
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE BOARD MEETING held at The Community Hall, Boat of Garten on Friday 23rd January 2009 at 11.30am

PRESENT

Eric Baird	Bruce Luffman
Stuart Black	Eleanor Mackintosh
Duncan Bryden	Ian MacKintosh
Jaci Douglas	Anne MacLean
Dave Fallows	Mary McCafferty
Lucy Grant	Fiona Murdoch
David Green	Andrew Rafferty
Drew Hendry	Gregor Rimell (arrived late)
Marcus Humphrey	Richard Stroud
Bob Kinnaird	Susan Walker

In Attendance:

Murray Ferguson	Jane Hope
Andrew Harper	Hamish Trench

Apologies:

Geva Blackett
William McKenna
Alastair MacLennan

Welcome and Introduction

1. The Convener welcomed everyone to the meeting, noting that the Board had held a Community Engagement meeting the previous night with a focus on the work of the Boat of Garten Community. The enthusiasm and stamina of the Boat of Garten Community was clearly impressive and played a large part in the community being a finalist in the Calor Village of the Year.

Minutes of Last Meeting – approval

2. Minutes of the last meeting on the 21st October 2008 were approved.

Matters Arising

3. An update was requested under Paragraph 28(f); this concerned the question of the inclusion of the path linking Cromdale with Spey Bridge in the Core Path Plan which would be submitted to Ministers. It had been noted at the previous Board meeting that there was good community support for the inclusion of this path in the Core Path Plan and therefore a good argument for the CNPA including it in the Plan. There had however been objections to the inclusion of this path on the grounds of potential impacts on fishing interests. Murray Ferguson reported that the intention was to submit the Core Paths Plan to Ministers by the end of February. Negotiations were still continuing and the expectation was that this particular path would be included in the submission to Ministers but with an outstanding objection to its inclusion.

Declarations of Interests

4. None.

Cairngorms Collaborative Business Structure (Paper 1)

5. The Convener noted that John Carnie of the Royal Deeside and Cairngorms Destination Management Organisation, Alan Rankin of the Aviemore and Cairngorms DMO and Sally Dowden of the Cairngorms Chamber of Commerce were in the public gallery; he welcomed them to the current item under discussion, namely an update to the Board on progress towards the Pan-Park Model for Collaborative Business working. Andrew Harper introduced the paper which noted that following the Board meeting in July 2008, the Cairngorms Chamber of Commerce (CCC) had been working with the Destination Management Organisations (DMOs), and other business groupings in different parts of the Park to develop a more coherent model for business collaboration. A report had been commissioned and this was attached to the Board paper. It identified the arguments for further developing a model which

was outlined in the paper and which had the scope to deliver a range of important benefits both for businesses and for the public sector. This was still work in progress and there were still details to be worked out. The various business groupings involved were in the process of consulting their wider membership and the wider business community which they hoped to complete in February. The direction of travel of this work was right, and should enable businesses to capitalise more fully on the existence of the Cairngorms National Park, and be more effective and efficient. Businesses had put in a considerable amount of time and effort in getting to this stage and this was to be commended. This was a private sector initiative intended to maximise the potential of tourism businesses in the Cairngorms to compete with an increasingly global market in times of an economic downturn.

6. In discussion, the following points were made:
 - a) As work in progress, the initiative was to be warmly welcomed as a partnership of private and public sector helping to ensure a more coherent approach to the commercial marketing of the National Park. It was a very positive move. Clearly there were questions of detail which would need to be resolved in refining the final model but those did not need to be discussed that day.
 - b) This was a vital first step for the National Park Authority in enabling the private sector to support business throughout the Park as a primary driver of economic development, rather than the Park Authority itself doing this. Business was best focusing on business; the NPA could provide help on issues such as governance, funding and general facilitating activity.
 - c) No one should underestimate the amount of work invested in the development of the model to date. It was right that the CNPA should give its full support to the continued development of this model. If a single tourism voice for the private sector could be achieved within the National Park this would be an unprecedented development in Scotland. The corollary was that the public sector should also look to work more strongly together and to work with the new business organisation.
 - d) In the longer term, the aim must be for the private and public sector to be working side by side to deliver sustainable economic development within the National Park, in the interests of business and the National Park itself. Historically, the approach by the private sector had always been to provide funding for a limited period after which the exit strategy was to withdraw the funding and leave the private sector to "get on with it". However, if there was to be a genuine partnership approach there would always be a requirement for resourcing by the public sector, the point being that this would be funding for delivery for which the business sector would be accountable.

- e) The proposed business model struck a cord with the national strategy on tourism; it would enable the Cairngorms National Park to make a potentially significant impact on tourism in Scotland.
- f) The challenge for the CNPA was to ensure a joined up public sector voice to match the single joined up business voice within the National Park.
- g) It was appropriate to delegate the decision on the details of funding for the new organisation. The suggestion of £60,000 was proposed as a maximum within which the Finance Committee could operate.
- h) It would be important that the model did not lose the uniqueness of local communities across the Park. It was confirmed that the whole intention of the initiative was to ensure that local diversity could be maintained while at the same time allowing those communities to capitalise on the identity of the Cairngorms National Park. It was about reinforcing local identity within the Park-wide identity.
- i) The initiative was warmly welcomed – the biggest risk was that it would not work and not happen. The Board urged everyone involved to be bolder and more enabling and to put all its resources and effort into ensuring that this initiative did work.
- j) It was important that all small businesses were brought on board.
- k) It was good to treat all users of business as visitors.
- l) The model must engage with VisitScotland.
- m) This early work had been very good. It should always be driven by looking at customer's wants.
- n) The question of monitoring was raised. Andrew Harper confirmed that progress would be reported to the Board at suitable intervals. As far as financial monitoring went the Finance Committee would ensure that deliverables attaching to any funding could be monitored.

[Gregor Rimell arrived]

- o) This initiative was welcomed as the culmination of what the Park Authority had wanted to do five years ago but the time had not been right.
- p) It was important to recognise that other public sector partners such as the Local Authorities and the Enterprise Networks also had other important drivers in addition to the National Park.
- q) As far as monitoring was concerned the resources offered had to be measured against what was delivered.
- r) There remained an issue of businesses not currently in any of the business groupings (CCC or DMOs). It would be important to make clear how these businesses could “buy in” to the new initiative.
- s) The web portal was a crucial example of the type of initiative that the public sector should be running even if the CNPA were initiating and facilitating it. The CNPA should be enabling, but was

perceived as imposing. This was precisely the sort of project on which the private sector should have a significant role in delivery and the proposed new structure should make that possible.

- t) People and organisations would probably want to move at different speeds even though the CNPA and others were keen to move quickly.
 - u) It was noted that the £60,000 suggested in the paper as a cap could be covering transitional costs although in the long term the model should allow businesses to deliver more.
 - v) This was a good model for the future and it was important that funding should recognise that this was not just a continuation of the same but was a fundamental step change. It was envisaged that the new model would allow the business sector to “step up” and deliver things that they could not do under the existing fragmented structures.
7. The convener summed up the discussion by noting that there was wide support for the way this work was developing. He offered his thanks to all who had put in a huge effort to date and noted that while there were still issues to resolve, the work was going in the right direction and the CNPA was prepared to put its help and assistance behind this initiative albeit it should always be essentially business led. This was an exciting development which concerned the Cairngorms competing with the challenge from the wider global tourism competition.
8. **The Board approved the recommendations of the paper as follows:**
- a) Welcomed the work that had been carried out so far in identifying a potential pan-Park model for collaborative business working and agreed to continue to support the principle;**
 - b) Agreed to delegate to the Finance Committee consideration of CNPA funding to the Collaborative Business/Mechanism once further detailed work had been carried out.**

Strategic Review of Scottish National Parks: Next Steps (Paper 2)

9. Jane Hope introduced the paper which noted that the Strategic Review of National Parks in Scotland had reported and the recommendations were the subject of a consultation by the Scottish Government. The proposed consultation response by the CNPA was presented to the Board for consideration. The recommendations were focused on changes in Board governance and in particular Board size. The Review also concluded that the two Scottish NPAs should develop a plan for sharing services and working more closely; the Board were asked to note that this would require significant input of time by senior staff in the CNPA. The paper also noted that Ministers had concluded there would be no stage 2 of the Review. As a result there would be no review of the Planning function and it was suggested that the CNPA should take the opportunity

to do its own internal assessment of its Planning function not with a view to making substantial changes to the function itself (ie would continue with the Call-in power) but with a view to considering and improving the service which the Park Authority provided to the public. Finally the paper also noted that there was an opportunity to position the CNPA over the next five years building on the successful completion of the Review. It was proposed that the Board's informal discussion in February should address this.

10. Following up on the point made at paragraph 29 of the paper, it was noted that Ministers had now confirmed the extension of the appointments of those Members whose second successive terms were due to end in March 2009 or March 2010. The extension had been made for eighteen months and six months respectively, ensuring that the current CNPA Board would remain unchanged between now and the likely implementation date of any new arrangements involving a smaller Board etc. which looked as if it would be around September 2010.
11. In discussion the following points were made:
 - a) Although required to develop a plan for sharing services with Loch Lomond and the Trossachs, it would be important to not ignore the potential for sharing services with other bodies as well. The driver should be to put in place whatever arrangements were best for the CNPA.
 - b) The various changes that would flow from the Strategic Review would be made through a new Designation Order. Even though there would be no formal review of the planning function through Stage 2, nevertheless the minor changes required to the Designation Order to correct some of the earlier anomalies in respect of the planning provisions, could still be made.
 - c) The lack of a Stage 2 review was in many ways quite welcome. What was most important in terms of its planning function was that the CNPA should be considering how best to deliver on the new National Planning Framework.
 - d) In a question about the arrangements for Direct Elections, Jane Hope agreed to circulate round Members a paper pulling together the evidence available on the operation of Direct Elections in the Cairngorms as well as an analysis of the outcome of the consultation conducted in 2000/01 when the original Elections Order was put together.
 - e) It made sense to engage in more discussion with the Loch Lomond and the Trossachs National Park Authority particularly on those issues of common concern (eg the SRDP). It was noted that this contact already occurred to some extent at official level, but probably needed to occur more at Board level as well. It was important to note that this would only make sense if the emphasis was put on the limited number of issues on which the National Parks jointly could

have a stronger voice; it would not be appropriate to try and take the same position on everything.

- f) It was noted that the proposal from the Review appeared to be that any future changes of boundaries etc would be considered at least initially through the proposed Ministerially chaired National Strategy Group.
- g) Having come through the first five years successfully, a major challenge for the CNPA over the next five years would be proving itself in terms of delivery in partnership with the private sector as set out in the previous paper and working with Loch Lomond and the Trossachs to achieve a much stronger single voice for Scottish National Parks. To some extent success would depend over the next five years in identifying the areas in which we wanted to be "bolder and braver".
- h) One of the important contributions made by the National Park Authority was the work with local authorities and other partners in implementing the nationally driven initiatives. The CNPA possibly did not get as much credit for this as it should but that should not detract from the fact that this joint working by public bodies on national initiatives was crucial.
- i) The Council nominees on the CNPAs had generally been local elected councillors from Wards in the Park. After two successive terms, these local councillors would have to stand down and it was therefore likely that the council nominees would be councillors outside the Park. [Post meeting note: recent amendments to legislation means that this is no longer the case. As a result of the changes to the Public Appointments and Public Bodies (Scotland) Act 2003 Act the appointment by Ministers of local council nominees to the CNPA Board will no longer be governed by the Commission for Public appointments. This means that there will no longer be a restriction on the number of terms for which a local councillor can serve on the Park Board]
- j) It was agreed that the proposed Ministerially chaired National Strategy Group should have the Conveners and Chief Executives from both National Park Authorities represented. It was noted that it would be helpful to have some of the partners on the Strategy Group in order to add value to the efforts by both Park Authorities in bring a more coordinated and integrated approach within the National Park areas.
- k) There was some discussion about the response which the CNPA Board should make on the consultation question of Board size. A number of Members felt that the Board size of twenty-five had worked well (as already articulated in the proposed response). However, they also recognised that the consultation on which the review was based had already clearly shown a desire to reduce the size of the Board. In that case it would be important to ensure that the benefits of the current Board size were not overlooked when

Ministers finally decided on the maximum size of the National Park Boards. The points to be noted and therefore were as follows: in the original consultation in 2001 on the Cairngorms National Park many communities argued for a large Board in order to ensure adequate representation; the Cairngorms National Park was geographically very large and ensuring good representation was difficult without a sizeable Board; the Scottish NPAs had a broader remit than other NDPBs and in that sense were more like local authorities and their size determined accordingly; a comparison with National Parks south of the border was instructive given that they had a smaller remit than Scottish National Parks and yet almost all had Board sizes above twenty.

- l) It was the mix of types of Board Member that had been crucial to the effectiveness of the CNPA Board – directly elected, direct Ministerial appointments, and appointments on the nomination of councils. Because of that balance, there was a good representation of views on the Park Board.
- m) The proposal for a National Park Strategy Group chaired by Ministers was supported. This would provide a good opportunity to encourage government and its agencies to be bolder, and to recognise the potential for using National Parks as test beds on rural policy.
- n) It was noted that there was an enthusiasm for more directly elected Members. However, it was noted that there were some caveats to be considered. The very nature of direct elections meant that successful candidates tended to be relatively inexperienced in terms of Board Membership, especially in the public sector. This was not a criticism but was merely a reflection of the fact that Members who joined the Board through this route were often new to the arena of public boards. They brought fresh ideas which was welcome; the corollary was that it could be quite daunting and difficult. It was noted that people might be put off if they thought there was no back up and support. It was also noted however that the crucial issue here was balance and these characteristics of the directly elected Members were very effective provided that they were complemented by other types of Member with different experience and types of expertise. The three types of Member were crucial to the quality of the whole Board. It was noted that Ministerial appointments were the only ones amenable to an assessment against the skills matrix for the whole Board, so once again, the important point was the mix of three types of Member coming from three different sources. This in turn had implications for the size of the Board.
- o) In respect of Paragraph 22 which considered the proposal for Ministerial appointment of the Convener the point was made that a different skill set was required for a Convener compared with Board Members as a whole, and the proposed new arrangements needed

to recognise that. With a smaller Board, there was an increasing risk there may not be individuals with the inclination or the time available to take up the responsibilities of Convenership.

- p) In respect of Paragraph 7 and the proposed Strategy Group the point was reinforced that there needed to be a very clear role for the proposed group; it was important that it should not superimpose itself over the NPAs.
- q) It was noted that in conversation with English and Welsh National Park Authorities most of which had Board sizes above twenty, the general feeling was that they could not envisage being smaller than fifteen Members; below that accountability fell away significantly.
- r) If the Minister appointed the Convener and Deputy Convener there could be suspicions about Government interference. It was also noted that if the Convener was appointed by the Minister, there needed to be some sort of fall back procedure under which if Members lost faith in the Convener there would be the possibility of the Minister ending that appointment. While the line of accountability from Convener to Minister was important and therefore Ministers would want to make such an appointment, equally a Convener who did not have the confidence of other Board Members would not be effective. It was noted that the debate around the Board table about the proposals emerging from the Review were driven by a deep care and concern about the Cairngorms National Park. No one was arguing for their own seat; a significant number of Board Members would be departing from the Board in any event as the new Board came into place. The concern was very much about the future of the Cairngorms National Park which had got off to a good start. The Board was now contemplating the consequences of choosing between various alternatives. It was recognised that the CNPA did not exist in a bubble and there was a considerable body of opinion that the Board needed to be smaller. It was important to make clear why the current number of twenty five had particular virtues. The original discussions in 2001 had been inclusive and had reflected the inclusive Aims given to the Park Authorities. It was therefore vital that the Park Boards were equally inclusive. They were required under their founding statute to take an integrated approach and therefore needed broad representation.

12. In summing up the Convener noted the points on which there was agreement and which the draft Consultation Response would be amended to incorporate. This would be circulated around the Board, with the Convener and Deputy Convener to act as final arbiters on any further changes.

13. The Board agreed the recommendations of the papers as follows:

- a) Agreed the proposed response to the Consultation at Annex 1, subject to a number of changes recorded in the discussion.
- b) Noted the proposed work in the wake of the Review (closer working with Loch Lomond and the Trossachs, and an internal review of the planning function).
- c) Noted the opportunity to build on the CNPA successfully completing its first five years, and agreed to further discussion (in February) on positioning the CNPA for the next five years.

14. Action

- a) Jane Hope to revise the proposed Consultation Response, circulate round Board Members, and agree final changes with the Convener and Deputy Convener prior to submission to the Scottish Government.

National Plan 4-Monthly Report 1 (Paper 3)

15. Gavin Miles introduced the paper which provided the Board and all partners involved in delivering the National Park Plan with a periodic update on progress with delivery of the National Park Plan. The paper provided a summary of progress in delivering the actions set out in the National Park Plan and an assessment of the likelihood of achieving the five year outcomes under each of the seven Priorities for Action. It was noted that the assessments were made by programme managers and these were inevitably best estimates rather than precise quantified results. The colour amber reflected uncertainty over the delivery of an outcome; it did not mean the outcome would not be delivered, simply that there was uncertainty. It was quite possible that in the future some of these may become red as the assessments were revised and it became clearer that certain outcomes would not be delivered.
16. The purpose of this first progress report was to introduce Members to the format of the report and seek views on its usefulness. Inevitably it was trying to provide a relatively straightforward and simple way of presenting some very complex information. Subsequent progress reports would be able to flag up those outcomes which were becoming a source of concern (or alternatively celebration) and provide the basis for a discussion on what action was needed.
17. In discussion the following points were made:
- a) The report was welcomed as a useful way of presenting some complex and multifaceted information. The suggestion was made that information about direction of travel on some outcomes and actions might be useful. In other words the fact that some outcomes or actions were progressing from amber to green or alternatively from amber to red would be useful as time went on.

- b) It was noted that the comments column in the table relating to five year outcomes were referring to outputs rather than outcomes. In other words the comment column illustrated what was being delivered and therefore provided the basis for the interpretation of whether or not the outcome was likely to be delivered at the end of five years.

18. The Board noted the report on progress with approval noting that the second progress report would be in May

The Following Papers Were for Information, and were noted:

Corporate Plan Monitoring (Paper 4)

Key Issues from the Sustainable Tourism Strategy Mid Term Review (Paper 5)

AOCB

19. A number of brief items were reported as follows:

- a) There was currently a consultation under way by the Department for Culture, Media and Sport on World Heritage Site listing. It was noted that the Consultation was essentially about processes, albeit eventually this may have implications for the Cairngorms given that the Cairngorm Mountains were on the tentative list for World Heritage Site listing. It would therefore be appropriate for the CNPA to consider making a response; Jane Hope undertook to circulate the proposed response around the Board on the basis that the final arbiters would be the Convener and Deputy Convener.
- b) There was a consultation underway on Climate Change and the National Forest Estate led by Forestry Commission Scotland. This sought views on proposals for changes in the way the national forest estate is managed to improve investment and management in climate change mitigation. This had been circulated to some members for comment. Hamish Trench undertook to circulate the CNPA response to the Board for information.
- c) The Convener reported that he had attended a deer event early in January in Edinburgh looking at working with partners and promoting the benefits of eating venison.
- d) The Deputy Convener reported that he had attended a meeting of the Land Use Group. He also noted that in his contacts with members of Europarc he had received some very positive feedback on the Junior Ranger Camp held in the Cairngorms National Park the previous autumn; there was also positive feedback about the help we were providing Europarc with on their audit function. The CNPA were therefore beginning to be recognised in European circles.

- e) Duncan Bryden reported on the positive feedback he was hearing on the John Muir Award.
- f) Fiona Murdoch reported on attending a food security seminar at which Alastair MacLennan had done a presentation. The Cabinet Secretary had also attended.
- g) Duncan Bryden and Eric Baird both sat on Regional Forestry Forums and noted that in early March there would be a Joint Forum Meeting which would provide an opportunity to build strategic relationships with partners in the Cairngorms National Park.

Date of Next Meeting

20. Friday 20th March 2009, Richmond Memorial Hall, Tomintoul.