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# CAIRNGORMS NATIONAL PARK AUTHORITY

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## **DRAFT MINUTES OF THE BOARD MEETING** **held in the Albert Hall, Ballater** **on Friday 16 August 2019 at 10.45am**

### **PRESENT**

Xander McDade (Convener)  
Carolyn Caddick  
Deirdre Falconer  
Pippa Hadley  
Janet Hunter  
John Kirk  
John Latham  
Douglas McAdam  
Eleanor Mackintosh

Peter Argyle  
Willie McKenna  
Ian McLaren  
Dr Fiona McLean  
William Munro  
Anne Rae Macdonald  
Dr Gaener Rodger  
Derek Ross  
Judith Webb

### **In Attendance:**

Grant Moir, Chief Executive,  
Gavin Miles, Head of Planning & Communities  
Dan Harris, Planning Manager (Forward Planning & Service Improvement)  
Deirdre Straw, Planning Administration and Systems Officer  
Dot Harris, Planning Support Officer

**Apologies:** Geva Blackett

### **Welcome and Introduction**

1. Xander McDade, Convener, welcomed everyone to the meeting in Ballater.
2. Congratulations were expressed to Peter Ferguson and his new wife Anna.
3. Apologies were noted from Geva Blackett.

## **Matters Arising**

4. There were no matters arising.
5. **Action Points Arising:** **None**

## **Declarations of Interest**

6. Xander McDade declared an indirect interest in:
  - Paper I Reason: Councillor with Perth & Kinross Council who had responded to earlier Consultation, owns small area of land at Pitagown that has not been zoned and is a Trustee of the John Muir Trust. The Convener did not feel it was appropriate to Chair during the discussion, so delegated his chairing duties to Eleanor Mackintosh for this paper.
7. Peter Argyle declared an indirect interest in:
  - Paper I Reason: Councillor with Aberdeenshire Council.
8. Derek Ross declared an indirect interest in:
  - Paper I Reason: Councillor with Moray Council.
9. John Latham declared an indirect interest in:
  - Paper I Reason: Councillor with Aberdeenshire Council.
10. Pippa Hadley declared an indirect interest in:
  - Paper I Reason: Councillor with the Highland Council.
11. Deirdre Falconer declared an indirect interest in:
  - Paper I Reason: Chair of Kinraig and Vicinity Community Council.

## **Local Development Plan 2020 Submission for Examination (Paper I)**

12. Xander McDade handed over to Eleanor Mackintosh to convene the meeting.
13. Dan Harris, Planning Manager introduced Paper I which seeks the Board's agreement to submit the Proposed Local Development Plan 2020 and associated documents to Scottish Ministers for their formal consideration in accordance with sections 18(4) and 19(1) of the Town and Country Planning (Scotland) Act 1997.

14. The Planning Manager made the following points:
- a) This is a key milestone in Local Development Plan (LDP) process, following on from consultations on the Main Issues Report (MIR) and the proposed plan.
  - b) The examination will be focused on proposed plan and unresolved responses to its consultation.
  - c) Three options are available to the Board at this point:
    - i. Submit the Proposed Plan for examination
    - ii. Modify parts of the Proposed Plan and repeat consultation
    - iii. Start again and create a new Plan
  - d) As the Proposed Plan represents the settled view of the Authority on what the adopted LDP should look like along with the time and resources spent, the Scottish Government expects the first route to be taken in all but the most exceptional of circumstances.
  - e) Supporting documents that need to be submitted as part of examination include:
    - i. Strategic Environmental Assessment (SEA)
    - ii. Habitats Regulations Assessment (HRA)
    - iii. Participation statement
    - iv. Statement of conformity with the participation statement
    - v. Proposed Action Programme
    - vi. And any supporting material that supports the case of the Authority or representees.
  - f) The recommendations is that the Board:
    - i. Approves the Schedule 4 documents;
    - ii. Approves the Statement of Conformity with the Participation Statement;
    - iii. Agree to submit the Proposed Local Development Plan 2020 and associated supporting documents to Scottish Ministers for their formal consideration.
  - g) Subject to Board approval staff will:
    - i. Finalise formatting of the Schedule 4 documents;
    - ii. Finalise the compilation of the necessary core and supporting documents needed for the examination; and
    - iii. Submit Proposed LDP and all other material to Scottish Ministers for consideration.
  - h) Subject to Board approval an indicative timeline will be to submit September 2019 for examination in Autumn/Winter 2019/20 and aim for adoption in spring 2020.

15. The Board considered the detail in the Paper and discussions took place around the following:
- a) Eleanor asked the board to remember that although this is a late stage they will need to be comfortable with LDP as it will be basis for decisions over 5 years.
  - b) A member queried whether we are required to include anonymous feedback, the Planning Manager clarified that while this is not required and the reporter is also not required to consider anonymous comments, including them does not cause any issues.
  - c) A member queried how we communicate with people who took the time to respond and had objections to the plan, but whose comments we rejected. The Head of Planning agreed that there will be ongoing discussions with members of the public, however some will have alternative ideologies and their view of what the plan should achieve does not match that of the CNPA, and we will not be able to reach agreement. A member commented that the Schedule 4 prepared by the Policy team gave a clear view on each of the responses received, although may in some cases be further conversations to be had with members of public. The thorough and comprehensive nature of the Schedule 4 was complimented, noting that it provided reasoned arguments as to why comments have been accepted or not.
  - d) A member queried what occurs if the reporter decides there should be a change to any areas of the LDP. It was clarified that once the reporter decision are final and any changes they make are not open to negotiation.
  - e) A member highlighted that the roads and ways policy 'seeks to deliver net benefit' and queried how this is to be calculated. It was responded that we would use the advice of our landscape and ecology team, and would seek removal of a track where a new one approved such that the overall landscape and ecology impact is an improvement.
  - f) A member highlighted that the new planning legislation uses the terminology 'equitable economic development' in place of 'sustainable economic development', and queried whether this should this be changed and if not changed could it cause a collision between legislation and policy. The Head of Planning responded that this change in terminology would not cause any conflict; the reporter could choose to replace sustainable with equitable but this is unlikely to make any difference.
  - g) Could it be confirmed that the Planning Manager felt that the SEA, HRA and Equalities Assessment were all as good as they could be for submission. The Planning Manager confirmed that they are ready for submission and also that they would not be under scrutiny during the examination.

16. **The Board:**

- a) **Approved the Schedule 4 documents;**

- b) **Approved the Statement of Conformity with the Participation Statement;**
  - c) **Agreed to submit the Proposed Local Development Plan 2020 and associated supporting documents to Scottish Ministers for their formal consideration.**
17. Eleanor Mackintosh commended the outstanding work of the Planning Policy Team, and welcomed new Planning Policy team staff members Nina Caudrey and Andrew Teece then handed back to Xander McDade as Convener.
18. The Convener commended the work of the Planning Policy Team.
19. **Actions:**
- i. **Planning Policy Team to finalise formatting of the Schedule 4 documents.**
  - ii. **Planning Policy Team to finalise the compilation of the necessary core and supporting documents needed for the examination.**
  - iii. **Planning Policy Team to submit Proposed LDP and all other material to Scottish Ministers for consideration.**

## **AOCB**

20. A member relayed concerns received at community meetings in Glenlivet and Tomintoul over the increasing pressure of tourism on infrastructure and increasing litter at key areas; informal campervan stops were highlighted as being of particular concern. It was highlighted that local councils are doing less to tackle these issues and asking communities to do more, and the Board was asked to consider whether there are actions they can take to support these communities.
21. A brief discussion took place with regards to work carried over the recent months with other agencies over the 'Tread Lightly' campaign and other projects; it was agreed that this issue and related projects was something the Board should consider at future meetings.

## **Date of Next Meeting**

22. Next formal Board meeting to be held on 20 September 2019, Dee & Spey Meeting rooms, CNPA HQ.
23. This meeting concluded at 11.15am.