

CAIRNGORMS NATIONAL PARK AUTHORITY

FOR DECISION

Title: FUNDING THE SPEYSIDE WAY

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Purpose

The purpose of this paper is to explain the funding arrangements for the Speyside Way Long Distance Route and to seek approval for expenditure by the Cairngorms National Park Authority (CNPA) to contribute to the management and maintenance of the part of the route that lies within the Park.

Recommendations

That the Board:

- notes the new responsibilities that fall to CNPA as a consequence of the passing of the Land Reform (Scotland) Act 2003; and
- approves the expenditure of £57,000 for the current year (and a similar appropriate sum for future years) subject to a satisfactory conclusion to the discussions on a Minute of Agreement between CNPA, The Highland Council and Moray Council.

Executive Summary

The Speyside Way has been funded to date by the two local authorities through whose ground the route passes (Moray and The Highland Council) with grant aid from Scottish Natural Heritage. The duty to implement Long Distance Routes (LDR) arises from the Countryside Scotland Act 1967. With the passing of the Land Reform Act the Cairngorms National Park Authority has become an access authority and consequently, the funding responsibilities for the management of the route within the Park will now rest with the Authority.

The Board is asked to note the management arrangements that are being developed to ensure effective and efficient use of resources and the level of funding required ensuring the route, as a whole, continues to meet the agreed standards for Long Distance Routes in Scotland.

FUNDING THE SPEYSIDE WAY FOR DECISION

Background

1. Long Distance Routes are approved by Scottish Ministers and implemented by access authorities. The 1967 Countryside (Scotland) Act provides the statutory framework for both the development and management of routes. There are four official Long Distance Routes in Scotland, one of which is the Speyside Way. The management of the Speyside Way on day to day basis has been the responsibility of both The Highland Council and Moray Council. In practice, Moray Council have employed the Route Manager and support staff with the funding package being agreed with The Highland Council and Scottish Natural Heritage (SNH) through a Minute of Agreement
2. Whilst SNH has no statutory responsibility to fund the on-going management of Long Distance Routes, they funded them at 100% of total cost up until 1997. As a consequence of their policy review in 1997, the funding contribution dropped to a maximum of 75% for work associated with the path infrastructure and securing of the line. Other relevant works, such as interpretation, surveys and leaflets could be funded to a maximum of 60%. The balance of funds has been found from the local authorities. The move away from 100% funding by SNH reflected the economic gains that accrued to communities along the route and increasing partnership working which encouraged all who benefited to invest.
3. The Land Reform (Scotland) Act 2003 has now come into effect and this has made a material change to access responsibilities within the Park boundary. The Park Authority is now an access authority and has therefore taken on all the access responsibilities that were previously the responsibility of the local authorities. This includes the duty to implement Long Distance Routes. Implementation covers all aspects of the management and maintenance of the route including signage and promotion.

Implications for the Park Authority

4. SNH have indicated that at a national level they can see advantages in a common approach to funding Long Distance Routes (LDRs) where they pass through National Parks. This approach indicates that the funding of routes within National Parks should be the sole responsibility of the Park Authorities¹. The reasons why SNH is unable to grant aid CNPA for the management and maintenance of LDRs were explained in a paper to the Board in November 2003. The key reason is that SNH is prevented by Treasury rules from grant-aiding another Non-Departmental Public body (NDPB) to carry out a core function. There are three further considerations:
 - a. *Contribution to Park aims* – LDRs within National Parks are one of the clearest examples of a resource that actually delivers on all four Park aims. The core purpose of the National Park Authorities is to collectively deliver

¹ There are two exceptions to this policy. The first is in relation to route development works that were agreed prior to the formation of the National Park e.g. the proposed extension of the Speyside Way to Newtonmore. The second is on emergency capital repairs where they would consider funding on a case by case basis.

- these aims and there is therefore a strong case for the Park Authorities to take on responsibility for maintenance and management of the route and to secure funds directly from the Scottish Executive for this purpose.
- b. *Contribution to recreational management in the Park* – Within the Parks, LDRs serve two specific functions. Firstly, they are an integral part of a longer route with a distinct and coherent identity, and it is important to promote and develop them on this ‘whole route’ basis. Secondly, LDRs form an integral part of the recreational and access resource of the Park. As such, there are advantages in maintaining and managing them as part of the Park-wide access network.
 - c. *Efficient Government* – It is more efficient to have a single government body within the National Park concerned with the maintenance and management of the LDR than two.
5. Under these arrangements National Park Authorities will need to bid for, and receive, 100% from central government. SNH funding of LDRs through grant to local authorities outwith the Park will not change, though both SNH and the Park Authority will require to look at the range of future funding partners to better reflect the economic benefits that accrue from LDRs as well as recreational benefits.
 6. Strategic management of the Speyside Way is provided through the Speyside Way Management Group of which CNPA is a member. The other members are Moray Council, The Highland Council, Scottish Natural Heritage and Moray Badenoch and Strathspey Enterprise. The Management Group agree the Development and Management Programme which contains the aims, objectives and work programme for a rolling three year period. The Development and Management Programme is implemented by the Speyside Way Manager and staff who are employed by Moray Council. To clarify the respective roles of the funding bodies and to ensure that there is a common understanding on all issues pertaining to the funding and management of the route, a Minute of Agreement is being drawn up. Advice has been sought from our legal advisers and negotiations are continuing on the basis of the legal advice received. The finalised Minute of Agreement will provide the necessary safeguards to ensure that Park investment is targeted appropriately and all the maintenance commitments are fully documented and agreed.

Consultation

7. Consultation has taken place at a senior level between CNPA and SNH. In addition, legal advice has been sought from Ledingham Chalmers, the Park Authority’s solicitors, on the probity and appropriateness of the draft Minute of Agreement.

Policy Context

8. Long Distance Routes help promote understanding and enjoyment of the natural and cultural heritage of the area. By undertaking long walks or rides, users experience the special qualities of the Park at a pace that encourages a better understanding than those whose trips are more transitory. Long Distance Route users also contribute to the economy of the area through demand for overnight accommodation, eating places, pubs and other linked facilities adjacent to the route. Long Distance Routes are also

used extensively for short walks and provide valuable links to other path networks. There are further economic benefits for the local area arising from maintenance work. There are also considerable health benefits from such journeys.

Delivering Sustainability

9. A well managed Long Distance Route will provide a managed access facility that contributes to sustainable transport, economic benefits and improve health to both the local communities and all those who will travel along its length.

Delivering A Park for All

10. Contributing to the development and maintenance of the Speyside Way and possible extension is an action identified within the Park Authority's current Corporate Plan. The longer term aspiration for the route is to make it more accessible with barriers being removed wherever possible and to move towards full multi-use.

Delivering Economy, Effectiveness and Efficiency

11. The management of the route is undertaken on a day to day basis by Moray Council overseen by the Speyside Way Management Group. This mechanism allows for the pooling of resources, savings through economies of scale and day to day management through a dedicated team for the whole route.

Financial Implications

12. Subject to satisfactory conclusions to the discussions on the Minute of Agreement the financial cost to the Park Authority for the 05/06 financial year will be £57,000. This sum has already been provided for in the 2005/06 budget. This has been calculated as a pro rata share of the total costs of managing the route based on total mileage within each authority's boundary. The on-going costs for managing the route in future years will be similar, subject to inflation, although there is likely to be a stepped increase if and when Scottish Ministers approve the proposed extension of the LDR to Newtonmore. The current estimate for the management and maintenance of the extension is £58,000. If the extension is approved, then the total annual contribution towards the management of the route will be in the order of £115,000.
13. To provide a degree of comfort to all signatories within the Minute of Agreement, there will be a clause allowing any or all of the signatories to terminate the agreement giving one year's notice.

Opportunities for land manager involvement

14. Reform within agricultural support mechanisms offers up the future possibility of some sections of the route being maintained by farmers through Land Management Contracts. The new scheme offers the possibility of maintenance being undertaken by farmers who will be able to attract a payment of £2.75 per linear metre. The contracts would run for an initial period of five years and would enable land managers to benefit financially from routes that pass through their ground.

15. At this stage, the protocols for liaison between access authorities and the Scottish Executive Environment and Rural Affairs Department (SEERAD) are still being developed. These Contracts do potentially offer up an effective means of maintenance which both provide revenue to farmers and reduce the costs of maintenance to the access authorities. CNPA staff will continue to press the Executive and SNH to further develop the possibility of Land Management Contracts being used on Long Distance Routes (and on other paths).

Presentational Implications

16. The implications for the funding of the Speyside Way are positive. This is one of only four official Long Distance Routes in Scotland and, as such, it provides a national, strategic route, linking with many other path networks along its course and providing a lengthy and varied recreational opportunity for both local and visitors alike. Whilst the sums involved are not insignificant, the full investment is returned through the management and maintenance of the route to high, nationally agreed, standards.

Implications for Stakeholders

17. The key stakeholders in relation to funding are the other access authorities and the public. Funding of the route at the proposed level will demonstrate the Park Authority's commitment to the provision of well managed and maintained access infrastructure.

Next Steps

18. Officers will progress discussions so that the Minute of Agreement can be signed and make the necessary arrangements to pay the funds to Moray Council.

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