

Cairngorms National Park

Local Development Plan 2020

Proposed Local Development Plan

Evidence Paper: Rural Development - Part 2 Communities
January 2019



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I. CONTEXT

Community capacity and empowerment can be quite a subjective area and it can therefore be difficult to provide an accurate picture of community capacity. It is often reliant on anecdotal or qualitative information and as a result it is difficult to say that a community has “strong” capacity or is “more empowered” than another.

Lacking quantitative and statistical information, it is also therefore difficult to identify trends in community capacity and empowerment. However, it is clear that the political direction is for public agencies to facilitate greater community control of decisions which affect them and of assets which can be used to improve quality of life.

Community Empowerment and Land Reform

There are two current developments in national policy that are particularly significant in terms of the community capacity and empowerment agenda and should be considered through the preparation of the Local Development Plan. These are the Community Empowerment (Scotland) Act 2015 and the Land Reform (Scotland) Act 2016.

The Community Empowerment (Scotland) Act 2015 is the result of a series of national consultations and reviews (including the 2010 Christie Commission) which aims to:

- empower community bodies through the ownership of land and buildings and strengthening their voices in the decisions that matter to them; and
- support an increase in the pace and scale of public service reform by cementing the focus on achieving outcomes and improving the process of community planning.

The key provisions within the Act relating to community empowerment include:-

- **Strengthening Community Planning:** greater focus on tackling inequality, improved resourcing of community engagement; and a requirement to improve public sector collaboration, involving a broader range of agencies (including National Park Authorities);
- **Participation Requests:** a provision which allows community groups to participate in a process designed to improve the delivery of a strategic outcome. There is a presumption in favour of the request being granted and this provision applies to a significant number of public agencies (including National Park Authorities);
- **Asset Transfer Requests:** a provision allowing appropriately constituted community groups to request the transfer of a public asset to their use, management or ownership. This provision applies to a significant number of public agencies (including National Park Authorities); and
- **Right-to-Buy:** the community right to buy is extended to all communities and a new provision allows communities to purchase land where they can demonstrate to Scottish Ministers that it is abandoned or neglected and or has a negative impact on their environmental quality of life.

In addition to this is the Land Reform (Scotland) Act which seeks to increase the contribution of Scotland's land to sustainable economic growth; empower greater numbers of people; and change patterns of ownership in Scotland to ensure greater sustainable development. The aims of the Act are to:

- ensure the development of an effective system of land governance and on-going commitment to land reform in Scotland;
- address barriers to furthering sustainable development in relation to land and improve the transparency and accountability of land ownership; and
- demonstrate commitment to effectively manage land and rights in land for the common good, through modernising and improving specific aspects of land ownership and rights over land.

Within the Act there is one main provision that will directly impact on community empowerment. This proposed provision will allow communities to purchase land where they can demonstrate to Scottish Ministers that a transfer will provide significant benefit to the community; prevent significant harm; further sustainable development; and is the only practicable way of achieving the stated benefit.

The Community Empowerment (Scotland) Act may have significant and long-term impacts on communities within the Cairngorms National Park, as they are given additional rights to influence decisions which affect them; take control of assets; and become more involved in the planning and delivery of public services.

The Cairngorms National Park covers a large rural area of Scotland, including a number of proactive communities with a history of successful community-led local development. These communities are unique, but often have shared issues, challenges and opportunities. In addition, these communities can be isolated and some distance from the main service centres, across parts of five local authority and Community Planning Partnership areas. It will be important to reflect this where possible within the Local Development Plan's settlement statements.

The new Land Reform Act also potentially has implications as it enables communities to purchase land and associated assets in order to deliver further sustainable development. To date no community in the Cairngorms National Park has purchased land through the community right-to-buy; however this should be monitored and it may be necessary to consider the potential implications in the preparation of the Local Development Plan.

2. COMMUNITY PLANNING

The Local Government (Scotland) Act 2003 sets out the requirements for community planning and requires each of the five local authority areas that cover the National Park to have established Community Planning Partnerships, which seek to bring together the key public and third sector agencies to ensure collaboration and joint planning of services. The ongoing Scottish Government review of the Scottish planning system proposes to make a statutory link between the development plan and community planning.

The Cairngorms National Park Authority is participating in the work of the five Community Planning Partnerships within the Park to help develop emerging Local Outcome Improvement Plans and Locality Plans. Key priorities from these plans will feed into the Local Development Plan where relevant. For example, the Local Development Plan can help to deliver key community infrastructure projects such as the new NHS hospital in Aviemore by including specific site allocations and other supportive policies.

Community planning is an important mechanism for bringing together a number of different interests to address a wide range of issues within a particular locality. Spatial planning is an important part of that and it is important that spatial plans such as the Local Development Plans reflect the issues and aspirations of the community.

Community Action Plans

Communities within the National Park are well supported by Community Development Organisations – which include Voluntary Action Badenoch and Strathspey who cover the Highland and Perth and Kinross parts of the National Park along with the Marr Area Partnership covering Aberdeenshire.

These organisations provide significant support to the communities of the National Park, particularly in the preparation of community action plans as well as undertaking projects on the ground. In addition, there is significant work being undertaken in Tomintoul (reflecting the Moray part of the National Park) by the Tomintoul and Glenlivet Development Trust and the Tomintoul and Glenlivet Landscape Partnership.

A key part of community capacity and empowerment is having a plan which sets out a community's priorities and how it intends to get there. These plans are called Community Action Plans and CNPA has invested in their development (based on community council / association areas) across the National Park since 2008. All community Council / association areas in the National Park have action plans and are currently on a cyclical plan of review led by VABS and MAP. Approximately 50% of community action plans in the Park have been reviewed within the last three years.

Community Action Plans are valuable tools for identifying the priorities of a community and can be used to inform settlement statements within the Local Development Plan. Community Action Plans typically include a wide range of issues and objectives, many of which may not be directly related to planning. However, it is important that the Local Development Plan seeks to reflect any key issues that could be relevant to the settlement's objectives or involve specific development proposals or protection for specific uses, for example greenspaces or uses that benefit the community. This supports strong links between Community Action Plans and the Local Development Plan. Emerging Community Action Plans should be kept under review during the production of the Local Development Plan to ensure emerging priorities are reflected in the development plan as far as possible.

3. COMMUNITY LED PROJECTS AND ASSETS

Community Councils are based on a Scheme of Establishment, produced and monitored by the relevant local authority. Typically, a Community Council is limited in what it can do in terms of community-led projects and as a result, an active and empowered community with good capacity will typically establish some form of Community Company (or equivalent), which is locally controlled and constituted in such a way that it can deliver projects or manage assets. Therefore, the existence of an active Community Company also gives a reasonable indication of the level of capacity and empowerment in a community.

As mentioned, a Community Company is often established to take forward more complex projects and initiatives, such as asset management or ownership. These assets are often taken on by a company in order to protect or enhance a service, to provide a new service, or to generate an income to support other community projects.

Asset management or ownership requires a significant amount of volunteer input, knowledge and skill and as a result, it is reasonable to suggest that an asset owning or managing community will typically have better capacity and be more empowered than a community lacking such an organisation. The Local Development Plan should support opportunities that enable communities to take control of income generating assets and to encourage and facilitate community empowerment.

A number of community councils in the National Park control or own assets through a community company and on the basis of the legislative changes, there is the potential for more to come forward. Appendix I sets out the characteristics of the Community Councils and associations within the National Park and includes where they own assets. Most of the assets owned are community facilities such as halls and community centres. However Kingussie and Braemar both have income generating hydro schemes which are run through their respective community companies.

Overall it is reasonable to state that communities in the Cairngorms National Park are comparatively active, with good capacity and a strong support network in place. Although some communities are in a stronger position than others, all should have sufficient capacity and opportunity to take advantage of the provisions within the Empowerment Act, should they wish to do so.

In addition to the projects mentioned above, the following projects have the potential to provide significant benefits to the local community and economy which should be recognised and supported in the Local Development Plan:

Am Fasgadh, Kingussie

Over the last few years Am Fasgadh Regeneration Company (Kingussie) Ltd (A.R.C) with various sources of funding, have now developed this regeneration project to the point that they are ready to complete the purchase the property and undertake the detailed development work required to regenerate the site. This will be subject to securing significant external funding streams.

The Am Fasgadh site is currently identified within the Local Development Plan for economic development and it is considered that this should be retained as an allocation but amended to ensure the site is protected for community benefit.

Tomintoul and Glenlivet

The Tomintoul and Glenlivet Landscape Partnership (TGLP) is a £3.6m project which is funded by the Heritage Lottery Fund (HLF) along with 10 partners for three years to September 2020. The project has reached its half way point to completion. A total of 20 projects will be delivered covering the natural and cultural heritage of the Tomintoul and Glenlivet area involving access improvements, training opportunities, habitat creation,

developing a cultural archive, running events and involving the local community in music and art projects. The Discovery Centre opened in April 2018 and this is now being operated by the TGDT who are running the hostel as a successful social enterprise.

The capacity of the Trust continues to grow and they have more ambitious projects in the pipeline which will improve community capacity and empowerment. Whilst the TGLP does not currently have spatial implications in terms of planning, it is an important project for Tomintoul and could be recognised within the settlement statement for the village. Badenoch has been recognised as a spatial priority in the latest National Park Partnership Plan. The area was recently successful in securing HLF funding to run a pilot scheme focused on place based cultural heritage. This will run until late 2020. The project will be considered during the preparation of the proposed Local Development Plan and again it may be appropriate to acknowledge it within the settlement statement for Tomintoul.

4. COMMUNITY ALLOCATIONS

The Local Development Plan currently identifies community 'C' sites within the settlement statements which are allocations for different community uses. They can include protection of areas for green space, car parking or for development that will benefit the local community (for example disused schools). The allocations are generally made where they have been identified and put forward by the communities or are community owned or managed.

The list of community sites in the current Local Development Plan is set out in Appendix 2. The last column contains progress or changes. It is evident that the community allocations will need to be reviewed as the circumstances for a number have changed for example where development proposals have progressed there may not be a need to allocate them. In addition, there are some new sites that will be appropriate to identify for uses that can benefit the local community.

5. OPEN AND GREEN SPACES

In addition to the community allocations, most settlements within the National Park have areas of greenspace that are protected for their open space and recreation value and can include play parks, playing fields and informal areas for recreation or even events. These spaces have also largely been informed by local communities; however there are some inconsistencies in the way the protection has been applied. Some formal managed open and green spaces (such as play parks and fields) have been identified in some settlements and not in others. In addition, some green spaces have been identified outwith settlements. This is not considered necessary as planning policy seeks to direct development to within settlements and therefore identifying green space outwith is not necessary. In addition,

there are some green spaces that are not currently identified but may benefit from being specifically designated.

Whilst some proposals for new green spaces have come forward through the call for sites, the Main Issues Report consultation provided an important opportunity for local communities to identify any new green spaces and suggest possible amendments. It is important that these spaces are reviewed through the Local Development Plan process to ensure that locally valued green spaces are preserved in a consistent way.

6. RECOMMENDATIONS

Community Action Plans

Community Action Plans provide useful information in respect of what local communities value and want to see happen in their locality. Individual settlement statements should identify any key aspirations within the relevant community action plans that could be supported from inclusion within the Local Development Plan, including specific issues and development proposals.

Review current community allocations

As highlighted above, the current list of community allocations should be reviewed to ensure that they reflect genuine community aspirations. In addition, the Main Issues Report consultation has sought further detail from local communities about what should be included within the settlement statements.

Green spaces

There are a large number of green and open spaces identified within the current Local Development Plan's settlement statements. These spaces are often highly valued by the local community and it is important that the Local Development Plan seeks to ensure that all appropriate spaces are identified but also that there is a policy provision that presumes against development on these green spaces. The Proposed Plan has taken into account feedback from the Main Issues Report consultation to identify and maintain green spaces within the settlement statements.

7. REFERENCES / RESOURCES

- Community Action Plans, available here: <http://cairngorms.co.uk/caring-future/supporting-communities/community-action-planning/>
- Community Empowerment (Scotland) Act 2015
- Land Reform (Scotland) Act 2016
- Local Government (Scotland) Act 2003
- Marr Area Partnership (<http://www.marrareapartnership.org.uk/>)
- Voluntary Action Badenoch and Strathspey (<http://www.vabs.org.uk/>)

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APPENDIX I: Overview of Community Councils and Associations

Community Council / Association Area	Community Action Plan	Known examples of community companies	Known examples of community owned or managed assets	Active Member of AoCC
Highland				
Cromdale and Advie	2013	Cromdale & Advie Community Development Trust	Sports Pavilion, Cromdale Hall and Advie Hall	No
Grantown-on-Spey & Vicinity	2016	Grantown Initiative, Anagach Woods Trust Grantown Museum, YMCA, Willow Tree Allotments Association	Anagach woods Grantown Museum Willow Tree Allotments	No
Dalnain Bridge & Vicinity	2016	Dalnain Bridge Community Development Trust	Village Hall	Yes
Carr-Bridge & Vicinity	2016	Carr-Bridge Ahead	Bike Park and Village Hall	Yes
Nethy Bridge & Vicinity	2011	Nethy Bridge Community Development Company Castle Roy Trust Abernethy Old Kirk Association Nethy Bridge Community Centre Company	Roy and Games Field, part of Dell woods and paths Castle Roy Abernethy Old Kirk Community Centre	No
Boat of Garten & Vicinity	2018	Boat of Garten Community Company, Boat of Garten Community Hall	Community Hall and Milton Loch, Community garden	Yes
Aviemore & Vicinity	2017	Aviemore Community Enterprise Company	Village Green, Riverside Park	Yes
Kincraig & Vicinity	2011	Kincraig Community Hall Association	Community Hall	Yes
Kingussie & Vicinity	2018	Kingussie Community Development Company Am Fasgadh Regeneration Company (Kingussie) Ltd Caberfeidh Horizons Tal nan Ros	Micro Hydro Scheme Am Fasgadh project Caberfeidh horizons Bookshop and Charity Shop Tal nan Ros (Hall)	Yes
Newtonmore & Vicinity	2009	Newtonmore Community Woodland Development Trust, Strathspey Railway Charitable Trust, Badenoch	Wildcat Centre and Village Hall	Yes

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		& Strathspey Community Transport Company		
Laggan	2011	Laggan Forest Trust Laggan Trading (Community Company) Laggan Village Hall (Community Company)	Forest Centre Strathmashie Houses (1-4) Laggan Village Hall	Yes
Dalwhinnie	2009	-	Village Hall	No
Highland Perthshire				
Blair Atholl & Struan	2014	Blair Atholl & Struan Initiative Blair Atholl Village Hall	Blair Atholl Village Hall	Yes
Killiecrankie & Fincastle	-	-		No
Mount Blair & Glenshee	2013	Mount Blair CDT		Yes
Angus Glens				
Kirriemuir West	-	-	Glenisla Hall	Yes
Kirriemuir East	-	-	Clova Kirk	No
Inveresk	-	-	The Glenesk Retreat and Folk Museum	No
Aberdeenshire				
Braemar	2017	Braemar Community Ltd	Braemar Castle & Community Hydro	Yes
Ballater & Crathie	2018	Ballater (Royal Deeside) Ltd	Caravan Park / V&A	Yes
Mid Deeside / Cromar	2009 (Tarland)	Mid Deeside Ltd	Dinnet Hall	No
Donside	2016	Strathdon Community Development Trust	Glenbuchat, Lonach & Corgarff Halls	No

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Tomintoul & Glenlivet				
Kirkmichael & Tomintoul	2012	Tomintoul & Glenlivet Development Trust Richmond Hall	Smugglers Hostel / Discovery Centre Richmond Hall	Yes
Glenlivet & Inveravon	2012	Tomintoul & Glenlivet Development Trust, Glenlivet Public Hall	Glenlivet Hall	Yes

APPENDIX 2: Overview of Community Allocations in the Local Development Plan (2015)

	Site	Proposed / potential use	Current use / status	Progress
Aberdeenshire				
Ballater	CI: Old School Site	Development of the site must benefit the community. Possible uses may include affordable housing, open market housing, mixed use, recreation or tourism.	Planning permission granted at appeal for affordable housing.	Planning permission granted at appeal (2018) for affordable housing.
Braemar	CI: Site north of St Andrew's Terrace	Site provides development opportunity to support the sustainable economic stability of the community and provide enhanced community facilities.	Site currently undeveloped / greenfield.	Site contains some constraints which may make it unsuitable for development. May not be suitable for development and may not be carried forward as a community site.
Highland				
Aviemore	CI: Land between the Bowling Green and Railway line	Protected for community use.		Part of site has been developed for Cadets centre. Remainder of site undeveloped greenfield.
	C2: Former school playing fields	Allocated for community use.		Site protected for current use.
Grantown-on-Spey	CI: Site adjacent to play area	Site provides opportunity for development which supports the needs for the community.		
Kingussie	CI/C2: Community car parks	The community car parks will be protected from development.	Currently in operation	Site contains surface water flooding issues but sites currently in operation.
Moray				
Tomintoul	CI: Old School site	Site provides development opportunity to support the sustainable economic stability of the community and provide enhanced community facilities.	Site has current planning permission for 9 residential units.	Site has now been sold privately and being developed for housing. It may not be carried forward as a community site.
Perth & Kinross				
Blair Atholl	CI: River Tilt Caravan Park	Existing tourism site provides opportunity for re-development to benefit the community.	Site is currently in use as a Caravan Park.	Site should not be allocated for community use and changed to tourism.