
CAIRNGORMS NATIONAL PARK AUTHORITY

FOR DECISION

Title: MANAGEMENT ARRANGEMENTS FOR THE SPEYSIDE WAY

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Purpose

To propose new management arrangements for that part of the Speyside Way within the Cairngorms National Park that would take effect from 1 April 2009.

Recommendations

That the Board:

- a) Notes the conclusions of the Speyside Way Management Group on the favoured approach to future management;
- b) Notes the management and cost implications for CNPA from the proposed changes;
- c) Approves, in principle, that CNPA withdraws from the current agreement with Moray Council and develops a partnership approach with Highland Council to that part of the route within the National Park, while also contributing a modest shared resource for whole route functions; and
- d) Delegates the detailed financial approval to the Finance Committee on conclusion of discussions with partners over the unresolved issues.

Executive Summary

This paper summarises the Best Value review process that was undertaken of the route, undertaken by the Moray Council, and describes the options for management from April 2010. The management and financial implications are considered and one option is recommended which, if all the necessary agreements can be reached, would see most of the practical work on the route within the National Park being managed by the Cairngorms Outdoor Access Trust. The proposed arrangements should provide greater value for money, increased management responsiveness and flexibility.

MANAGEMENT ARRANGEMENTS FOR THE SPEYSIDE WAY FOR DECISION

Background and Policy Context

- I. The Speyside Way is of strategic importance in North East Scotland and within the National Park. It provides a nationally recognised, multi-day route and acts as a very

significant “spine” between communities, each of which has their own localised and wider path networks. Management of the route contributes to a number of the priority outcomes within the National Park Plan particularly in relation to tourism, active enjoyment and sustainable travel. There is a specific action within the Plan to ensure the Speyside Way is more suitable for the widest possible variety of users.

2. At the meeting on 10 July 2009 the Board noted the conclusions of the review commissioned by CNPA of the current management arrangements for the Speyside Way and sought a decision paper once the wider Best Value review, led by Moray Council, was complete. That review has now been discussed by the Speyside Way Management Group who have reached a broad consensus on the favoured method of managing the route in the future. Each of the three relevant managing authorities (Moray and Highland Councils and CNPA) is now seeking the approval of their relevant Board and Committees on the same favoured option.
3. This paper deals only with the formally designated Speyside Way from Buckie to Aviemore and not the proposed extension to Newtonmore.

Outcome of the Best Value Review

4. The Review process led to four options being considered and a SWOT¹ analysis has been undertaken by Moray Council which is shown in **Annex I** to this document. In summary, the options put before the Management Group were:

Option 1	Status Quo.
Option 2	Development of a dedicated Charitable Trust to cover the management of the whole of the Speyside Way.
Option 3	Complete separation. Each planning authority takes responsibility for all of the functions associated with Speyside Way management and maintenance within its own area.
Option 4	Each planning authority takes responsibility for overall maintenance and development of its own section of the path (as specified in the legislation) as part of the other path networks that are emerging (e.g. Core Paths Networks) with a pooled resource for the Speyside Way that is managed communally by one of the partners on behalf of the others to cover items such as: <ol style="list-style-type: none">a) Central information provision;b) Delivery of marketing strategy;c) Development and delivery of interpretation strategy;d) Co-ordination of major events;e) Contribution to discussions at national level on LDRs;f) Planning and managing visitor survey information.

Summary Evaluation of options

¹ Strengths, Weaknesses, Opportunities and Threats.

5. The Speyside Way Management Group reviewed each of the options and a summary of the conclusions reached are shown in Table 1 below.

Table 1: Summary of Speyside Way Management Group assessment of options

<p>Option 1 (Status quo)</p>	<p>This option would continue with the funding arrangements for the dedicated staff that manage the route, located at the main visitor centre in Aberlour. All funding partners have difficulty maintaining the relatively high cost of this option. CNPA has concerns about the value for money and responsiveness of the management arrangements to priorities within the National Park. For these reasons continuing with the current arrangements is not tenable.</p>
<p>Option 2 (Development of a dedicated Charitable Trust to manage the route)</p>	<p>Moray Council have examined the possibility of creating a charitable trust to take on the management functions necessary on the Speyside Way. Advice from their lawyers to date has indicated that a trust with such a narrow remit is not likely to be approved by the Office of the Scottish Charities Regulator as the functions that it would deliver are statutory and would normally be undertaken by the relevant planning authority. Moray Council are continuing to seek advice on this matter and beyond April 2010 this may become possible. However, this option is not viable at present, nor in the near future.</p>
<p>Option 3 (each authority takes on the functions of route management within their respective area)</p>	<p>The management of the route within each area would be delivered either through direct deployment of appropriate staff or through contractual arrangements. Each authority would bear the necessary costs directly. Advantages relate to local accountability, management responsiveness and integration with other path networks. A significant disadvantage of this option would be the lack of integration across the whole route. This option is viable but would have drawbacks in service provision to some members of the public (e.g. in relation to marketing and visitor information).</p>
<p>Option 4 (Option 3 plus contribution to whole route functions)</p>	<p>This option retains the advantages of Option 3 and addresses the disadvantages by paying for essential whole route functions. This option would therefore ensure that, for example, there is a single point of contact for marketing activity and visitor information. <u>This option is favoured by the Speyside Way Management Group.</u></p>

Implications of Option 4 for CNPA

6. A map of the route and respective boundaries is shown at **Annex 2**. Since the last Board meeting discussions have taken place with Highland Council officers about the

respective management responsibilities of the Council and the National Park Authority for that part of the route within the Park. The situation is complicated but, in summary, when the Minister's approved route was completed to Aviemore in 2000, management responsibility fell to Highland Council as planning authority as described in the relevant legislation. SNH gave grant assistance at the time of between 60 to 75% of the costs. Highland Council signed an agreement with Moray Council (and other parties) for Moray to manage all of the route within Highland on their behalf and made appropriate annual payments to Moray Council.

7. Since 2005 CNPA has paid 100% of the costs within the National Park. At that time SNH was withdrawing from grant-aiding long distance routes within National Parks and had already agreed this approach with Loch Lomond and the Trossachs while the understanding was that the passing of the Land Reform Act (2003) gave the National Park Authorities specific responsibilities.
8. As a result of the review of management arrangements we have re-examined the relevant legislation and have come to question this approach. Recent discussions with Highland Council officers have focussed on the strong rationale for both parties to continue to be involved in route management within the National Park. A proposal from CNPA with a breakdown of responsibilities suggested is set out in **Annex 3**. This solution is a pragmatic mix whereby CNPA would pay the larger proportion of the cash cost (as SNH would have done in the past) while some functions would be led by the Council who currently have several agreements in place with owners and organisational cover for insurance/liability issues. Further discussion with Highland Council is required to confirm this arrangement.
9. In determining the best solution for the future management of the route the key consideration has to be the quality of the route. The length of the route within the National Park is approximately 45km. Advice received indicates that to ensure a high standard of day to day maintenance on a route of national significance the maintenance costs should be around £35,000 per annum. This estimate is based on information about current route management costs and on similar projects elsewhere in the Cairngorms. A budget of this order would ensure regular checking and maintenance, an ability to respond to minor one-off issues and periodic replacement of significant associated infrastructure such as fencing.
10. The preferred option for managing such works is to invite the Cairngorms Outdoor Access Trust to include management of the necessary works within a modified version of their Business Plan. COAT would then subcontract and supervise all necessary works on the ground. Early discussions with the COAT Directors have indicated a willingness to agree to this approach.
11. Further works may be required from time to time to upgrade the route by, for example, making modifications to gates or the route surface to encourage a wider range of users. The planning and management of such works may require periodic additional funding and this can be catered for through the normal business planning of COAT and the associated budget negotiation processes with funding partners. In this way the benefits of any proposed improvements can be assessed against other proposed path works in the area.

12. If the maintenance and liaison requirements are handled as described above, Ranger Service cover for the route need not be a substantial item of work. It is anticipated that necessary cover can be accommodated through arrangement with the Highland Council Ranger Service, covering Badenoch and Strathspey, which is already grant aided by CNPA.
13. The proposed arrangements would possibly, depending on decisions to be taken by Moray Council, see the loss of the dedicated visitor information centre for the Speyside Way at Aberlour. However, there are a number of other visitor information facilities along the line of the route within the National Park (e.g. at Grantown, Nethy Bridge and Aviemore). There is considerable potential to strengthen the role of such facilities in serving visitors' needs on a more flexible basis.

Whole Route Functions

14. Discussions have taken place amongst the relevant authorities about how best to manage the functions that require to be delivered across the whole route (e.g. marketing, visitor information, etc). No firm conclusions have been reached to date and several options are still under investigation. However, one of the most promising options seems to surround the ongoing formation of a Destination Management Organisation in Speyside/Moray area. It is hoped that there may be potential for arrangements to be reached that would see the business-led organisation for the area take the lead on promoting the Speyside Way, providing visitor information and links to accommodation, etc. Appropriate links would require to be made with the emerging Cairngorms Business Partnership for that part of the route within the National Park. A further £5,000 per annum may be required from CNPA as a contribution towards whole route functions.

Consultation

15. The Speyside Way Management Group unanimously support Option 4 and are committed towards finding pragmatic solutions so that the route continues to be managed to a high standard. Once the necessary changes have been approved, contact will be made with all land managers, Community Councils and other stakeholders to inform them of the new arrangements from 1 April 2010.

Delivering Sustainability

16. The proposed new management arrangements will provide greater value for money, providing enhanced financial sustainability. The management of the route will also be better integrated with the management of the other path networks and visitor attractions. The involvement of COAT with their network of affiliate organisations would enhance the social sustainability of the arrangements. There is no impact on environmental sustainability.

Delivering a Park for All

17. The proposed arrangements will facilitate improvements to the route that have been identified by communities through the Core Paths Planning process. These improvements primarily relate to providing for a greater range of users on the route.

Delivering Economy, Effectiveness and Efficiency

18. The proposed arrangements will result in better value for money without diminishing the quality of the experience. The cost savings largely come from reducing the need for dedicated staff and facilities and the associated overheads. The proposals may also see the appropriate business-led organisations play stronger lead role in marketing the route as part of the visitor infrastructure of the region.

Implications**Financial Implications**

19. The recent cost of the current management arrangements are shown below.

Year	CNPA contribution per annum
05/06	£55,291
06/07	£63,864
07/08	£70,293

20. The proposed management arrangements would, on the basis set out above and in **Annex 3**, see the day to day maintenance costs change as described below:

	CNPA contribution per annum @ 70%	CNPA contribution per annum @ 100%
Costs within the National Park	£24,500	£35,000
Contribution to whole route costs	£5,000	£5,000
Total	£29,500	£40,000

21. It is assumed in the figures above that the emerging DMO in Strathspey/Moray will play significant role in marketing and providing business linkages in relation to the route. Further discussion is required. Meanwhile our discussions with Highland Council are continuing with the object of finding a partnership agreement in relation to that part of the route within the Park.

Presentational Implications

22. All the funding partners remain fully committed to the management of the Speyside Way. The proposed new management arrangements present significantly greater value for money, better integration with other services and more management flexibility.

Implications for Stakeholders

23. There are significant changes proposed in this paper that will affect how the route is collectively managed. Pooling resources and taking a number of issues forward collectively will require a new partnership approach. It will be important to keep land managers informed of the proposed changes to the management arrangements and this will be done through advising of the changes and providing necessary contact details.

Next Steps

24. Further discussions are required with a number of parties and if the recommendations set out in this paper are approved, the next steps would be:
- a) COAT to prepare modified Business Plan for presentation to relevant funding partners
 - b) Agreements to be reached with Highland Council about respective financial and staffing contributions relating to the Speyside Way in National Park
 - c) Further negotiations with partners on the most effective means of providing visitor information and marketing and the role of DMO;
 - d) Ongoing meetings of the Speyside Way Management Group to ensure management continuity across the whole route;
 - e) Communication with all interested parties; and
 - f) Approval by CNPA Finance Committee.

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Annex 3: Proposed Breakdown of Responsibilities Between Highland Council and CNPA

Path Manager Function	Description and Examples	Proposed Solution
Day to day maintenance	Looking after the path and path infrastructure that are already there, to include : <ul style="list-style-type: none"> a) Strimming and tree cutting b) Drain clearance c) Path surface repair and recondition d) Repair and replacement of gates, stiles and fences e) Emergency works 	CNPA and THC to share cash costs on 70% - 30% basis
Infrastructure upgrade	New works to improve the route, to include: <ul style="list-style-type: none"> a) Removal of barriers to encourage wider range of abilities and users b) Development and signposting of alternative routes 	
Insurance and Risk Assessment	Ensuring that that there is adequate procedures in place to manage risks: <ul style="list-style-type: none"> a) Third party liability cover b) Periodic risk assessment 	THC lead role
Land manager liaison and agreement	The management of the relationship between the path manager and the land manager (including owner and tenants, etc) to include: <ul style="list-style-type: none"> a) Ensuring compliance with current agreements b) Keeping current agreements under review to ensure compliance with relevant legislation c) Negotiation with land managers who want agreements d) For a sections with no agreement in place negotiating over required works e) Maintaining a record of all agreements 	THC lead role
Ranger Service	Organisation of periodic events on the route and other small scale, miscellaneous works.	THC Ranger Service for Badenoch and Strathspey, grant-aided by CNPA (22,000 per annum in 09/10)