

THE CAIRNGORMS NATURE RESERVE

ON July 9, 1954, the Nature Conservancy formally declared the establishment of the Cairngorms Nature Reserve, the fourth of their Scottish Nature Reserves, considerably the largest in Great Britain, and one of the largest in Europe.

The establishment of this Nature Reserve finds its origin in Inverness, where on January 20, 1953 representatives of the County Councils concerned, the Forestry Commission, and the Nature Conservancy, together with the proprietors, met to discuss the possibility, and a resolution was unanimously carried urging the Conservancy to establish the Reserve under Section 16 of the National Parks and Access to the Countryside Act, 1949. Of the total area, some 62 square miles, the Conservancy have acquired by purchase the higher land of Invereshie, which constitutes less than one-sixth of the whole; the remainder continues in the care of the existing owners or their agents, Lt.-Col. J. P. Grant, the Younger, of Rothiemurchus, Major J. H. Drake of Inshriach, and the Trustees of the late Duke of Fife, who have agreed with the Nature Conservancy to set aside the lands concerned as a National Nature Reserve.

This project, which took eighteen months to fulfil, posed many problems before a satisfactory reconciliation of all the various interests could be formed; inevitably there was speculation during the progress of negotiations which the parties concerned naturally wished to treat as confidential, and rumour had a field-day. To the enthusiasm and public spirit of the proprietors who entered into agreement with the Conservancy a great deal is owing; likewise the Conservancy appreciated the foresight and stimulant provided by the County Councils who first urged the project and, together with representatives of mountaineering and other organisations, were forward in recommending suitable provision for public interests.

The purpose of establishing this Reserve is to preserve the valuable plant and animal life in its wild state against exploitation and against the destruction of species particularly characteristic of the region. It forestalls the dangers, to-day all too familiar, arising from the disintegration of the economic foundation upon which the long-term management of estates has hitherto been borne out of private funds.

The Cairngorms owe their wild and unfrequented character largely to their inhospitability and freedom from human development. Their wildness is one of their chief distinctions and is an attraction to hardy walkers, climbers and naturalists, while also providing a refuge for rare species of animals and plants. The Conservancy's aim is to preserve this wildness as a permanent inheritance for those who will both appreciate it and accept its obligations. It is hoped and expected that walkers and climbers will avail themselves of the opportunities which will be afforded to them in the Reserve of getting to know about nature conservation and its requirements, and that when they share the Cairngorms country with its remarkable wild life, they will leave its animals and plants none the worse for their visits. The Nature Conservancy are represented in the Reserve by wardens familiar with mountain country who should be regarded as being there to help those who visit the Cairngorms, as well as to protect the animals and plants and to guard against fire and other dangers.

From time to time proposals may arise for the economic exploitation of something in the Reserve or for the provision of some more expensive form of access facilities for those who are assumed to be incapable of getting there on their two legs. The Conservancy will resist (and will hope to have the support of all Cairngorm lovers and of the interested sportsmen and landowners in resisting) such projects and demands as are inconsistent with the permanent maintenance of this wild area in the state in which it has been handed down to us. If the natural protection of the fauna and flora were to cease to be safeguarded by the effort required to visit the Cairngorms, either they would suffer heavy losses or severe restrictions would have to be imposed on visitors; neither of these difficulties will arise if the existing access situation is maintained. The Conservancy will, however, always be ready to assist, wherever possible, in reducing inconvenience and risk to walkers in the area by the provision of, for example, footbridges or other minor works or improvements.

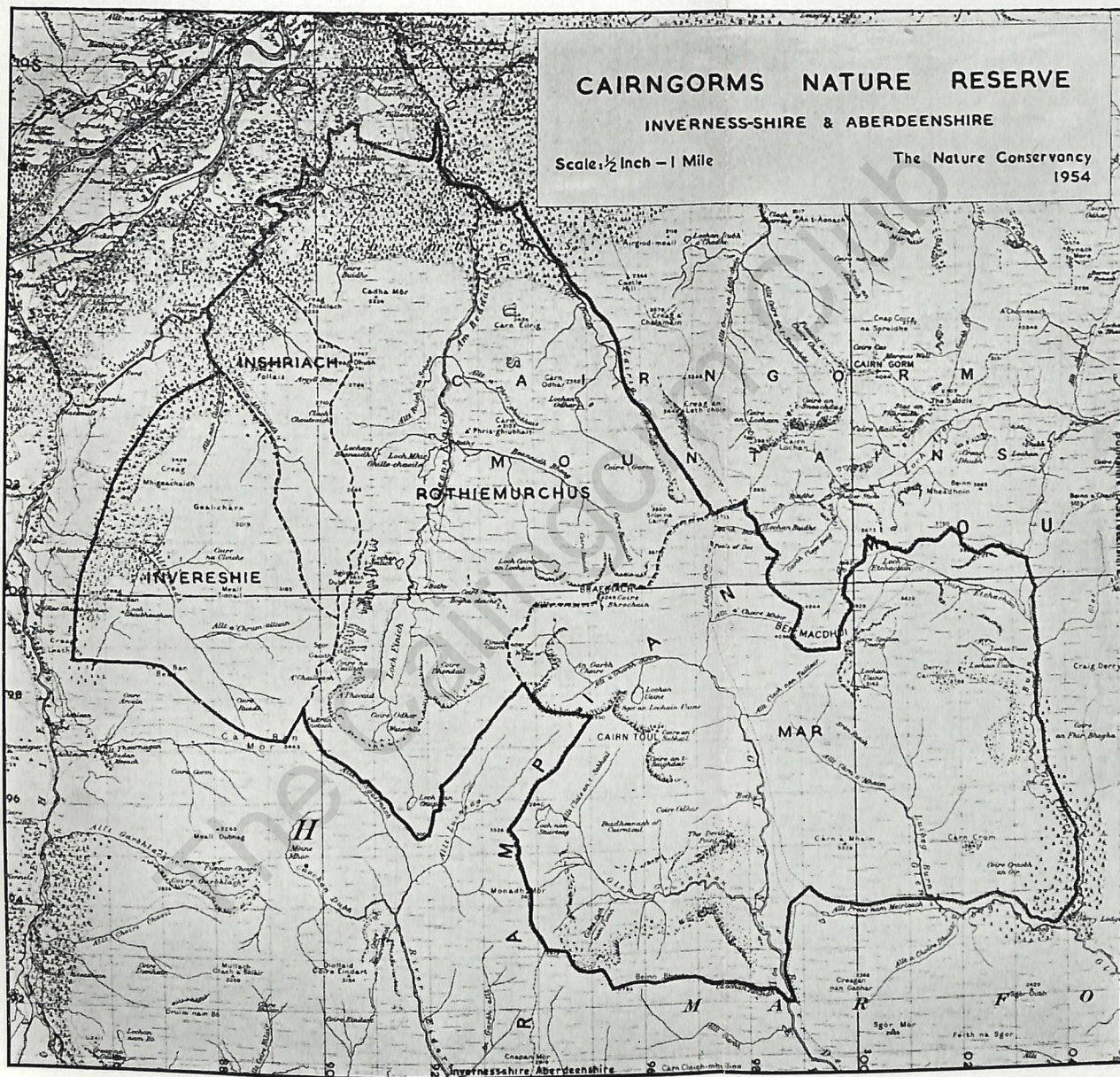
Under the Nature Reserve agreements existing landowners retain their normal rights and obligations except insofar as these are specifically limited by the agreements. For example, under the agreements sporting rights will be preserved, but the species which may be shot either as game or as pests are defined and limited. Stalking rights are not, however, among the rights which the Conservancy have taken over from the proprietors. The main effect of the agreements is that the owners have bound themselves and their

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INVERNESS-SHIRE & ABERDEENSHIRE

Scale: $\frac{1}{2}$ Inch = 1 Mile

The Nature Conservancy
1954



successors in title that this land becomes a Nature Reserve under agreements made between the Nature Conservancy and themselves. These arrangements enable the Conservancy to act as a kind of trustee for the welfare of the area and its wild life. For example, the Conservancy are not only to be consulted over any material change proposed by others, but will be entitled to prevent (where this seems necessary) the cutting down of trees, and to pay compensation for any actual loss involved in preserving the character and scientific interest of the area. The Conservancy, on their part, are keenly determined to restrict to a minimum its interventions in matters affecting the landscape or the enjoyment of the Cairngorms by visitors, and any idea that after the declaration of the Nature Reserve the visitor would find dramatic changes, either in the area or in the conditions of access to it, has proved wide of the mark. The Conservancy have come to conserve, not to disturb.

The Conservancy will, however, be carrying on quietly a programme of scientific investigations. This will cover a number of problems important to the welfare of the fauna and flora; for example, the natural regeneration of native Scots pine in the remnants of the Caledonian Forest, the population and biology of the ptarmigan and other mountain species, and the relations of predators and prey. A wide variety of opportunity offers itself to the inquisitive naturalist: studies of insect migrations, plant association with particular attention to the snow-line, meteorological recordings, the erosion of mountainsides, bird species, red and roe deer and their effects on natural regeneration of forests, and many other studies.

The position of the public as regards rights and privileges on a Nature Reserve is not in the first instance affected by the advent of the Nature Conservancy. The declaration of a Reserve has no effect on the public who are as free to walk about the area after the declaration as they were before it.

In the Cairngorms, the proprietors continue to enjoy the same rights at common law as before, the Conservancy being the new owner of the higher land of Invereshie and sharing identical rights. No new rights or powers have been conferred by the Cairngorms agreements upon the private proprietors; no existing ones have been removed or modified; there is nothing in the agreements between the Conservancy binding the private proprietors to take either a more or less liberal attitude to the public than hitherto. The only means of restricting the public is the imposition of bye-laws; at the present time none are in force as regards this Reserve; the Conservancy's

policy hitherto has been to take their time sizing things up before proceeding to make bye-laws.

It may be, however, that bye-laws will later be found necessary to safeguard wild life. These would no doubt be directed against specific acts of wrongdoing: the theft of birds' eggs, removal of timber, causing fires, and other damage to animal and plant life. It remains to be seen how far they may be needed, and the Conservancy's wardens and the private proprietors prefer to trust that the public will join them in preserving this natural heritage. If bye-laws should prove necessary it is not anticipated that they would affect public access.

Alive to the appreciation of nature-lovers of this splendid area and indeed anxious to stimulate it yet further, the Conservancy held consultations with a wide variety of organisations, not only mountaineering clubs but also other open-air interests, as well as County Councils, and as provision for public rights and interests set up a Cairngorms Consultative Panel on which these organisations and County Councils are represented. All matters affecting the *status quo* of the public are to be referred to this panel. The first meeting of the panel was held in Aberdeen on June 28, when the position of public rights and access was reviewed, and consideration was given to mountain rescue, improved facilities, and other matters affecting the public.

If bye-laws should prove necessary, the procedure is that they would go in draft form to the panel. Ultimately they would have to go to the Secretary of State for confirmation, the public being given the usual opportunity to lodge objections. Once bye-laws were in force, it would be open to any member of the public to report offenders to the police; the institution of proceedings would be a matter for the Crown, the Conservancy having no such powers to act. One other point is noteworthy. It is open to the Conservancy at any time to add to or take from the area of a Reserve, so long as each variation of the boundaries is accompanied by a declaration publicly announced.