

CAIRNGORMS NATIONAL PARK AUTHORITY

FOR DECISION

Title: FUTURE OWNERSHIP AND MANAGEMENT OF CAIRNGORM ESTATE

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Purpose

The purpose of this paper is to seek Members' agreement to our policy on owning land and to express a view on the future ownership and management of Cairngorm Estate in response to a review by Bidwells on behalf of Highlands and Islands Enterprise.

Recommendations

That the Board:

- agree that at this stage the CNPA should not seek to own land but should focus instead on influencing management by others;
- agree that there should be wide stakeholder involvement in deciding the future ownership and then in running Cairngorm Estate; and
- encourage 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.

Executive Summary

Highlands and Islands Enterprise (HIE) has commissioned Bidwells to examine future ownership options for the Cairngorm Estate. This raises specific issues about the role of the CNPA in relation to the future of the estate, and more widely on landownership and management.

The CNPA is primarily an enabling and co-ordinating body; and we suggest that this role does not fit well at this stage with taking a significant landownership and direct management role when there are other bodies experienced in this field. Instead, we recommend that we focus our input on securing public benefits on the estate through promoting wide stakeholder involvement in its management, whoever the owner is.

Forestry Commission Scotland has expressed an interest in taking on Cairngorm Estate and in ensuring the involvement of relevant national and local interests in advising on its management.

FUTURE OWNERSHIP AND MANAGEMENT OF CAIRNGORM ESTATE – FOR DECISION

Background

1. Highlands and Islands Enterprise (HIE), the current owners of Cairngorm Estate, has commissioned Bidwells to examine future ownership options for the estate. HIE's policy is not to remain a long-term landlord but to dispose of properties it no longer needs, recycling the money it raises into new development projects. HIE considers that with no further development planned at Cairngorm, the time is right to identify potential "exit routes" for its continuing ownership of the estate. A copy of HIE's press release announcing this review is contained at Annex 1.
2. 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.
3. The estate marches with Rothiemurchus, the RSPB reserve at Abernethy, and the Glenmore Forest Park owned by Forestry Commission Scotland (FCS). It also has a point boundary with Mar Lodge owned by the National Trust for Scotland. A map showing the extent of the estate in relation to its neighbours is at Annex 2.
4. HIE has specified that any future owner will need to preserve commercial activity on the hill as well as take account of conservation responsibilities under EU designations and the Section 50 agreement and associated Visitor Management Plan.
5. Bidwells has approached the CNPA, along with a range of other statutory bodies, neighbouring landowners, local community councils and business organisations, for its views on the future ownership of the estate. They aim to present their assessment to HIE by the end of November.
6. The potential sale raises important matters for the Board to consider on the role of the public sector, including the CNPA, in owning and managing land; and how we should respond in this particular instance.
7. This paper examines these questions and seeks to guide the Board to reach a position on landownership in general, and then specifically on the disposal of Cairngorm Estate.

Public Ownership and Management of Land

8. There is a tradition of public land ownership within the area covered by the National Park. Taken together, about 5% of the Park is owned by public sector organisations, most extensively by FCS, with Scottish Natural Heritage (SNH) and HIE also having significant holdings.

9. When the CNPA came into being, Parliament gave it the power to own land and various tools to influence the way in which land owned by others is managed. To date, we have not used these statutory powers to buy any land.
10. Instead, we have focused on influencing the way others manage the land that they own, for example through influencing the development of national policy; helping different parties to work more closely together; and through running a small number of practical projects on the ground.
11. Overall, this approach has allowed us to focus our limited resources in our early years on activities such as preparing the Park and Local Plans, and delivering our development control and access duties, rather than on the purchase and day-to-day management of land, both of which are expensive and time consuming. It is also in line with our more general desire to enable others, particularly within the public sector, to be more joined up. So, rather than owning land ourselves, we are seeking to influence the way existing owners manage their land.
12. There are some clear advantages in the public sector owning and managing land, not least in those circumstances when it is the most effective way to secure public benefits. However, there are also significant disadvantages – the private sector is often more efficient and innovative, and long term commitments to land management by public bodies can be a significant drain on budgets and manpower.
13. The issue for the CNPA is whether we think our role as co-ordinators of the public sector to deliver the Park's aims is best served through owning and managing land, or not. There is a strong argument that at this early stage in our development the ownership and direct management role is best left to other bodies already experienced in land management.
14. Overall, it is more important that land is managed well than who owns it; and that good management includes delivering public benefits and involving wider interests in that management. This is the ethos behind the move towards greater community involvement in land ownership and management at a national level; and our efforts within the Park should be directed towards securing these outcomes as agreed by the Board in December 2004 following the discussion on Integrated Land Management.
15. **The Board is recommended to agree that at this stage the CNPA should not seek to own land but should focus instead on influencing management by others.**

The Future Ownership and Management of Cairngorm Estate

16. Cairngorm Estate makes a very significant contribution to the four aims of the National Park – it is an important visitor destination, access point to the hills, sporting venue, local employer, and part of the Cairngorms Special Area for Conservation (SAC). All of these benefits are provided in a relatively small and high profile part of the Park.
17. It is still early days in HIE's consideration of the future ownership of the estate, but whatever Bidwells recommend, there need to be three important outcomes for the

Park. Firstly, there needs to be a full and open public consultation about the future of the estate so that all interests can be involved in determining the way ahead. Secondly, there needs to be a wide input from stakeholders into the management of the estate in the future. And finally, the existing public benefits from the estate need to be maintained and enhanced.

18. **The Board is recommended to agree that there should be wide stakeholder involvement in deciding the future ownership and then in running Cairngorm Estate.**
19. Forestry Commission Scotland (FCS) has expressed an initial interest in taking over the ownership of the estate and re-joining it to its holding at Glenmore. They are also receptive to the idea that relevant stakeholders – local communities and businesses, neighbouring estates, public agencies and NGOs – should be actively involved in advising on the future management of the estate, albeit that responsibility for management still needs to be taken by one body.
20. Whilst discussions are still at any early stage, this seems a sensible option to pursue further given FCS experience in owning and managing Glenmore for multiple objectives with an emphasis on public benefits, particularly in relation to recreation, tourism and nature conservation. It also presents an opportunity for a more unified approach to the management of land from Glenmore to the summit of Cairngorm.
21. **The Board is recommended to encourage 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.**

Consultation

22. In preparing this paper we have consulted with the main public bodies with a land owning interest in this part of the Park, principally FCS, HIE, the Highland Council and SNH. We have also taken informal soundings from a number of Board members and officials within the Scottish Executive.

Policy Context

Delivering Sustainability

23. We consider that these recommendations offer the best opportunity at this stage for an inclusive approach to the long-term management of this sensitive and highly-visible part of the National Park to the benefit of all interests.

Delivering A Park for All

24. Our recommendations above emphasise the need for an inclusive approach to deciding the future ownership and management of the estate.

Delivering Economy, Effectiveness and Efficiency

25. The approach outlined above offers the most cost effective solution and inclusive approach for the future management of this important part of the Park. Further, given FCS experience in managing a neighbouring estate for multi-benefits, and their openness to an inclusive approach to management, we consider that they would offer effective and efficient route for future management of the estate.

Implications

Financial Implications

26. At this stage, the recommendations have no financial implications for the Authority. However, a change in ownership and management may offer future opportunities for us to invest money and staff time in some aspects of the estate's management to meet our Corporate Plan goals and the objectives of the Park Plan.

Presentational Implications

27. The ownership and management of Cairngorm Estate is high profile, and the limited nature of the consultation over its future to date has raised criticism in some quarters. We think it appropriate to air the discussion in public as a way of promoting a more open debate about the future of this publicly owned asset.

Implications for Stakeholders

28. The recommendations have positive implications for all stakeholders as they will ensure greater involvement by all interests in the future of the estate.

Next Steps

29. We will feed in the outcome of the Board's consideration to Bidwells. HIE is then due to consider Bidwell's report at the end of the year, and we will report the outcome to the Board with further recommendations as appropriate. We will work closely with HIE to secure the long-term management of the public interest on the estate.

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