

**SCOTTISH COUNCIL FOR NATIONAL PARKS
NATIONAL PARKS : TOWARDS A STRATEGY FOR SCOTLAND
A discussion paper.**

HISTORICAL BACKGROUND (England and Wales)

1. The National Parks and Access to the Countryside Act, 1949, was the result of a series of attempts over many years to secure statutory recognition for the rights of people to have greater freedom to enjoy the countryside. It had been preceded by John Dower's report of 1945 and the formal Report of the National Park Committee of 1947 chaired by Sir Arthur Hobhouse. The latter proposed 11 national parks and one further (North York Moors) was later included. All but two of the areas were designated in the early 1950s. The Broads followed in the 1990s and the South Downs is currently under consideration for designation, along with the New Forest.

2. The key point about the foregoing is that, from the outset in England and Wales, successive governments had a clear geographical strategy to work to in progressing secondary legislation and followed this closely.

HISTORICAL BACKGROUND (Scotland)

3. In Scotland the equivalent post war report was *National Parks: a Scottish Survey*, of 1947, chaired by Sir J Douglas Ramsay. This recommended the following five areas for first consideration: Loch Lomond/Trossachs; Ben Nevis/Glencoe/Black Mount; Cairngorms; Glen Affric/Glen Cannich/Strathfarrar; and Loch Torridon/Loch Maree/Little Loch Broom. Three further reserve areas were suggested in an earlier report of 1945; St Mary's Loch; Ben Lawers/Glen Lyon/Schiehallion; and Moidart/Morar/Knoidart.

4. Legislation for Scotland did not proceed, not least because of landowner concern and lack of pressure by outdoor recreational interests for greater access rights. In setting aside the five Ramsay national park proposals in 1951, the then Secretary of State designated the areas as National Park Direction Areas with a call-in procedure for certain categories of planning applications within them.

5. In 1965 the Scottish Study Group No.9 of the Countryside in 1970 Conference, drew attention to the need for greater investment and powers for the protection and enjoyment of the countryside. The Countryside (Scotland) Act of 1967 and the establishment of the Countryside Commission for Scotland followed on directly from this.

6. The Commission published its report *A Park System for Scotland* in 1974. This recommended *inter alia* setting up Special Parks as areas satisfying a perceived national demand for recreational opportunities in areas of national scenic quality, but avoided the term national park as not meeting the then current IUCN Category II classification.

7. Following an extensive survey, in 1978 the Commission published *Scotland's Scenic Heritage* which identified 40 areas (12.7% of the land and inland water surface) as being of national scenic significance. These were accepted positively by the Secretary of State of the day, though not formally designated. A consequence of this acceptance was that the 1951 procedure for planning oversight of the five Ramsay areas was withdrawn.

8. In 1981 a Private Member's Bill was successful in enabling the creation of four regional parks, one being Loch Lomond. At the same time the Secretary of State formally set aside the Commission's earlier proposals for Special Parks.

9. In 1991 the Commission published *The Mountain Areas of Scotland*, a report specifically requested by the then Scottish Minister for Home Affairs and Environment to "study management arrangements for popular mountain areas such as the Cairngorms, taking into consideration the case for arrangements on national park lines in Scotland." The report

identified four such areas: Cairngorms; Loch Lomond; Ben Nevis/Glencoe/Black Mount; and Wester Ross and recommended that they be called national parks. Independent planning boards were also recommended, except for Wester Ross for which joint local authority committees were suggested. The Minister did not follow up on the national parks aspect of these recommendations, apart from setting up working parties with limited remits to study management issues in the Cairngorms and Loch Lomond/Trossachs.

NATIONAL PARKS (SCOTLAND) ACT 2000

11. The change of political government in the UK in 1997 resulted in a more sympathetic attitude towards national parks generally and this, followed by devolution in Scotland, soon produced the National Parks (Scotland) Act of 2000.

12. The working party reports already published in the late 1990s in respect of Loch Lomond/Trossachs and the Cairngorms made these two areas obvious candidates for early national park designation. The former was designated in 2002 and the latter early in 2003. However, no indication has come from the Scottish Executive of moving towards a national strategy of location and number of parks such as that which had already been established in England and Wales before the 1949 legislation. .

13. The only straws in the wind might be the mention of National Parks in the recent manifestos of both the Labour and Liberal-Democrat Parties and the specific reference by the former to the establishment of a 'coastal marine national park' in an unidentified location. These references , however, may have been prompted by election prospects rather than being evidence of strategic thinking.

14. National Scenic Areas are associated with the national park scene and it is relevant that the Scottish Executive's response to the SNH advice published in 1999 is still awaited. This report recommended a new statutory basis for NSAs, additional funding and some expansion of the present 40 areas. SNH also proposed that existing NSAs within national parks should be de-designated to reduce the complexity of overlapping sites. Any future strategy for national parks will need to have regard to whatever changes are made in NSA policy.

TOWARDS A NATIONAL STRATEGY

15. The existence of a national strategy of location and numbers prior to the passing of the 1949 Act was crucial to making early and consistently based progress in England and Wales and was used by successive governments to good account. In Scotland, the absence of any long-term strategy and a perceived lack of activity on the part of SNH and the Scottish Executive towards establishing one, leaves the whole future in limbo and needs to be rectified soon.

16. As a starting point there is a fair element of consistency among the areas identified in the Ramsay Report and the *CCS Park System* and *Mountain Areas* reports. There is further useful confirmation in the *Highland Landscape Survey* of 1962 commissioned by the NTS in which the author, W H Murray, identifies 21 areas of outstanding natural beauty in Highland Scotland. Together these could provide a basis for a definitive study, but extending investigation beyond them to further eligible areas including the Hebrides and marine areas.

17. First, however, the Scottish Executive's response to the SNH study on NSAs is necessary, for National Parks and NSAs need to be considered in a complementary context (as NPs and AONBs are in England). Assuming this response to be reasonably positive, while statutory recognition and strengthening of management and financial structures could proceed, alteration of boundaries and addition of new areas should preferably go hand in hand with the development of a National Park Location Strategy.

18. Currently, it would appear that the Scottish Executive would prefer to see how successfully the two established national parks function before any further commitment is taken on or even

any development of long term strategic thinking on the subject. The immediate need is, therefore, to stimulate action at the centre, including SNH, towards a longer-term view about areas appropriate to become national parks and a timescale for designation. It is emphasised that identification would not necessarily mean designation of all the areas overnight, with a consequently substantial financial burden.

19. A publicly recognised national strategy for national parks, including indicative areas for debate, would strengthen the hand of relevant planning authorities in resisting what would clearly be inappropriate development for such areas. It could also be a positive factor in encouraging suitable tourist and other suitable projects of economic advantage to local populations.

National Park Purposes

20. The purposes of a National Park should bring together the objectives of wildlife, cultural and landscape conservation and recreation by the public at present embodied in countryside designations for these specific purposes, including the functions of planning and development control. To these should be added a positive role in improving and enhancing the landscape and its biodiversity. In doing all of this, it will assist the well-being of its communities which will have a full role to play in the direction of the Park, and which will benefit by the jobs and additional income created by it.

21. A National Park would, as experience elsewhere in Europe has shown, engender pride in the area at both a local and a national level, backed up by concern for the future of the land and its people.

22. A National Park should have as its purposes:

Firstly: to conserve and enhance the whole of its landscape including its natural systems and scenic beauty, its wildlife and its cultural heritage.

Secondly: to facilitate responsible enjoyment of the area in ways which will not adversely affect its primary objectives.

Thirdly: to support the relevant bodies in fostering the social and economic well-being of the area's communities in ways which are compatible with its primary objectives.

Consistent Criteria for Selection

23. Any strategy must be based upon a set of criteria by which areas can be evaluated for possible Park designation. Such criteria are, therefore, the main element by which Council wishes to see a strategy developed for selection of future National Parks in Scotland. Without this, debate could well descend into competitive bidding among possible client sites rather than the establishment of a proper national strategy.

24. In promoting the two existing National Parks, Council asserted that Park status was necessary because the high quality of the scenery had generated tourism and recreation pressures which urgently required management to avoid damaging the resource. This criterion, however, can only apply to one or two more localities and in preparing this discussion document, Council has adopted the international definitions and the constraints and requirements of the four purposes of National Parks defined in the Scottish Act. These purposes are, of course, not criteria but a new Park must be capable of management in accord with them.

25. United Kingdom National Parks fall into IUCN category V (Protected Areas) and Scottish criteria should be compatible with this designation. The IUCN 1994 Guidelines for Protected Area Management Categories defines Category V, Protected Landscape/Seascape thus:

Area of land, with coast and sea as appropriate, where the interaction of people and nature over time has produced an area of distinct character with significant aesthetic, ecological and/or cultural value, and often with high biological diversity. Safeguarding the integrity of this traditional interaction is vital to the protection, maintenance and evolution of such an area.

26. In a paper to Europarc 2002, Prof. Adrian Phillips, IUCN Senior Adviser, stressed that environmental, social and economic roles should be expressed in terms that make it clear that all three aims should be pursued in a mutually reinforcing way with environmental aims taking precedence when there was irreconcilable conflict. He indicated that this might necessitate changes to legislation.

27. Council would suggest, therefore, that criteria for selection could be along the following lines:

1. The area of land, including coast and sea where appropriate, proposed for national park status shall have outstanding scenic, ecological, historic and cultural values of national significance;

2. The area shall have a distinctive and coherent character with a boundary based on criterion 1; the boundary shall not be influenced by established local authority or other administrative boundaries;

3. The area shall demonstrate an harmonious interaction between people and nature as evidenced in established land-use patterns, human settlements and social organisations;

4. The area shall be capable of providing opportunities for public enjoyment through recreation and tourism of a nature and scale consistent with the conservation of its character as a National Park and with local life styles and economic activities;

5. The area shall be capable of unified management by a single locally based authority representing both local people and national interests and shall operate on the following principles:

(a) New development shall be of a nature and scale appropriate within a National Park and shall be such as to promote the sustainable use of natural resources for the benefit of the social and economic well-being of the local people.

(b) Environmental considerations shall take precedence at all times in the event of an irreconcilable conflict arising in relation to any proposed land use or built development.

28. Seeking the adoption of consistent criteria such as this should enable the debate to proceed logically, minimise the involvement of local claims or prejudices and generate broad public support.

Criteria for Marine National Parks

29. There is no experience of marine parks in Britain and, as such, Council is not aware of criteria having been considered or recommended. As a basis for discussion, therefore, Council would suggest that the following might be a useful starting point for consideration:

1. The undersea area shall contain an outstanding diversity of marine flora and fauna, including rare or unique species, and geomorphology.

2. The marine habitat and its processes shall be naturally stable and have the capacity to withstand a degree of human disturbance.

3. The undersea area shall have some archaeological features, such as shipwrecks or drowned human settlements.

4. *The undersea area shall have existing, or potential for, informal underwater recreation of a nature and scale appropriate to the conservation of its character as a Marine National Park.*

There is, of course, a scenic oversea dimension relative to the presence of coastline, islands etc. If this is added to the undersea criteria, it would give a coastal bias to the selection process. This prompts us to think that perhaps there should be Coastal National Parks as well as Marine National Parks [e.g. out of sight of land]. This is clearly a subject of considerable complexity, which requires further consideration.

The Need for More Radical Thinking

30. The original commitment to National Parks in England and Wales, was a bold post-war step occasioned by a sense of release from the war effort and a need to right the wrong of a countryside out of the reach of ordinary people. This initial thrust into designation of the Peak and Lakes followed the John Dower prescription before landowner and local authority resistance began to push government into compromise.

31. Likewise, the Norwegian Government in the seventies had a similar stroke of boldness to create the Conservation Act which saw the designation of 22 National Parks ranging from 3500 square kilometres to 9 square kilometres.

32. Other European countries have also shown boldness to a greater or lesser degree. The small island of Madeira for instance has recognised that its future is tied up in high quality tourism. With no beaches to speak of, it has majored in its natural environment and secured the future of its unique World Heritage Site, Laurasylva Forests, by national/natural park designation of some 85% of the island's surface. Likewise, it has designated marine areas as national parks to secure whale, seal and coral refuges, again to promote its green tourism credentials.

33. If we want a national park system to be proud of, we need to move to a positive agenda and celebrate the concept of national parks and the fact that, in creating them, Scotland will be joining a world family of protected areas worthy of our world renowned landscape.

34. It could be argued that the original separation of scientific conservation and landscape planning in the 1949 Act did a grave disservice to the UK national park system. The cost in this arrangement was that an opportunity was lost to have a combined system of habitat and landscape conservation, the best examples of which should have been given national park status. In Scotland, with the bringing together of the former CCS and NCCS in 1991, we have the opportunity to avoid that pitfall and adopt a more holistic approach. Like the Norwegians, we could have national parks which demonstrate the finest examples of what Scotland has to offer and ensure adequate resources for protection, management and enjoyment.

Location of Future National Parks and the Need for Public Support

35. The Scottish Executive has recognised the need to secure public support by involving Community Councils and causing public consultations to be carried out before deciding to designate the first two National Parks. There is further confirmation of a commitment to heed local views through the legislation which requires directly elected representatives on the Park Authorities. It seems likely that any future Parks would follow this model and it should help to establish greater understanding of why National Park status could be beneficial in a particular area.

36. It is not possible to avoid the controversy which a strategy indicating locations will generate. However, Council considers that if any strategy produced can be shown to follow consistent criteria and guidelines so that the objectivity of any assessment is self evident, it is most likely to receive a constructive response.

37. It seems likely that any locational strategy will include an assessment of the eight sites in

the Ramsay model and the four in the former Countryside Commission for Scotland's report of 1991. They share some common features even though boundaries may vary.

38. Priority should be given to those areas meeting the criteria and where the risk of serious damage from unregulated tourism or development pressures is evident or predictable. Government, if it is willing to contemplate further parks in the near future, is also likely to be influenced by the degree of support from local people (voters). This is perfectly understandable but we believe **Council's interest is broader, and we think, bolder, looking at the national and international significance of sites. We wish to avoid accepting the pace of the slowest as the way forward.**

Next Steps

38. Taking the holistic approach and the criteria outlined earlier in this paper, Council considers that an analysis needs to be made of both land and marine areas to establish the areas with national park potential. We should build on work already done, perhaps by starting on the Ramsay/CCS/Highland Landscapes/NSA areas and then moving to other areas.

39. As government's principal adviser in these matters, it would be appropriate for SNH to either carry out the necessary work or fund others to do it to a well structured brief, which could take account of the kind of views expressed in this paper.