



# Minutes of the Formal Board meeting

**Held at Cairngorms National Park Authority office, Grantown-on-Spey**

**In person**

**14 February 2025 at 09.30am**

## **Present in person**

Sandy Bremner (Convener)

Eleanor Mackintosh (Deputy Convener)

Geva Blackett

Kenny Deans

Dr Hannah Grist

John Kirk

Lauren MacCallum

Steve Micklewright

Derek Ross

Chris Beattie

Jackie Brierton

Paul Gibb

Russell Jones

Bill Lobban

Dr Fiona McLean

Duncan Miller

Michael Williamson

## **In attendance**

Grant Moir, Chief Executive Officer

David Cameron, Deputy Chief Executive Officer and Director of Corporate Services

Gavin Miles, Director of Planning and Place

Colin McLean Head of Land Management

Colin Simpson, Head of Visitor Services and Active Travel

Oliver Davies, Head of Communications and Engagement

Alix Harkness, Clerk to the Board

## **Apologies**

Dr Peter Cosgrove

Ann Ross

Andy Ford, Director of Nature and Climate Change



## Welcome and introduction

1. Sandy Bremner, the Board Convener, welcomed everyone to the meeting. Apologies were noted.

## Matters arising not covered elsewhere

2. There were not matters arising.

## Declarations of interest

3. There were no declarations of interest.

## Seasonal fire management bylaw (Paper 1)

4. The Convener made the following introductory points given the level of interest in the subject:
  - a) This Board has gone down the route of seeking a wildfire bylaw very reluctantly. A bylaw was being recommended for the first time in the National Park's history as a last resort.
  - b) Given the significant and growing threat to the precious natural heritage, to people's homes, businesses and – potentially – to people's lives, it was a response to a minority who have failed to act responsibly despite intensive publicity, the efforts of rangers, Police and other stakeholders.
  - c) The proposed fire management byelaws have been discussed at three previous board meetings - in November 2023, June and September 2024.
  - d) The Park Authority had undertaken one of the biggest public consultation exercises in its history.
  - e) The original community calls for action were listened to, the Park Authority responded quickly with a consultation on the principle and the substance of any byelaws. There has been widespread public support.
  - f) Suggestions and concerns raised by many stakeholders were listened to carefully. Every single Board member contributed to the process. Adaptations and refinements were made and submissions on the detailed legal wording were considered.
  - g) The views of stakeholders have been taken extremely seriously by the Board and Park Authority staff. This has been clearly demonstrated throughout the process.
  - h) On behalf of the Board, thank you to all the many organisations, groups and individuals who have contributed and helped us get to this stage today.



- i) Plea made for the public to continue to engage with the Park Authority on all the many plans and projects in the months and years to come.
5. Grant Moir, CEO introduced the paper which updates board members on the responses to the consultation and includes a revised proposal for the wording of the byelaw. Following approval of a final wording by the Board, the proposed byelaw would be submitted to Scottish Ministers for approval. He made the following additional points:
- a) The earliest implementation date of the byelaw could be 1 June 2025 depending on Scottish Government approval.
  - b) As part of the budget for next financial year (paper will come to the Board at their meeting on 28 March 2025), extra resources have been ringfenced for this and for ranger training to support the implementation of the byelaw.
  - c) Small addition to recommendation, the addition of 3 words at point 3d and 5 c Within private property, is under the control of the landowner, tenant or occupier of the property so as to safeguard against damage or danger to any person, wildlife, livestock, building, structure, tree, shrub or vegetation, and **if an occupier** has the written permission of the landowner.
6. Colin Simpson, Head of Visitor Services and Active Travel presented the paper.
7. The Board considered the detail in the Paper and discussions took place around the following:
- a) Comment made that the proposed looked good and provides landowners with the freedom to continue their work.
  - b) With regards to motorhomes, was there an opportunity here to promote safe distance parking between motorhomes of 6 meters apart? Head of Visitor Services and Active Travel advised that the byelaw was about stopping people starting fires in first place. The Park Authority works closely with the Cairngorms Business Partnership on promoting responsible motor home usage.
  - c) Comment made that it would be good to see the breakdown in consultation response, and if and how the perspectives differed from visitor and resident.
  - d) Comment made that the respondents to the consultation who responded and/or went through the text with a fine-tooth comb, were all greatly valued. Suggestion made to post that on the website. Oliver Davies, Head of Communications and Engagement agreed to this.



- e) With regards to education, would there be a national aspect around messaging and in the national visitor coordination group? Head of Visitor Services and Active Travel confirmed that to some extent there would be as part of the new fire management guidance related to the Scottish Outdoor Access Code. He added that messaging would also be carried out through the local visitor management group.
- f) Amendment suggested so it expressly states that where a landowner, tenant or occupier is referred to being permitted to do something, this also includes any person authorised by them (eg an employee). CEO advised that it does cover those who work for a landowner etc. This would be made clear in the accompanying land manager guidance.
- g) Under 2(f) 'Landowner' is defined as '...means the owner of any land or building within or connected to the National Park.' Could it be clarified what 'connect to' means? CEO clarified that it is referring to land that straddles the Cairngorms National Park boundary.
- h) Both clauses 3 and 4 state that it is okay to have a fire or barbecue in certain circumstances but in all cases, this is caveated with 'so as to safeguard against damage or danger to any person, wildlife, building, structure, tree, shrub or vegetation,' Concern raised that this sets a very high bar for a landowner, tenant or occupier. It could be argued that any bonfire for example would cause some damage to vegetation, even if it is just a bit of grass beneath it. Another example would be a stubble fire which is likely to cause damage to plants/weeds (ie vegetation) starting to come through the ground. Suggestion made to add the word 'material' before the words 'damage' and 'danger' would make a significant difference. CEO advised that 'damage' is defined in law, but this would be covered in the accompanying guidance for land managers.
- i) Comment made that the Aviemore Community Council remain opposed to the bylaw being a defined period and would prefer it to be a year round bylaw.
- j) With reference to 3d and 5c2j suggestion made to insert **and/ or tenant** after landowner to avoid the tenant having to ask the landowner for permission each time an organised group such as the scouts, want to camp and barbecue. The CEO agreed to make this amendment subject to legal advice on the wording.
- k) Resounding consensus that when the bylaw comes into effect it would need to be followed up with really strong communications and strong messages.,,



Head of Visitor Services and Active Travel agreed and advised that he still saw education as the biggest role rangers will have. At the regional ranger gatherings, which took on board the views of those who will be on the front line, they agreed the approach should still be advice, education, encouragement. Head of Communications and Engagement added that we are preparing a comprehensive communication plan and that it will be treated like a behaviour change campaign. He added he was in talks with LLTNP to take on their learnings also.

- l) Plea made to make more use of the ambassador model as used recently by the Ramblers Association.
- m) A member gave a scenario whereby a tenant gives a group permission, but the landowner does not want to grant that permission, what would the legal implications be? CEO advised he would seek clarity from lawyers.
- n) A member suggested asking for clarity on whether both landowner and tenant permission would be required.
- o) A member asked if the accompanying guidance for land managers would be brought to a future Board meeting? CEO advised that the Board would see it in advance of it being published but it would not be a formal board paper.
- p) Clarity sought on the optimistic timeline, should the Scottish Government ask for amendments would it then be brought back to the Board? CEO advised that should there be significant changes requested then it would come back to the Board.

8. The Board:

- a) Noted the matters raised during the public consultation and the proposed responses to these and,
- b) Agreed the CEO go back to the lawyers to check the proposed change to 3d and 5c and circulate final wording to the board.
- c) Agreed the revised wording of the fire management byelaw for submission to Scottish Ministers for approval as per the National Park (Scotland) Act 2000.

## **Draft Integrated Wildfire Management Plan (Paper 2)**

- 9. Colin McLean, Head of Land Management introduced the paper which presents a draft Integrated Wildfire Management Plan to go out for a formal consultation period of six weeks during February and March 2025.



10. The Board considered the detail in the Paper and discussions took place around the following:
- a) Praise for a brilliant piece of work that was really comprehensive.
  - b) Question posed around estates and the role of National Park Authority. Head of Land Management advised that Cairngorms is very prepared for fire. There are many skilled, trained and well equipped people in the workforce who are capable of fighting fires. Many estates have fire plans in place, where they don't the Park Authority can provide templates fire plans. Anticipate using existing mechanisms to develop an integrated fire management network.
  - c) Was there any funding available for landowners to create and maintain fire breaks? Head of Land Management advised that there was not any at present, at moment landowners fund most wildfire mitigations themselves, and this protects their own land The Park Authority are aware of the funding issue. CEO added that as part of the forest grant scheme, they now have to provide a fire plan for new planting etc.
  - d) Head of Land Management happy to make contact with the Badenoch, Strathspey and Nairn officer re the Community Asset Register and build on the model in Deeside.
  - e) Comment made that it would be good to be able to register the large amounts of water carrying equipment in countryside. Head of Land Management advised that on the community asset register is where that could be registered.
  - f) Comment made about resilience, when knowledge leaves when estate staff leave/ retire, how is that knowledge kept and passed on and retained? Head of Land Management confirmed this was an issue with declining muirburn. Muirburn trains people about fighting fires, the equipment used and ensures that equipment is serviced. We need to find innovative ways of addressing that, eg an estate on Deeside will loan out staff to neighbouring estates who do muirburn to ensure their staff are not losing those skills.
  - g) Suggestion made to bring this to the next meeting of the Cairngorm Agricultural Advisory Group. It was confirmed that this would be on the agenda for the next meeting.
  - h) Recognition that this was a huge piece of work which balances the byelaw. Concerned raised that Scottish Fire and Rescue Service do not have an asset register set up here. Head of Land Management advised that they are evolving, not had many wildfires in this area of the National Park.



- i) CEO advised that the IWMP would be brought back to the Board meeting in June 2025 for final approval.

11. The Board approved the draft Integrated Wildfire Management Plan for wider consultation.

12. Action Point Arising:           None

### **AOCB**

13. None

### **Date of Next Meeting**

14. The date of the next meeting is Friday 28 March 2025 in person.

15. *The meeting concluded at 10.41*