

Cairngorms National Park Authority - Response to the 'Future of National Parks in Scotland' consultation

Overall Strategic Context for National Parks

1. *Consultation - whether there should be an overarching purpose for National Parks in Scotland – 'to lead nature recovery and a just transition to net zero'*
2. The Park Authority think that any overarching purpose should be set in policy rather than legislation so that it can be adapted as times and issues change.
3. The Park Authority thinks that the overarching purpose does provide a clear direction to National Parks and ties in with the direction in the recently approved Cairngorms National Park Partnership Plan. National Parks are good examples of taking a place-based approach around which organisations and individuals can collaborate and take action. The proposals also provide coherence across the expanding family of National Parks in Scotland.

National Policy Statement

4. *Consultation - whether a "Vision and mission" for all of Scotland's National Parks should be clearly set out in a national statement.*
5. With the move to at least one more National Park in Scotland a national policy statement would provide coherence and would also provide a framework for National Park Authorities and their Boards to operate within. It could provide formal national guidance as each Park Authority then develops its own National Park Partnership Plan with stakeholders in their area. As suggested above it could also include an overarching purpose for National Parks.
6. There is a need in any national policy statement to recognise the different interests within a National Park, and differing specific priorities and challenges being addressed by each Park Authority: e.g., residents, businesses, landowners, recreation takers, tourists, and the national and local interplay in each area. It would also be helpful to clarify how Ministers give guidance to any single Park Authority in preparing their National Park Partnership Plan (NPPP) so that there is good integration between the national statement and Park specific strategic planning (see below)

Aims of National Parks

7. *Consultation - are there any specific changes to the existing four Aims required? If so why, and what are they?*
8. The Park Authority think that the intent of the current aims should remain the same but that the language could be modernised and should include a reference to nature

recovery and the climate crisis. The aims should embed the principles of a Just Transition and the importance of cultural heritage should continue to be recognised.

9. The current aims of the National Parks are broad, and this is a strength in that all the issues that Parks must face are interrelated e.g., to be able to undertake peatland restoration in the park you need good data, a skilled workforce and affordable housing for employees.
10. As well as modernising the language consideration needs to be given to how section 9(6) is applied.
 - a. The Park Authority thinks that the need to provide “greater weight” to the first aim if the aims are in conflict should apply to all relevant public bodies operating in the Park and not just the Park Authority.
 - b. The Park Authority suggests that ‘greater weight’ should be formally defined in the national policy statement and guidance given about how that approach should be applied within a Park.

National Park Plan Implementation

11. *Consultation - any suggestions for improving partnership working to support the implementation of the National Park Plan.*
12. The current National Park Partnership Plan process works well in creating positive management plans for National Parks. Having a place-based approach is a strength. However, making other public bodies who have sectoral responsibility accountable for their delivery is complex and the legislative phrase ‘have regard to’ is not strong nor definable. It would be better if the phrase in the legislation was more active e.g., ‘public bodies have a duty to implement the NPPP in the work they undertake in Parks’.
13. By statute the Park Authority must produce the management plan for the Park but significant public funding relevant to the delivery of the Plan (e.g. agri-environment payments) are not necessarily aligned to the delivery of the Plan. There is an opportunity to change this and align funding more closely to delivery of the Plan giving this type of funding a more regional focus where appropriate. Scottish Ministers have to sign-off the 5 year management plan so it would make sense that relevant public funding is aligned to help delivery of the agreed Plan.
14. Further thought should also be given to ensuring that key public bodies are given a stronger steer by Ministers in setting their priorities and resource allocation to support delivery of NPPPs.

Powers and Functions of NPA’s

15. *Consultation - what should the powers and functions be for a National Park Authority.*

16. The powers of a National Park Authority are currently limited (planning, access). The main role of a NPA should still be to try and achieve outcomes by partnership working, funding and persuasion. However, there is a need for Ministers to consider what powers may be needed as a backstop to ensure that the aims and National Park Partnership Plans are delivered.
17. The powers and functions of each National Park Authority should be decided on a case-by-case basis but some need to be across all Parks to ensure a degree of consistency in supporting National Park Authorities delivering the key national policy aims. Planning is a good example. All Parks should have a role in the planning system, but it is appropriate that these should vary, depending on circumstances of each Park, from full-planning powers to call-in powers to only producing the Local Development Plan.
18. There are other areas where the Park Authority suggest that changes should be considered:
 - a) Public Land – what is the role of Park Authorities in the management of publicly owned or managed estates in the Park? The opportunity should be taken through this work to consider how publicly owned and managed estates (Forest & Land Scotland, Crown Estate Scotland, NatureScot, & Highlands and Islands Enterprise in the Cairngorms) are more coherently managed as a whole to deliver the agreed NPPP.
 - b) Core Area – Within National Parks consideration should be given to potentially identifying core areas of land for nature recovery that could be given additional protection that contributes to the 30x30 targets and the 10% highly protected targets. As an example this could mean areas designated as category II National Parks within a wider category V National Park, larger National Nature Reserves or a Nature Recovery Zone. Work would need to be taken forward to look at the potential advantages and disadvantages of such an approach.
 - c) Access – As an Access Authority powers over access issues currently reserved to Ministers or NatureScot or Local Authorities (with respect to Rights of Way) could be delegated to National Park Authorities.
 - d) Management Rules – The existing management rules in the legislation are dated and apply only to certain areas of land. These could potentially be updated to provide NPAs with the potential to have management rules on all land within the Park to help manage visitor pressure or behaviour. Updated legislation would be enabling and the power to take forward such an approach would reside with individual National Park Authorities.

Governance

19. *Consultation - Are there any changes you would want to see to the governance and management arrangements of all National Park Authorities.*
20. There needs to be governance for each National Park Authority based on local circumstances. For example, the number of Local Authorities that cover a National Park, the size of the National Park or the population within a National Park. Boards do need to continue to provide a balance between local and national views. This is a strength of National Park Authorities. The funding for National Parks comes from the national taxpayer and there is a need to deliver on national priorities and at the same time there is a need to take account of local views and bring these together.
21. The Park Authority Board is strongly of the view that the current governance structure for the Cairngorms National Park is fit for purpose.
22. The Park Authority Board believes that it is important that the Convener and Deputy Convener remain elected by the Board given that some of the powers the Park Authority exercises would normally be exercised by democratically elected councillors and without local accountability a democratic deficit could be created.
23. The Park Authority Board believes the Board mix of appointment methods is beneficial. In particular, the Board feels the role of directly elected members is important and needs to be kept.

Role of Natural Capital, Green Finance & Communities

24. *Consultation - What opportunities are there for National Parks to generate private investment in natural capital*
25. The role of green finance could be crucial in providing funding to achieve nature and climate change outcomes. However, there is a need for this to be well-regulated, provide a return to local communities within the National Park and genuinely reduce the carbon footprint of a National Park.
26. There is a need to ensure that this is closely linked to delivering a just transition (as defined in the Just Transition, Fairer, Greener Scotland), climate mitigation and adaptation and nature restoration within the local area. The benefits of the carbon market cannot just be to landowners and/or companies. There needs to be benefits to communities as well.
27. The Park Authority have the staff expertise and data to ensure that the use of private funding is carried out to a high standard. There is potential to look at an accreditation scheme within National Parks that would provide assurance that any green finance deals within National Parks deliver across carbon, nature and provide benefits for communities in National Parks in line with the agreed National Park Partnership Plan.

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28. Finally, the Park Authority would like to highlight the policy 11 in National Planning Framework 4 that states 'Development proposals for wind farms in National Parks and National Scenic Areas will not be supported.' This policy will need to be considered in appraising new National Parks where there may be existing wind farms.

Cairngorms National Park Authority

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