
CAIRNGORMS NATIONAL PARK AUTHORITY

DRAFT MINUTES OF THE BOARD MEETING **held at Cairngorms National Park Authority Offices, Grantown on Spey,** **on Friday 25th November 2022 at 09.30am**

PRESENT

Xander McDade (Convener)	Willie McKenna
Janet Hunter (Deputy Convener)	Dr Fiona McLean
Chris Beattie	Willie Munro
Deirdre Falconer	Anne Rae Macdonald
Russell Jones	Dr Gaener Rodger
John Kirk	Derek Ross
Bill Lobban	Ann Ross
Eleanor Mackintosh	Judith Webb
Doug McAdam	

In Attendance:

Grant Moir, Chief Executive
David Cameron, Director of Corporate Services & Deputy CEO
Murray Ferguson, Director of Planning & Place
Andy Ford, Director of Nature & Climate Change
Colin Simpson, Head of Visitor Services and Active Travel
Fiona McNally, Rural Development and Communities Manager
Heather Trench, Sustainable Tourism Officer
Gavin Miles, Head of Strategic Planning
Mariaan Pita, Executive Support Manager
Oliver Davies, Head of Communications
Karen Archer, Press and Communications Officer

Apologies: Geva Blackett

Welcome and Introduction

1. Xander McDade, the Board Convener, welcomed everyone to the meeting. Apologies recorded above were noted.

Declarations of Interest

2. The Convener asked whether any members had any interests to declare regarding items of business on the meeting agenda. The Convener highlighted that David Cameron, Deputy Chief Executive, had issued an advice note with regard to item 9, paper 4, consideration of the Park Authority's response to the consultation on the

proposals for a new Agriculture Bill given the potential connections members may have with this item.

3. Eleanor Mackintosh expressed surprise that the email referred to by the Convener had been issued. Eleanor made a statement for purposes of transparency in respect of paper 4 that she has declared a financial interest in her register of interests
 - Reason: Husband and son farm Tombreckachie Farm, Glenlivet and Elected member of British Wool and Marketing Board, Northern Committee.
 - a) Eleanor stated having reflected on this matter the degree of connection did not constitute an interest in this item of business as the registered interests are sufficiently far removed from input to a consultation response to be considered as significantly influencing any contribution that may be made to this item.
4. Anne Rae Macdonald made a statement for purposes of transparency in respect of paper 4 that she has declared a financial interest in her register of interests
 - Reason: Partner in Anderson Rae & partners (owner occupied farm), and a Member of Agricultural Reform Implementation Oversight Board
 - a) Anne stated having reflected on this matter the degree of connection did not constitute an interest in this item of business as the registered interests are sufficiently far removed from input to a consultation response to be considered as significantly influencing any contribution that may be made to this item.
5. Deirdre Falconer made a statement for transparency that she has a connection to item 9 by reason of owning ¼ share of family croft that she has power of attorney for. Deirdre stated, having reflected on this matter, the degree of connection did not constitute an interest in this item of business as this connection is sufficiently far removed from input to a consultation response to be considered as significantly influencing any contribution that may be made to this item
6. John Kirk expressed shock that the email referred to by the Convener had been issued. John Kirk made a made a statement for purposes of transparency in respect of paper 4 that he has declared a financial interest in his register of interests:
 - Reason: Owner of Rothiemoon Farm and Manage mains of Curr Farm
 - a) John stated having reflected on this matter the degree of connection did not constitute an interest in this item of business as the registered interests are sufficiently far removed from input to a consultation response to be considered as significantly influencing any contribution that may be made to this item.
7. David Cameron, Deputy Chief Executive, stated in response to members' reactions to his email that the note was sent out as Proper Officer as an advice note to all members, to reference their responsibility under the Code of Conduct. The advice note was simply to allow all members to consider their personal responsibilities under the Code of Conduct and consider any links either on your register of interest, or incidental and not registered on your register of interest, to this item of business. This sought to ensure that the body conducts its business on basis of good governance principles that is expected of all public bodies in Scotland. The note was to no more than give advice to members to help consider their personal responsibilities and was neither instructional nor expecting any specific responses.

- a) Deirdre Falconer referred to the advice note that was issued and she stated that personally we are all professional enough not to need reminders before we make decisions because it actually feels like bullying and intimidation almost, and not everyone knows the code of conduct inside out.
- b) The Convenor explained again that it is normal for officers to issue guidance notes before meetings.
- c) The Deputy Chief Executive and Director of Corporate Services drew the board's attention to the fact that Deirdre had made it clear she felt bullying, and intimidation has been used by him, and had stated this in public meeting. The Deputy Chief Executive highlighted that these are very strong words stated by the member and that this needs to be noted and not passed over by the board as such behaviour falls within our disciplinary procedures and needs to be fully and properly looked into and not passed over.
- d) The Convener agreed about the seriousness of the statement made by Deirdre Falconer and asked Deirdre to consider her position and statement made.
- e) Deirdre Falconer stated that she didn't accuse anybody of bullying and intimidation, she said it could come across as, if that causes offence she will retract that.
- f) Gaener Roger noted that NHS Highland used a standard form of wording to help with statements for transparency in similar circumstances. The Convener noted that the email with advice on this matter issued had offered some standard wording, while agreeing this merited looking at further.

Minutes of the Meeting on 26th August and 23 September – for approval

- 8. The draft meetings of both meeting held on the 26th of August and the 23rd of September were agreed with no amendments.

Matters Arising

- 9. The Board Convener provided an update on the Action points from 26th of August minutes:
 - a) At Para. 5a: Director of Corporate Service to seek legal advice on job share of Deputy Convener – **In Hand**
 - b) At Para 5b: Director of Corporate Services to provide recommendation in a paper to board meeting on the 9th of September 2022 - **Complete**
 - c) At Para 12i, minutes of 23rd September 2022: CEO to make amendments to the Land Reform in a Net Zero Nation Consultation response to submission to Scottish Government – **Complete**

- 10. **Action Points Arising: None**

CEO Report (Paper I)

- 11. Grant Moir, Chief Executive, introduced Paper I and highlighted to Board Members the main strategic areas of work that are being directed by Management Team.

16. The Board considered the detail in the Paper and discussions took place around the following:
- a) Praise for the plans after a lot of discussion with partners, as it focuses on visitors and nature and how important partnership working is. Also good to see the timing working well with delivering of the NPPP.
 - b) The Cairngorm Club footbridge was brought up. It was confirmed that the responsibility for maintenance sits with landowner, but CNPA are in discussions to see how we can help.
 - c) A member made a number of points and questions on the paper. The cross referencing to transport in Annex 3 with visitors coming to the park and moving around could be improved. We need to clamp down on the number of fires. Could we provide grants for the operation of public toilets. Concern was also raised on the decline in number of Bed and Breakfasts facilities in Braemar. Convener highlighted that there has been a national decline in that type of accommodation as people tend to use glamping pods, Airbnb and other alternative accommodation provision. The Director of Planning and Place agreed to improve cross referencing to transport. On fires, work will be led by the Head of Land Management regarding a fire action plan. Regarding toilets there can be asset transfer funding to get these transferred to communities, but the challenge is ongoing operations and maintenance funding.
 - d) It was highlighted that communities don't have the resources to maintain toilets on an ongoing way. A member reported that Highland Council has tap and pay system that works well. Officers noted that in the NPPP there is a target that the number of toilets is maintained or increased. A member indicated that there are no proposals to close any toilets: indeed, Highland Council are opening new ones with the assistance of CNPA.
 - e) A Board member asked what the plan was for Tomintoul and Glenlivet area as there seems to be a gap in the Plans. It was highlighted that Tomintoul and Glenlivet had of course benefited from the significant landscape partnership project while this was still being highlighted as a quieter area requiring investment. Looking forwards the work that is being taken forwards by Crown Estate on their Glenlivet 2050 project will be significant.
 - f) The Scottish Government plans for a Local Visitor Levy needs to be implemented in way that benefits National Parks. Officers noted the proposals have a significant way to go and local work will be led by Local Authorities.
 - g) Question regarding the European Charter and if we are getting the most out of that? We have applied for Charter Stage 1 and there may be opportunities to use Charter stage 2 which is available for local businesses.
 - h) Links to the national economic strategy were questioned and it was agreed to do a little more work to improve cross-referencing. Connections between the element of recreational impact on higher ground were questioned – these can be caused by deer but there are also important issues to address including control of dogs in upland areas and changes to recreation in form of use of E-bikes
 - i) Active Cairngorms Action Plan was raised, and the development of that work. Officers were keen to develop an approach for the refresh that provided the best oversight going forward and complements the Tourism Action Plan.
 - j) Positive feedback was given on the way officers had taken account of feedback from the Equality Advisory Panel and the general approach to equality, diversity, and inclusion within the Plans.

17. **The Board agreed to:**

- a) **Note** the work that has been undertaken by CNPA and partner organisations on management for visitors in 2022 (**Annex 1**)
- b) **Note** the summary of the grants awarded by CNPA to partners as part of the Visitor Infrastructure Improvement Programme (**Annex 2**)
- c) **Approve** the Sustainable Tourism Action Plan for submission to Europarc along with documentation to apply for the European Charter for Sustainable Tourism in Protected Areas (**Annex 3**)
- d) **Approve** the Strategic Tourism Infrastructure Plan for submission to VisitScotland (**Annex 4**).

18. **Action Points Arising:**

- i) **Improve cross-referencing to transport generally and the National Strategy for Economic Transformation in Annex 3.**
- ii) **Develop approach for the Active Cairngorms Action Plan development and oversight that complements the Tourism Action Plan.**

Future of National Parks in Scotland Consultation – Park Authority Submission (Paper 3)

19. Grant Moir, CEO, introduces Paper 3

20. The Board considered the detail in the Paper and discussions took place around the following:

- a) It was questioned if we should comment on whether new parks should not have windfarms as per current national park policy. CEO confirmed that the National Planning Framework 4 (NPF4) has been published confirming that there will be no windfarms in national scenic areas or national parks, we can highlight this issue to be considered.
- b) The management rules were questioned and if that referred to publicly owned land and not private businesses. It was confirmed that management rules would apply to all land public or private and are taken from local government legislation. As currently worded they are not fit for purpose. It was asked to make it clear in the wording that it is about behavior and not a threat to people's legitimate business decisions.
- c) Windfarms were brought up again and our response to this. CEO confirmed that he would put in the response that SG need to think about the interaction with the planning framework and work on where the new NP will be.
- d) A member commented that looking at Scottish Government website there are a lot more questions than in the paper, why are we not responding to all questions and the aims of the national park could we say that the aims should stay the same and language should be modernised.
- e) CEO confirmed that like the land reform consultation we decided on the main issues we wanted to contribute. We aggregated the main things we wanted to put back and did the same with this consultation to make it easier for

discussion around the main subjects. It was agreed within last board discussion that the intention of the aims should remain but the language modernised to cover the nature and climate crisis.

- f) Concerns were raised regarding what implications will be for local authorities if there was a change in access rights - specifically rights of way. CEO advised the issue of the CNPA being the Access Authority but Rights of way remaining with Local Authorities looks strange and this is an opportunity to tidy up an anomaly. Referring to the management rules and the wider land management matters the language will be tidied up.
- g) It was asked if Para 8 should be reworded and include culture heritage, nature recovery, climate crisis and just transition.
- h) A member asked regarding Para 30 aligning all public funding to the Park Plan, reflecting as not all funding streams would be appropriate for regionalization, whether we need to put caveat 'where appropriate'?
- i) CEO confirmed there is nothing to suggest all funds should align with Park Plan. This is not in the response: what we said is that public funding relevant to NPPP delivery should seek to align all the funding. There are specific things that could make a difference relevant to delivering the Park Plan.
- j) A member reflected that the wording at the end of para 22 referring to convener and deputy convener elections captured the board's sentiment in prior discussions well, while suggesting the end of the paragraph reflecting people outside of the National Park was not needed.
- k) CEO confirmed that he is happy to make those changes and will circulate paper next week with changes requested.

21. **The Board is agreed to:**
Approve the Park Authority response to the Future of National Parks in Scotland consultation.

22. **Action Points Arising:**

- i) **The policy regarding windfarms within the NPF4 need to be considered in appraising a new National Park where there are existing wind farms.**
- ii) **Para 8 should be reworded and include culture heritage, nature recovery, climate crisis and just transition.**
- iii) **Para 22 remove reference to people in and out with the Cairngorms National Park.**

Delivering our Vision for Scottish Agriculture – Proposals for a new Agriculture Bill (paper 4)

23. Andy Ford introduced paper 4

24. The Board considered the detail in the Paper and discussions took place around the following:

- a) A Board member said that under section 8 there is mention of deer management being funded in its own right and felt we should highlight the

reason why, as sporting business models will be affected, and land managers will need support as deer management increases in the future.

The Board is agreed to:

25. **Approve the Park Authority response to the Delivering our vision for Scottish agriculture – Proposals for a new Agriculture Bill consultation.**
26. **Action Points Arising:**
 - i) **Highlight reason why deer management needs to be funded**

A Greenhouse Gas Emissions Assessment and Target Scenario for the Cairngorms national Park (Paper 5)

27. Gavin Miles, Head of Strategic Planning, introduced this paper, to inform the Board of the greenhouse gas emissions assessment for the Cairngorms National Park undertaken by Small World Consulting; a target scenario to reaching net zero; and to summarise the work the CNPA will undertake to support that journey.
28. The Board considered the detail in the Paper and discussions took place around the following:
 - a) Clarity was sought on what will happen after we become Net Zero and if we then go into minus figures? It was pointed out that we are long way away from this. The point of this paper is where carbon can be stored; what checks do we have going forward and illustrating what happen when we set out to deliver our target in the NPPP4.
 - b) A Board member asked if we were on track for being Net Zero by 2025. Members were reminded that this is a model showing that we are hitting our targets on woodland creation, peatland restorations etc. and based on that we will be on track to reach Net Zero by the end of 2025.
 - c) Comment was made on us being on track and hitting our targets, and would that let other people across Scotland off the hook? CEO explained that everyone across Scotland, including all organisations and regions, must do their bit as appropriate to their potential, and there is still a lot of work to be done by everyone if Scotland is to reach its 2045 target.
 - d) Questions were asked on what effect this will have on the people living and working here, their day to day lives and the economy. It was explained that across society and the world we all must make the changes possible to us and we are aiming to monitor the difference nationally. The report is pointing out the potential of storing carbon here.
 - e) A Board member asked if this was a model based on consumption not production and what does that mean; and can we reverse damage that has been done? It was pointed out that if this was a production model it would have a lower value and to bear in mind that forestry, farming, and other sectors are also looking at how they are storing carbon efficiently and reducing emissions.
 - f) Figure 5 in covering paper was highlighted showing what happens if you put the right infrastructure in place and it gives you a real sense of pride to see the work that has been going on and being a part of this.

- b) **Governance Committee**
- c) **Resources Committee**
- d) **Audit and Risk Committee**

37. **Action Point Arising: None**

AOB:

38. Judith Web as Chair of the Audit and Risk Committee provided an update on the external audit and accounts.
- a) The Audit and Risk Committee meeting was rescheduled from November to December in the hope that the audited accounts would be ready, and external audit completed, but this is not the case. Judith emphasised that this situation was entirely caused by the external auditor's scheduling and not due in any part to the work of the Authority and its finance team. The December Audit and Risk Committee meeting will still go ahead, and Judith will be writing formally say how this will impact on us to external auditors and Audit Scotland as the Park Authority does not control the appointment of its external auditors or the audit contract.
 - b) Concerns were raised on how this would impact staff. It was noted that it does impact staff as there are a lot of work going on in support of the external audit, at a time which would normally be scheduled for in year budget management and doing future budget work.
 - c) We will miss the deadline to lay the final accounts before parliament, but we are in ongoing communication with Scottish Government on timetable and process. We expect the external auditors will present an initial finding report prior to the festive break and this report beside the draft accounts report should provide sufficient assurance for Scottish Government finance around their overall accounts position.
 - d) A member questioned the reference by the Chair of the Audit and Risk Committee that the Park Authority did not appoint their external auditors. The Chair of the Audit and Risk Committee confirmed this was the case. The Deputy Chief Executive explained that all Non-Departmental Public Bodies in Scotland had their external auditors appointed on their behalf by the Auditor General for Scotland, through Audit Scotland. A proportion of the external audits, thought to be roughly one third, were conducted by Audit Scotland's in house teams, with the remainder contracted to audit firms.
 - e) A new a Head of Service in that area starting on the 5th of December and monitoring the impacts on activities to best manage this, therefore we are keeping it under review.
39. Director of Corporate services provided an update on direct elections. We have been working closely with Highland Council and their Electoral Registration Office who will be running the direct elections again on behalf of the NPA. The election process will start on 18 Jan 2023: at that time Highland Council will put a notification on their website and issue letters to all registered electors. Ballot papers will be issued 28 Feb until elections close on 23 March when votes will then be counted. All this information will be put in the next board newsletter.

Date of Next Meeting

40. Next formal Board meeting to be held on 24th March 2023.
41. Motion to move into confidential session.
42. The public part of this meeting closed 13.58.

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DRAFT CONFIDENTIAL MINUTES OF THE BOARD MEETING **held at Cairngorms National Park Authority Offices, Grantown on** **Spey,** **on Friday 25th November 2022 at 09.30am**

PRESENT

Xander McDade (Convener)

Janet Hunter (Deputy Convener)

Chris Beattie

Deirdre Falconer

Russell Jones

John Kirk

Bill Lobban

Eleanor Mackintosh

Doug McAdam

Willie McKenna

Dr Fiona McLean

Willie Munro

Anne Rae Macdonald

Dr Gaener Rodger

Derek Ross

Ann Ross

Judith Webb

In Attendance:

Grant Moir, Chief Executive

David Cameron, Director of Corporate Services & Deputy CEO

Murray Ferguson, Director of Planning & Place

Andy Ford, Director of Nature & Climate Change

Colin Simpson, Head of Visitor Services

Gavin Miles, Head of Strategic Planning

Mariaan Pita, Executive Support Manager

Oliver Davies, Head of Communications

Karen Archer, Press and Communications Officer

Apologies: Geva Blackett

Minutes of Last Meeting held – for approval

1. The draft Minutes of the last confidential meeting held on 26 August 2022 were agreed with no amendments.

Development of 2023 to 2027 Corporate Plan (Paper 8)

2. David Cameron, Director of Corporate Service introduced this paper which presents an early draft of the Cairngorms NPA next Corporate Plan and seeks board members' views on the potential structure and content of the Cairngorms NPA Corporate Plan for 2023 to 2027.
3. The Board considered the detail in the Paper and discussions took place around the following:

