
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE BOARD MEETING held at the Monalltrie Hotel, Ballater on 23rd May 2003 at 10.30am

PRESENT

Peter Argyle	Alastair MacLennan
Eric Baird	William McKenna
Stuart Black	Andrew Rafferty
Duncan Bryden	Gregor Rimell
Sally Dowden	David Selfridge
Basil Dunlop	Robert Severn
Douglas Glass	Joyce Simpson
Angus Gordon	Sheena Slimon
Lucy Grant	Richard Stroud
David Green	Andrew Thin
Bruce Luffman	Susan Walker
Eleanor Mackintosh	Bob Wilson
Anne MacLean	

In Attendance:

Jane Hope, Interim Chief Executive, CNPA
Nick Halfhide, Policy & Projects, CNPA
Denis Munro, Planning Services
Andy Rinning, Corporate Services, CNPA

APOLOGIES:

None Notified

WELCOME AND INTRODUCTION

1. The Convener welcomed everyone in the public gallery, and in particular Mike Rumbles, MSP, and Andrew Dickson and Jim Halley of the Scottish Executive.

Minutes of Last Meeting

2. Agreed with no amendments.

Matters Arising

3. The Convener reported on 3 matters arising:
 - a) Paragraph 23: a note on travel and subsistence rates for Members would be circulated shortly, including provision on rates for breakfast, and rates for childcare allowance.
 - b) Paragraph 25: a “standard” Cairngorms National Park presentation was now available in the form of power point and/or overheads. Requests for copies should be made to Jane Hope.
 - c) Paragraph 25: a contract had been let to develop a corporate ID and logo by 1 September.

Standing Orders (paper 1)

4. Jane Hope introduced the paper. Circulating the paper in draft beforehand had enabled a number of comments from Members to be incorporated prior to the final paper being circulated. However, some comments had been received after the deadline; Jane Hope detailed these at the meeting, and recommended that they be accepted:
 - a) SO 4(c): “Chair” to be replaced by “Convener”.
 - b) SO 9: Add to end of first sentence: “provided the Member’s contribution is fully accessible to all members of the board and public attending.”
 - c) SO10: Add the words in italics as follows: “People who are not members of the NPA board may be invited by the Convener to attend *and speak* for all or part....”.
 - d) SO13: Add words in italics to 3rd sentence: “The Chief Executive shall have the right to attend and speak at all Board meetings....”.
 - e) SO18: Add a sentence after the end of the first sentence: “In keeping with the rules on openness and transparency, this may only draw attention of Members to an issue, and may lead to its addition to a future agenda.”
 - f) SO 21: Remove the second clause as follows: “*determine whether a conflict of interest requires a member to withdraw from discussion;*”
 - g) SO 23: Add to the end of the sentence: “and read into the record of the meeting by the Chair”.
 - h) SO 25: First sentence to be amended to read: “Where a decision is necessary, it will be reached by a simple majority....”
 - i) SO 30: Second sentence: “Members are expected to respect...” to be amended to read: “Members must respect...”.
 - j) SO 39: Addition to first sentence (shown italics) as follows: “These standing orders may be *suspended*, varied, revoked...”.
5. These amendments (a) to (j) were **all accepted**.

6. In discussion, the following additional points were suggested **and accepted**:
 - a) Further to SO16, all meeting venues should be checked to ensure that the meeting room itself was fully accessible to people of all abilities. That day's meeting room was not easily accessible.
 - b) SO 4 should refer to the election being by secret ballot, as had been the case at the first election on 15 April.
7. On the question of the term of office of Convener and Deputy Convener, the following points were made in discussion:
 - a) One year provided for a suitable "get-out" for both parties if a Convener or Deputy Convener proved unsatisfactory;
 - b) Continuity for both office holders was important, especially in dealings with the Scottish Executive, and in decisions on planning policy and casework;
 - c) Opting for a fixed 3 year term conveyed a message of confidence in the office holders, especially important in dealings with other organisations;
 - d) A three-year term could lead other members to "sit back" rather than participate actively. A frequently revolving Convener/Deputy Convener was more likely to encourage active participation.
8. Given that there was no obvious consensus, a vote was taken to determine the length of office of Convener/Deputy Convener:
 - a) On the proposal that the term of office should be one year: For 7, Against 15, abstentions 2.
 - b) On the proposal that the term office should be 3 years: For 16, against 0.
9. **It was therefore agreed** that the term of office should be 3 years, to run from the time of the next election (the current Convener and Deputy Convener having been elected for 18 months).
10. **It was agreed** that the standing orders be adopted, subject to the amendments accepted during the course of the meeting.
11. **Action:**
 - a) **Standing Orders to be amended as agreed, attached to the minutes of the meeting, and circulated to all Members.**

Budget for 2003-2004 (Paper2)

12. Andy Rinning introduced the paper. The CNPA had not formally been advised of its Grant in Aid, but had been advised that following the Scottish Elections, Ministers would be seeking an early meeting with the Board for a discussion about its budget. The paper proposed a budget of £2,006,933 for the first year, based on known operating costs, an expansion in staff numbers, and some one-off costs associated with

infrastructure needs in the first year (accommodation, new IT system, website and logo design, and HR systems). Since preparing the budget paper, more up-to-date information on likely contract costs and staffing costs suggested that the estimates of corporate ID costs were high, and those for staffing were low, but that the net effect on the total spend was zero. Expenditure in the second and future years would increase considerably as the organisation's capability to develop and implement policy increased with increasing staff resources.

13. In discussion the following points were made:

- a) The proposed budget was relatively modest, and underestimated the scope that there was for delivering initiatives simply as a result of applying enough money to a problem;
- b) The CNPA should be prepared to spot and take opportunities when they came up, and this required money;
- c) Funding of the CNPA depended to some extent on the funding other partners received, especially if the CNPA was to be an enabling organisation which delivered through others. Partner organisations would need additional resources to help the CNPA deliver;
- d) It was essential not to under spend. The CNPA should plan what it could reasonably achieve in 2003-04. It was not reasonable to double project expenditure in year 1, and it would make sense to pull some project money back into staffing expenditure.
- e) It was not unusual for additional funding to be available at the end of the financial year (EYF, or End Year Flexibility).
- f) The inflation factor assumed was 2.5%, although other public bodies had received an increase of 3.7%. A distinction was to be drawn between the inflation assumption (which Treasury advise is 2.5%) and actual increase, which may be above this for other reasons.
- g) The importance of marketing should not be underestimated, and the transfer of some funding from corporate ID to Staffing should be for staff focused on marketing issues;
- h) Communities will wish to see "something for their money" early in the life of the National Park;
- i) On IT and telecommunications, there were opportunities to see whether the CNPA's systems could be based on Broadband, while at the same time facilitating the provision for communities. The funding need not all come from the CNPA, as there were likely to be a number of interested partners.
- j) More than one officer may be needed to work on National Park Plan.

14. **It was agreed that:**

- a) The proposed budget be adopted by the CNPA for 2003-04;
- b) The Convener should write to the Minister seeking a meeting to discuss the budget and the allocation of sufficient funds to meet the CNPA's proposed expenditure for 2003-04.

15. Action:

- a) **The Convener to write to Scottish Ministers accordingly.**

Development Control Protocol (paper 3)

16. Denis Munro introduced the paper. The arrangements for dealing with planning applications within the Park, as specified in the Designation Order, enabled the Park Authority to focus on significant planning issues. However, the split in function between Local Authority and Park Authority gave rise to potential inefficiencies. The protocol in paper 3 has been prepared by officers of all the relevant local authorities and the CNPA, as well as the Scottish Executive, to ensure a streamlined process for dealing with planning applications. There had been good cooperation in the preparation of the protocol, a helpful indicator of future working relations.
17. Moray Council had already approved the protocol. Approval by the other 3 councils was awaited. If this was not forthcoming, any objections or concerns would be brought back to the CNPA. A public information leaflet was also being prepared for wide circulation. There would also be a more detailed procedures manual for day-to-day use by officers in all the relevant authorities including the CNPA.
18. In discussion the following points were made:
- a) The Board's thanks was recorded to all the staff involved;
 - b) It was confirmed that for applications made outside the CNPA's boundary, there was no power of call-in, but it was reasonable for the CNPA to expect to be consulted. This was not covered by the protocol, which could only deal with matters inside the boundary. Working relations with neighbouring local authorities would be for the staff to establish.
 - c) The CNPA would expect to be involved in pre-application discussions, and the spirit of partnership already developed suggested that local authorities would co-operate on that. It would be helpful if Councillors on the CNPA board could give early warning to CNPA staff of any applications they knew were in the pipeline, and which might be of interest to the Park Board.
 - d) Minutes of Understanding would be helpful in underpinning the liaison procedures set out in section 6;
 - e) The protocol provided for a regular review of the effectiveness and efficiency of the planning arrangements;
 - f) Although Perth and Kinross Council were not formally involved, as an adjacent planning authority they should be given a copy of the finalised Protocol as a courtesy;
 - g) The Community Councils group had been kept informed of the planning protocol. Their consultation rights on planning applications were unchanged by the introduction of the CNPA's power of call-in after 1 September;
 - h) The paper covering the Protocol assumed a small percentage (10%) of all applications would be called in. This should be related to the number of

applications dealt with by planning committees, as opposed to those dealt with by delegated powers to officers. There were no figures available on this.

19. **It was agreed that the Protocol be approved.**

Angus Local Plan Consultative Draft 2003 (paper 4)

20. The paper was introduced by Denis Munro. The preparation of a local plan was a long and participative process. The CNPA would take on its responsibilities for the local plan(s) in the National Park from the local authorities on 1 September, and a decision needed to be made about how to deal with work in progress on local plans. The Angus Local Plan was at its draft stage, with consultation ending very soon. Angus Council had helpfully decided that as the Local Plan moved forward to the next stage, they would redraw the area covered by the plan so that it excluded the area of the National Park. This would avoid procedural problem later in the process. As a result there was nothing that the CNPA need object to, and the paper was for the information of Members.
21. There were no comments, and the Board noted the paper.

Finalised Aberdeenshire Local Plan 2003 (Paper 5)

22. Denis Munro introduced the paper. This local plan was at a more advanced stage than the Angus Local Plan. It was likely that there would be a public inquiry later in the year. The plan showed little awareness of the National Park, or the need for planning policies within the Park to be influenced by the four aim set out in the National Parks (Scotland) Act 2000. It was therefore recommended that the CNPA should not endorse the plan in its current form, but should ask that the relatively small part of the plan which fell within the Park boundary be excised and used only as a basis for non-statutory guidance until the CNPA had produced its own local plan for the area. Alternatively Aberdeenshire Council may wish to prepare modifications to the plan to address the concerns listed in the report and send these to the CNPA for consideration.
23. This was not a disagreement with Aberdeenshire Council, more a feature of the transition period. There was to be a meeting with the Public Inquiry Reporter the following week at which a sensible way forward, consistent with the statutory procedures, would be sought.
24. In discussion the following points were made:
 - a) The CNPA should consider making an objection, as a holding operation. However it was difficult to decide this in advance of the meeting with the Reporter. If the reporter recommended lodging an objection, Denis Munro should be given authority to do so.

25. **It was agreed that:**

- a) The CNPA should thank Aberdeenshire Council for the opportunity to be consulted on this Local Plan;
- b) The CNPA cannot support the plan's policies in so far as they relate to areas within the National Park;
- c) That Denis Munro had delegated authority to lodge an objection to the plan if he judged this to be the best way forward, following his meeting with the Inquiry Reporter.

26. **Action:**

- a) **Denis Munro to report back to Members (by written advice if necessary, but in any event to the next board CNPA meeting) on the outcome of his meeting with the Inquiry reporter, and his follow-up action.**

Accommodation (Paper 6)

27. Jane Hope introduced the paper, which recommended that the CNPA headquarters should remain at least for the immediate term in the current offices in Grantown on Spey, and that an additional office should be sought on the east side of the Park. The recommendation was that the planning team (currently being recruited) should be based in the new office, and additional staff placed there as appropriate as the recruitment process continued. There were no plans to relocate staff from Grantown on Spey.

28. It was also noted that because of the size of the Park, attention would be paid to developing good communications practices, involving electronic and telecommunications.

29. In discussion the following points were made:

- a) Given the amount of investment planned for the offices at Grantown on Spey, the agreement should be for that office to remain the CNPA HQ for the long term;
- b) The new office should include a reception area for the public;
- c) Most planning applications were from the Badenoch and Strathspey side of the Park, so it was open to question whether the planning team should be based on the other side of the Park. Although it was noted that the planning team would not just be involved in development control.

30. **It was agreed that:**

- a) An office on the east side of the Park should be sought;
- b) The HQ should remain in the current offices in Grantown on Spey;
- c) There were no plans to relocate staff from Grantown on Spey.

31. Action:

- a) **Staff to progress the search for office space, including a reception area, on the east side of the Park, and to report back to the CNPA board with a proposal.**

Board Organisation – Committees, Advisory Groups, etc (Paper 7)

- 32. Jane Hope introduced the paper, which proposed the establishment of a small number of committees to deal with operational matters, namely Audit and Finance. A temporary recruitment committee was also proposed to deal with the recruitment of senior staff in the near future. A planning committee was required by the founding legislation, and given that the CNPA would only be calling in potentially difficult and controversial cases, it made sense for those determinations to be made by the whole Board. Other arrangements, consisting of a small group which operated largely by means of e-mail and papers, were proposed for deciding in the relatively short timeframe which would be available, which applications to call-in.
- 33. The paper set these proposals in the context of possible working arrangements involving individual member responsibilities, and the use of working groups and forums, all of which would be discussed further at the briefing session on 13 June.
- 34. In discussion the following points were made:
 - a) It was important to ensure that the audit committee should be involved in more than just financial systems, and should extend its remit to all internal control systems;
 - b) The finance committee should include in its remit the monitoring of outputs, not just budgets;
 - c) Some thought should be given to having an HR committee to offer support to staff during the development of a new system of pay, terms and conditions.
 - d) The arrangements for deciding which applications to call in should recognise that in practice there would be considerable amount of notice about applications because of pre-application discussions.
 - e) The planning committee would need its own standing orders to deal with the particular issues that would arise concerning rights of representation, site visits, etc;
 - f) A small group to deal with decisions on which applications to call in was sensible. Having this comprised of Convener, Deputy Convener and 3 or 5 others was about right. The proposal of having the 5 “others” as the 5 directly elected members might ensure geographical coverage, but suffered from the disadvantage that it did not necessarily engage Members with experience of the planning system.
- 35. **It was agreed that;**
 - a) An audit committee, a finance committee, and a temporary recruitment committee should be set up. Members interested in being on these committees should inform

the Convener or Interim Chief Executive, and proposals on remit and membership be brought back to a later meeting.

- b) The planning committee for determination of planning applications should be a Committee of the whole authority;
- c) The principle of having a working group deal with decisions on which applications to call in was accepted. Firm proposals on how this would work and be constituted should be brought back to a later meeting.

36. Action:

- a) **Members to indicate preferences for Committee membership to the Convener and/or Interim Chief Executive by 6 June (to enable a paper to be prepared and circulated for 27 June meeting);**
- b) **Firm recommendations on remit and membership of committees to be presented to a subsequent meeting of the Board;**
- c) **Firm recommendations to be presented on Planning Committee standing orders, and on the arrangements for the Call-in group, to a subsequent Board meeting.**

Draft Scottish Outdoor Access Code Consultation (paper 8)

37. Nick Halfhide presented the paper, which recommended that staff prepare and circulate a draft response on this consultation to all Members for comment. The response would then be finalised by a sub-group of members.

38. It was agreed that:

- a) A draft response would be circulated to all Members for comment, and the response finalised by a sub group;
- b) The sub group would be chaired by the Deputy Convener;
- c) Members with an interest in being on the sub group should offer their names to Nick Halfhide and/or the deputy convener.

Agri-Environment Scheme Consultation (Paper 9)

39. Nick Halfhide presented the paper which presented a draft response to the Scottish Executive's consultation on the future of the ESA scheme, possible improvements to the Rural Stewardship Scheme, and proposals for improvements to the Executive's support for conversion to organic farming. The response had been prepared by staff, informed by the recent meeting of the Agriculture Forum.

40. In discussion the following points were made:

- a) The draft response did not emphasise sufficiently the need to ensure that whatever the scheme, it had to be adequately funded. This could be stressed in the covering letter;

- b) The most desirable approach from the National Park's point of view would be a fresh start with a new scheme tailored to the needs of the National Park. However, the consultation paper was restricted to the questions asked about the future of particular schemes currently in existence. In the longer term, the Mid Term Review of the CAP may offer more scope to argue the case for tailored schemes. This draft response to this particular consultation should not be seen as the last and only opportunity to influence agri-environment policy.
 - c) Continuing the ESA, however much people might wish it, was not an option being considered by the Scottish Executive.
 - d) This was a complex issue. A briefing session in the future for all Members would be useful.
41. Alastair MacLennan wished to record his dissatisfaction with the proposed response, which overstated the level of support for option 2 which guaranteed entry to ESA leavers to RSS at maintenance level only, and underestimated the difficulties of transforming from ESA to RSS.
- 42. It was agreed that:**
- a) The consultation response should be sent to the Scottish Executive, subject to minor drafting changes, including clarification of the reference (in italics below) in section 2 to "we strongly favour option 2 whereby ESA scheme leavers within the National Park are guaranteed entry in to the RSS *but only on a maintenance level*".
- 43. Action:**
- a) **A seminar for all members to be arranged on agriculture in general, and agri environment schemes in particular.**

Dates of CNPA Board Meetings for 2003 (Paper 10)

44. Jane Hope presented a paper giving dates for board meetings until the end of 2003. In addition to the dates on the list, a further short formal meeting (to consider staff structure and Committee arrangements) was proposed for 27 June. An additional informal briefing session was also proposed for 26 September.
- 45. It was agreed that:**
- a) The list of board meetings as set out in the paper was acceptable, subject to the addition of a short formal meeting on 27 June, and an informal briefing session on 26 September.

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46. The issue of the 4 auxiliary fire units in the Badenoch & Strathspey area was raised. These units may have to stand down because of lack of breathing apparatus and

funding to provide and store this. The convener reported he had agreed to meet the firemaster. The issue would be added to the agenda for next meeting.

47. On Saturday 14 June a Munro Challenge was being held. Application forms were available from David Selfridge.
48. The Convener reported that he had been approached by at least one organisation about nominating a director on behalf of the CNPA. While content to nominate an observer, he felt that it was not right at this stage to be nominating directors. This was an issue which the board would need to return to, and he would welcome any comments in the meantime.
49. The issue of the CNPA having a presence at local shows was raised. It was confirmed that the CNPA would be at the Grantown-on-Spey show. A display panel was available for use at other shows as appropriate.

Date of Next Meeting

50. 27 June 2003, at 2.30pm, in the Aviemore area.