
CAIRNGORMS NATIONAL PARK AUTHORITY

MINUTES OF THE BOARD MEETING held at the Royal British Legion Hall, Grantown-on-Spey on 27th June 2003 at 2.30pm

PRESENT

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

In Attendance:

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

APOLOGIES:

Anne Maclean
Sally Dowden
Stuart Black
Sheena Slimon

WELCOME AND INTRODUCTION

1. The Convener welcomed everyone in the public gallery.

Minutes of Last Meeting

2. Agreed with one amendment: paragraph 7(d) to be amended from “A one-year term” to “a three-year term”.

Matters Arising

3. The Convener reported on a number of matters arising:
 - a) Paragraph 11: revised standing orders had been circulated to Members.
 - b) Paragraph 15: The Convener had written to, and then met (on 18 June) Allan Wilson, the Minister for National Parks on 18 June, together with the Interim Chief Executive. The need for certainty about the CNPA’s long-term budget, as well as for the coming year, had been emphasised. The Minister had been positive about the Cairngorms National Park, and a response on the proposed budget was expected soon.
 - c) Paragraph 19: The planning protocol had now been approved by all the relevant Local Councils. The Convener congratulated and thanked all those involved, in particular Denis Munro.
 - d) Paragraph 26: Denis Munro updated the Board on his meeting with the Aberdeenshire Inquiry Reporter. He had informed the reporter of the CNPA’s reservations about the Local Plan as currently drafted. The conclusion was that Aberdeenshire Council would try to address these through modifications. If these were acceptable to the CNPA Board, Aberdeenshire could proceed with the modified plan to the Local Inquiry in December. However, if the modifications were not acceptable to the CNPA Board, they would need to ask Aberdeenshire Council to excise that part of the plan which related to the National Park. The next step was therefore for Denis Munro to put a paper to the Board with the proposed modifications from Aberdeenshire Council as soon as these were available.
 - e) Paragraph 31: Staff of the CNPA were investigating a possible site for accommodation in Ballater. Attention was being paid to ensuring the building was fully accessible to all.
 - f) Paragraph 38: A second draft of the CNPA’s response on the Scottish Outdoor Access Code had been completed, and subject to ratification by the sub-group, would be sent to SNH very soon. A copy of the final response would be circulated to all Board members for information. The Convener thanked all those involved in putting together the response.
 - g) Paragraph 43: A seminar on Agricultural policy was being arranged for the Board in the autumn, and would be written into an updated programme of Board meetings to be circulated to the Board in due course.
 - h) Paragraph 46: The Convener had spoken to the Convener of the Highland Council Fire Committee, Councillor Drew MacFarlane Slack regarding the future of auxiliary units in Badenoch and Strathspey. The matter is still under consideration and is affected by the forthcoming Fire Bill and the recent ending of the fire dispute. There will be a full review of the auxiliary units with local consultation. There was a possibility of community emergency response teams being formed

from auxiliary units that might also offer training to estates staff. The model of Forest Fire Protection Groups was mentioned.

- i) Corporate ID: work on this has been commissioned, and this was being progressed with a view to having a logo by the time of the opening of the Park on 1 September. The Board would need to reach agreement quickly on a design if this timetable was to be met. The convener proposed a number of small meetings with groups of Members in Late July/early August to discuss the design. Thereafter the Board agreed to delegate the decision to the Convener, Deputy Convener and Interim Chief Executive.

Committees (paper 1)

4. Jane Hope introduced the paper, which sought agreement to membership and remit of a number of operational committees (Audit, Finance, Staffing & Recruitment, Planning) and a Call-In Group, which following agreement, would start operating after the summer recess in September.
5. In discussion, the following points were made:
 - a) The Convener suggested that to ensure smooth and effective operation, each Committee should be delegated the task of proposing its own Chair and Deputy Chair, which would then be ratified by the whole Board (in keeping with standing orders).
 - b) The remit for the Audit Committee should be explicit about dealing with risk management, by adding: “(g) To oversee the development of policies on risk management and corporate governance.”.
 - c) The remit of the Staffing and Recruitment Committee should be modified at (a) to read: “To oversee the recruitment of the CNPA’s senior management team and Chief Executive, including agreeing the person specification and job descriptions, adverts and salary”.
 - d) Bespoke standing orders for the planning committee were being prepared.
 - e) The method of operation of the Call-In group specified (at paragraph 2) that the existence of planning applications within the National Park area would be “put in the public domain”. This might be achieved in a number of ways, including through the Local Authorities’ weekly lists. Some of the details of the process were still to be worked out, and since this call-in power was unique to the CNPA it was inevitable that the process would be refined in the light of experience.
6. **It was agreed that** the membership and remits of the audit, Finance, Staffing & Recruitment and Planning Committees and the Call-In Group be accepted, subject to the amendments and proposals in (a) to (e) above.
7. **Action:**
 - a) **Staff of the CNPA to put arrangements in hand for first meetings of all the Committees and Call-In group after the summer recess.**

Advisory Groups (Paper 2)

8. Jane Hope introduced the paper which was intended to generate discussion which would inform a paper for decision at a future Board meeting.
9. In discussion the following points were made:
 - a) A group comprising senior representatives of each of the public agencies (akin to the Advisory Panel of the Cairngorms Partnership) would be helpful in maintaining and formalising the relationship between the CNPA and its public sector partners;
 - b) There was likely to be a need for a recreation forum in addition to the Access Forum(s) required by the Land Reform Act, in order to proactively develop policies on recreation management, not just access (whereas the statutory remit of the Access Forum was quite narrowly focused).
 - c) Tourism issues impacted on wide range of interests and could be considered under Business as well as under Visitor Services issues. It was particularly important that a Tourism Group existed to prevent parochial attitudes undermining the potential benefits of a pan-Park approach to tourism. The same arguments applied to business more widely, and the idea of giving support to a semi-autonomous business group, such as the Chamber of Commerce, which was working to extend its membership across the whole Park, was to be welcomed.
 - d) Clear terms of reference were important for all the groups, making clear whether the CNPA would be directing the work of the advisory groups, or allowing the groups to decide the issues of importance on which they would offer advice.
 - e) An advisory group on cultural heritage was to be welcomed.
 - f) It was a fine call whether Natural Resources should group together Land Management as well as Rivers. On balance, in the interests of integration and recognising that many of the relevant individuals would have an interest in both issues, there were advantages in having a single advisory group on Natural Resources.
 - g) A communications advisory group might usefully include transport issues (which were not obviously covered by other groups)
 - h) A Scientific Advisory group could help to ensure that the CNPA's work was firmly rooted in good science. The counter argument was that Scientific advice was not a topic in itself, and should be incorporated into the work of individual advisory groups.
 - i) Input and advice from the various existing Forums would be helpful in informing the Board's decision on Advisory groups. The Recreation Forum had already considered the matter, and the Community Councils Group were due to discuss the matter soon. The paper's proposal that there might be a separate Communities advisory group and a semi autonomous Community Councils Group was based on the recognition that to date the Community Councils Group had been able to appoint its own support officer (as a result of funding support from the Cairngorms Partnership) and therefore able to set its own agenda. This degree of autonomy did not necessarily fit easily with the role of an advisory group whose agenda and membership was set by the CNPA. The Board and the CCCG both needed to consider this further.

- j) There should be a separate Youth group (rather than being incorporated into a Communities Advisory group). Young people would find it difficult to make their views heard in a group comprising mainly adults.
 - k) There should be a working group on marketing that is not limited to food.
10. **It was agreed that the Convener, Deputy Convener and Interim Chief Executive would distil the discussion into a set of proposals for further consideration by Board members, initially informally, and then at a formal Board meeting.**
11. **Action:**
- a) **Interim Chief Executive to draft a paper in accordance with paragraph 10 above.**

Staff Recruitment (paper 3)

12. Jane Hope introduced the paper which sought agreement to a senior management structure and a process for recruitment of a senior management team.
13. In discussion the following points were made:
- a) The term “Business and Communities” was not appropriate, and it was suggested that “Community Development” better represented the wording of the fourth statutory aim (“social and economic development of the area’s communities”). The counter argument was that of integration, and the need to bring business and community issues together, not treat them separately. It was proposed that the title of this staffing group should be “social and economic development”.
 - b) The subject areas listed under each Head of Group were not intended to be definitive; but it was pointed out that internal audit should be added under the list of topics for the Corporate Services Group, and landscape should be added under Natural Resources.
 - c) It was agreed that the term “development control” should be retained as part of the “planning and development control” title, as it is a statutory and widely accepted term.
 - d) Agreeing the proposed arrangements in advance of the appointment of the permanent Chief Executive meant that a staffing structure would be imposed on that postholder, but that was accepted as inevitable at this stage of the organisation’s development. The Convener added that as far as recruitment of the Chief Executive was concerned, the priority should be to have the organisation fully functioning by 1 September, and to consult the Scottish Executive after that about the recruitment process.
 - e) The flat line management structure was to be welcomed.
14. **It was agreed that recruitment should proceed on the basis set out in the paper, subject to the amendment at (a) above.**

15. Action:

- a) Recruitment process for senior staff to be taken forward by Staffing and Recruitment Committee and Interim Chief Executive.**

A9 Consultation (paper 4)

16. Denis Munro introduced the paper which proposed that the Board should not take a position on a planning application on which Highland Council had consulted the CNPA, and should await the outcome of the reviews of the A9 policy (one by Highland Council on A9 roadside development policy, and one by the Scottish Executive on road safety). It further proposed that the CNPA need not offer a view at this stage on the consultation on the A9 policy, but seek to be consulted on the outcome of the reviews by both the Highland Council and The Scottish Executive. The Highland Council's consultation document specifically referred to the possibility of a National Park Gateway on the A9; the paper recommended that the Board should take time to consider its position on gateways more generally, and this should reflect the outcome of the A9 policy review rather than determine it.
17. In discussion the following points were made:
- a) The CNPA Board should make known to the Highland Council and the Scottish Executive its views on the desired outcome of the review of the A9 policy. Highland Council had not yet decided on its conclusions because it needed to ascertain the views of the CNPA – it was important that the CNPA responded.
 - b) The planning application in question was not in breach of the A9 roadside development policy; therefore the A9 policy and the consultation on the planning application were separate matters. The CNPA should therefore offer a view on the planning application. However, the contrary view, expressed by Denis Munro, was that the planning application was at variance with the A9 roadside development policy, a view clearly shared by the Council and the Scottish Executive.
 - c) It was not appropriate for the CNPA to comment on the planning application at this stage – not only was the outcome of the A9 policy review a relevant factor, but the Board could not comment without having more information, and without knowing the views of the community.
 - d) The A9 policy was a very complex and difficult set of issues, which was precisely the reason for the review. It would be very dangerous for the Board to comment at this stage until more information was available. The CNPA did not, in any event, have a policy on gateways at this stage.
 - e) The A9 brought many people into and through the Cairngorms National Park. The A9 was in effect creating a window into the National Park for those travellers. The CNPA were responsible for safeguarding that window.
18. **It was agreed that** the recommendations in the paper be accepted.

19. Action:

- a) **Denis Munro write to the Highland Council declining to comment on the planning application;**
- b) **Denis Munro to write to Highland Council and the Scottish Executive explaining why the CNPA did not wish to comment on the review at this stage, but recording its wish to be consulted on the outcome of the reviews.**

AOCB

20. The Convener reported on the press coverage of the Forest Enterprise decision to withdraw the application for a Challenging Off Road Cycle Route at Badaguish following the finding of evidence of Capercaillie at the site. It was a difficult issue. The CNPA was working with those concerned to ascertain the details of the case and the legal and evidential basis of the decision. The short and the longer-term concern of the CNPA must be to establish rigorous good process in difficult cases such as this, which would inevitably recur from time to time. This included clarifying the basis for decisions, how the law was interpreted, and the degree of scientific rigour required.

Date of Next Meeting

21. Friday 12 September, at Edzell.