural History)
Local Tourism Representatives
Loch Morlich Water Sports
Macaulay Land Use Research Institute
Montane Scrub Group
Mountaineering Council for Scotland
National Centre for Orienteering

National Trust for Scotland
Plantlife
Police
Ramblers' Association
Highland Council Regional Archaeologist
Cairngorm Reindeer Company
Rothiemurchus and Glenmore Community Association
Rothiemurchus Estate
Royal Society for the Protection of Birds
Scottish and Southern Electricity
Scottish Orienteering Federation
Scottish Water
Scottish Wild Land Group
Scottish Wildlife Trust
Scottish Youth Hostels
Scotways
Scottish Environment Protection Agency
Scottish Ski Club
Ski Hire companies
Siberian Husky Club of Great Britain
Sled Dog Association
Scottish Natural Heritage
Species Specialist Groups
River Spey Fishery Board
Uphill Ski Club
Visitors
Visit Scotland
Woodland Trust Scotland

RESPONSE FORM

Cairngorm Estate Transfer Consultation Document

List of Questions

1. Do you agree with the proposed transfer of the HIE Estate on Cairngorm to the Scottish Executive Ministers, with management by Forestry Commission Scotland?

2. Do you agree with the proposed structure for future governance on Cairngorm Estate?

3. If not, who do you think should have responsibility for day to day decision making on Cairngorm Estate (see paragraphs 53-56) and why?

4. If not, who/what bodies should share the responsibility of advising managers of Cairngorm Estate (see paragraphs 58-59) and why?

5. Do you agree with the short-term environmental improvements proposed in paragraph 67?

6. What sort of improvements would you like to see brought about on the integration of Cairngorm and Glenmore Estates?

How to respond

Responses should be preferably emailed to cairngorm@forestry.gsi.gov.uk or sent by post to Cairngorm Consultation, Forestry Commission Scotland, Inverness Forest District, Tower Road, Smithton, Inverness IV2 7NL.

Responses must be accompanied by a completed **Respondent Information Form (see below)**. Unless you request that your response be treated as confidential, it will be made available to the public in the library of the Forestry Commission Scotland in Inverness.

The closing date for responses is **15th November 2006**.

RESPONDENT INFORMATION FORM

Cairngorm Estate Transfer Consultation Document

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name:

Organisation:

Postal Address:

Email Address:

1. Are you responding: (please tick one box)

- (a) as an individual go to Q2a/b and then Q4
(b) **on behalf of** a group/organisation go to Q3 and then Q4

INDIVIDUALS

2a. Do you agree to your response being made available to the public in the Forestry Commission Scotland Inverness office?

- Yes (go to 2b below)
No, not at all We will treat your response as confidential

2b. **Where confidentiality is not requested**, we will make your response available to the public on the following basis (**please tick✓ one** of the following boxes)

- Yes, make my response, name and address all available
Yes, make my response available, but not my name or address
Yes, make my response and name available, but not my address

ON BEHALF OF GROUPS OR ORGANISATIONS:

3 The name and address of your organization **will be** made available to the public (Forestry Commission Scotland Inverness Office and on the internet). Are you also content for your **response** to be made available?

- Yes
No We will treat your response as confidential

SHARING RESPONSES/FUTURE ENGAGEMENT

4 We will share your response internally with other Scottish Executive teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Executive to contact you again in the future in relation to this consultation response?

- Yes
No