

THE PUBLIC INQUIRY INTO THE FURTHER DEVELOPMENT OF SKIING FACILITIES ON CAIRNGORM.

PETER HOWGATE

According to Myrtle Simpson's recent history of skiing in Scotland, skis were used by Scottish climbers as long as a century ago and enough people took an interest in skiing as a pastime for the Scottish Ski Club to be formed in 1907. However the huge increase in the numbers of people skiing in Scotland is a phenomenon of the last thirty years or so and it is not at all surprising that Cairngorm with its extensive and lasting snowfields and proximity to the good communications and accommodation facilities of Speyside should develop as the major skiing area in Scotland. By 1960 a road had been driven into Coire Cas to a height of 625m (some of the difficulties experienced during its construction are described in volume 94 of the Club's *Journal*) and later a spur into Coire na Ciste. The car parks at the ends of these roads can take about 1,200 vehicles. Downhill skiers require uplift facilities and there are now chairlifts in each corrie and between them ten ski tows. A restaurant has been constructed at a height of 1,080m in Coire Cas and various buildings lower down in both corries. The name of the top restaurant, the Ptarmigan, is perhaps ironical; evidence was given at the inquiry that skiing activity had driven this bird from Coire Cas.

These various facilities were developed bit by bit over many years and no single addition was sufficient by itself to arouse strong and co-ordinated opposition. That is not to say that considerable misgivings were not expressed about the developments and their effects. Already by 1962, two years after completion of the ski road, Bill Murray in his book *Highland Landscape* referred to it as "an ugly scar on what was until recently the fairest scene on the north side of the range." But it was not just the visual impacts of the developments which aroused disquiet. Climbers and hill-walkers resented the intrusion of people and human artifacts in what had hitherto been wild and remote mountain areas. Naturalists and conservationists became more and more concerned at the effects human activities were having, in summer as well as in winter, on the ecology of the corries and of the plateau beyond. As the facilities on the slopes increased so more skiers came to use them. At times, particularly so during the winters in the latter half of the 1970s when skiing conditions were particularly good, pressure of numbers overwhelmed the uplift facilities and long queues formed at the chair lifts and the tows. Naturally the Chairlift Company sought ways of accommodating these increasing numbers of skiers but by the end of the 1970s both Coire Cas and Coire na Ciste were almost fully developed and it had to look towards the west and Coire an t-Sneachda and Coire Lochain for sites for any worthwhile expansion of facilities. In January 1980 the Company formally applied to

Highland Regional Council for outline planning permission to develop these corries for skiing. The proposal involved the construction of a road from the Coire Cas car park approximately along the 600m contour line into lower Coire Lochain with associated car parks for about 1,000 cars. From there chair lifts would carry skiers into Coire an t-Sneachda and into Lurcher's Gully and in addition there would be four ski tows on the slopes. Buildings would be constructed at the car parks and at the upper stations of the ski lifts. Though Lurcher's Gully was only one of the snowfields to be developed, for the sake of brevity, its name was attached to the entire proposal and to the subsequent inquiry.

The Chairlift Company's ideas were well known even before the planning application was submitted and had aroused considerable opposition. Individuals and bodies representing a wide range of outdoor activities and conservation interests objected strongly both before and after the submission to any extensions of skiing facilities westwards into the other northern corries of Cairngorm. Because of both the strength and the nature of the objections, the Secretary of State for Scotland announced in November 1980 that he would hold a public inquiry into the application.

The representative bodies for climbers in Britain, the Mountaineering Council of Scotland and the British Mountaineering Council, had opposed any extension of skiing facilities into what they considered to be climbers' preserves and resolved to be represented and present evidence at the inquiry. The Mountaineering Council of Scotland formed a working party, supported by the British Mountaineering Council, to prepare and present the case on behalf of climbers and hill-walkers. Because of the obvious local interest, Greg Strange of the Etchachan Club and myself were appointed to the working party and later Drennan Watson, chairman of the North East Mountain Trust, joined it. The group first met in early December and soon realised the enormity of the task ahead. Within a short time, six months as it turned out, it had to collect, evaluate and collate information, select and instruct appropriate witnesses, assemble the case and brief the solicitor who was to present it. This was Douglas Graham, a keen hill-walker who was very willing to take on the brief. The working party also soon appreciated the problems which beset any group of amateurs wishing to appear at a public inquiry — those of time, organisation, resources in general and money. Particularly money. Funds were needed for administrative expenses, for publicity to generate more money, to reimburse witnesses' expenses and to pay for legal representation. When the working party set to work the inquiry was expected to last two weeks but it was not long before it was apparent from the amount of evidence being collected by both the supporters and objectors that it would last much longer. In the event the inquiry lasted six weeks and the long duration of the inquiry itself incurred heavy, but necessary, costs of legal representation.

Then followed a very busy winter and spring by members of the working party and others, preparing the case. It would be appropriate to mention here the important contribution made by local climbers working through the North East Mountain Trust. Because of the Trust's excellent contacts and access to considerable local expertise, it was able to collect a great deal of valuable information about the Cairngorms. In addition, the Trust was very successful in raising funds which were used for paying the expenses of expert witnesses from overseas and for other specialist projects. Meetings of the working party were held, in the evenings, in Perth and Greg and I got to know the road there very well. However, we were not the furthest away from the meeting place; Mark Hutchinson, representative of the British Mountaineering Council, drove up from Leeds.

The Cairngorm Club, being a member of the Mountaineering Council of Scotland, naturally supported its case and, through my membership, contributed to the efforts of the working party. In addition, because of the Club's obvious association with Cairngorm, the Committee decided the Club should present its own evidence and be represented at the inquiry. The Club's precognition, reproduced following this account, was largely the work of our secretary and I believe fully summarises members' feelings towards the Cairngorms. I have been congratulated by many people, at the inquiry itself and elsewhere, on the quality of this statement and it was quoted from and summarised extensively in the Reporter's report to the Secretary of State. The Committee was right in its decision to appear at the inquiry and though its contribution to the inquiry was modest in amount compared with other representations, I believe it was important in its effect.

The inquiry was held in the Victoria Hall, Kingussie and opened on the 25th May 1981 though it adjourned almost immediately until the following day. I was not able to be present at the start and our Honorary President, Leslie Hay, represented the Club. He found he was staying at the same hotel as the Reporter, Mr. Campbell, and it turned out that he too is a keen hill-walker. Our Honorary President says he spent pleasant evenings with him talking about matters of mutual interest and though I'm sure Mr Campbell is a Reporter of complete probity I'm equally sure there was no harm done in presenting the Cairngorm Club and hill-walkers in a good light. I arrived towards the end of the first week while the Chairlift Company was presenting its case.

This is the only planning inquiry I've ever attended and I found it both interesting and tedious in turns. The inside of the Victoria Hall is a bare open space with terrible acoustics. It has the peculiar property of amplifying every rustle of paper, scrape of chair leg, whisper, cough or any irrelevant noise while muffling and distorting the voice of the speaker. The Reporter's Office had previously circulated notes about how inquiries are conducted, stressing that they should be informal but in the event this

inquiry took on a more formal, court-room like air. The Chairlift Company and its supporters were represented by Queen's Counsel as was the Nature Conservancy Council. They and the solicitor for the Countryside Commission for Scotland wore court dress of black coats and pin-striped trousers. Many of the witnesses — on behalf of both the developer and the objectors — were experts in their fields, men of great erudition, and I have not seen so many Ph.Ds delivering papers outside of a scientific conference. Being a scientist myself it was with some chagrin that I listened to the members of the legal profession refer in their quaint way only to their fellow colleagues as 'learned'.

The first two weeks of the inquiry were taken up with the developer's presentation and the evidence of the supporters. The Chairlift Company described the steady increase in the number of skiers visiting Cairngorm and the need to expand the facilities to accommodate them. The proposed development would almost double the capacity at an estimated cost of £2million. The Company had commissioned an environmental impact study and the close questioning by the objectors of both the facts in the report and its conclusions took up much of those first two weeks. A major issue of debate was the impact visitors to the corries and to the summit plateau had on the ecology of these areas, the extent to which the existing impact was a result of the present ski development and the likely effects the proposal would have. A survey carried out for the environmental impact report showed that over three fine days in August 1980 an average of 800 people a day reached the top of Cairngorm, almost all from the top station of the chairlift. Almost a quarter of the visitors proceeded further onto the plateau, most by the path along the corrie rims but about thirty going on to Ben Macdui. The results of this pressure can be seen in the heavily eroded path to the summit of Cairngorm and the well marked path from there to Ben Macdui. A point at issue was to what extent the proposed developments would encourage and make easier even more intrusion onto the plateau and further into, at present, less accessible areas. It was accepted that the proposed developments would result in an increase in the number of visitors to the plateau even allowing for the new road being closed in the summer but the size of the increase was difficult to estimate.

This first session of the inquiry ended with a site visit when a large party of both supporters and objectors followed the Reporter in a tour of the corries and adjacent plateau. The day started overcast with light rain though it brightened later. The Queen's Counsel for the Nature Conservancy Council is no hill-walker but much to his credit he accompanied the party in borrowed equipment. I was rather disappointed though that no one could find pin-striped overtrousers for him. The party went through Coire an t-Sneachda viewing the lines of the lifts and tows marked out by posts and crossed high over the Fiacall ridge into Coire Lochain. There we were treated to a discourse on the physiographic

feature of the site, pro-talus ramparts, solifluction terraces, moraines of various sorts and of their importance as a comprehensive collection. The path up Lurcher's Gully itself, the centrepiece of this inquiry, was next with the naturalists pointing out the features of ecological interest. The weather had cleared by this time and we had an excellent view along the Lairig Ghru from the meadows at the top of the gully.

From there we turned eastwards over Cairn Lochan and near the rim of the corries towards Cairngorm. The spokesman for the Royal Society for the Protection of Birds got in a telling point by declaring that the site inspection party itself was disturbing the dotterel. After all this natural grandeur and natural history it was a salutary reminder of the effects of technology to descend through Coire Cas to our cars.

The inquiry was resumed on the 14th September for a further four weeks. It must be admitted that the adjournment gave the objectors a slight advantage; the developer's case had been presented and there had been time to formulate replies to it. Certainly the Mountaineering Council of Scotland's working party, holidays permitting, had used the breathing space to polish up its case. After the last few witnesses on behalf of Highland Regional Council, who supported the development but with some reservations concerning environmental protection, had been heard, it was the turn of the objectors.

The first was the Nature Conservancy Council supported by the Royal Society for the Protection of Birds and the Scottish Wildlife Trust. The Cairngorm/Ben Macdui plateau is part of the Cairngorm National Nature Reserve and the Council stressed the importance of the reserve for nature conservation in both the national and international contexts. Witnesses described the special features of the ecology of the plateau and testified to the sensitivity of the animal and plant communities to disturbance and danger by visitors. Vegetation is susceptible to damage by boots and skis and once destroyed is extremely slow to recover in the harsh climatic conditions prevailing on Cairngorm. The Council pointed out that the corries though not within the National Nature Reserve were nevertheless important conservation areas. They hold some of the best examples of cliff and scree flora in the Cairngorms along with other features of botanical interest and present a fine and comprehensive assemblage of geomorphological structures of considerable scientific and educational importance.

The Nature Conservancy Council had collected a massive amount of evidence to support its case and an impressive array of expert witnesses to present it. It is not possible in this account to give more than a mere flavour of this huge amount of information but it added up to a comprehensive account of the natural history of Cairngorm and its northern corries. I found this part of the inquiry quite fascinating because it illuminated facets of the Cairngorms which I was not aware of or took

for granted. This was the Nethersole Thomson/Watson book. 'The Cairngorms', brought to life complete with extensive additions.

The conservation case took almost two weeks to present and discuss and was followed by the evidence of the Countryside Commission. It pointed out that the development area lies within a National Scenic Area and the road, car parks and other facilities would constitute an unwelcome visual intrusion into the landscape. The site was a popular recreational area in both summer and winter and the enjoyment of the corries by visitors other than skiers would be greatly impaired by the proposed development.

The Mountaineering Council of Scotland in association with the British Mountaineering Council and the North East Mountain Trust presented ten witnesses to support its case. Bill Brooker spoke about the Mountaineering Council of Scotland and introduced its policy for skiing developments to achieve a balanced allocation of mountain resources, to avoid conflict among various potential users and to avoid damage to the environment in sensitive areas. It points out that climbers and hill-walkers respond to the diverse character of mountains and do not seek to modify the environment. Their activities have little effect on other mountain users and make almost no impact on the mountain resource. Down-hill skiing on the other hand both in itself and through the associated paraphernalia interferes with other mountain activities and makes a considerable impact on the environment. The policy document accepts that further development of skiing facilities in Scotland is required and presents guidelines for the choice of sites.

Greg Strange described in detail the mountaineer's interest in Coire an t-Sneachda and Coire Lochain. The first recorded climb there was in Coire an t-Sneachda in 1904 and the cliffs have played an important part in the development of Scottish rock and ice climbing since. A valuable feature of the corries is that they are readily accessible yet present a wild and remote atmosphere which contributes greatly to the enjoyment of climbing there. Ski developments in them would encourage climbers and hill-walkers, even inexperienced ones, to move deeper into the Cairngorms to the Loch Avon basin and to the corries of Braeriach. These are more serious expeditions with consequent risks to safety should the weather deteriorate.

Mollie Porter, who was a member of the Cairngorm Mountain Rescue for seventeen years and its leader for nine, gave a more extensive presentation of the accident risks associated with the proposed development. In her opinion the developments would undoubtedly increase the number of accidents on Cairngorm. The improved access to the corries would tempt more people into remoter areas and particularly tempt both skiers and walkers to make the round trip along the corrie rims, with an associated risk of collapsing cornices in winter. Some of the proposed tows and ski runs cross paths taken by walkers in the corries giving rise to considerable risk of collision between them and the skiers.

She described how the proposed development is served by a single road which would be prone to being blocked by drifting snow in bad weather. The evacuation of skiers from the existing facilities in deteriorating weather presents serious difficulties at times and the proposed development would only compound the difficulties in such conditions.

In its opposition to the planning application the Mountaineering Council of Scotland and its associates emphasised that they were not opposed to skiing as such but to the mechanical devices and infrastructure concomitant with downhill piste skiing. Cameron McNeish, prominent in Nordic skiing circles, described the considerable increase in popularity of Nordic and cross-country skiing over the previous few years. The area of the proposed development provides excellent facilities for Nordic skiing both as a training ground and for racing. The 1980 United Kingdom championships were held there. Cross-country skiers are frequently climbers and hill-walkers at other times and adopt the same attitudes towards mountains. They too enjoy wild and remote areas and appreciate the wilderness experience. The paraphernalia of piste skiing, which cross-country skiers do not require, is inimical to the enjoyment of their sport.

Rodney Ward who had studied the factors affecting the deposition and movement of snow on the Cairngorms as part of a doctoral thesis at Aberdeen University offered evidence on the snow-holding capacity of the development area. Deep snow cover in the northern corries depends on snow being deposited there after being blown off the plateau. His calculations, supported by observation, showed that Coire an t-Sneachda and Coire Lochain collected less snow than the corries already used for skiing. None of the snow slopes in the proposed development area were as high up as the highest in Coire Cas. The two factors together, less deposition and lower altitude, would result in a shorter skiing season for the proposed development. Ward's statement supported the evidence of earlier witnesses who used a variety of criteria like the patterns of vegetation which are affected by snow cover, measurements from satellite photographs and direct personal observations over many years, that snow cover in the proposed skiing area was not as extensive nor as long lying as the Chairlift Company has claimed in its evidence.

Douglas Stewart, a civil engineer by profession and a member of the Cairngorm Club, was called to comment on the proposed and present access roads. He believed that the design study had underestimated the amount of excavation which would be required in the construction of the proposed road and consequently the cost estimate was low. Of more interest to considerations of safety were his comments on vehicle capacity of the complete road system. He estimated that, allowing for the steep gradients, the road linking Coire Cas with Loch Morlich has a capacity of about 370 cars per hour. This is only a little more than the estimated maximum flow of 350 cars per hour to and from the present Coire Cas car park. The proposed development which includes a car park for 1,000 cars

would inevitably lead to congestion at peak times. Stewart's evidence only confirmed the fears of those concerned with mountain safety that the road system could lead to hazardous situations if the development went ahead. The road capacity under good conditions was such that if the proposed development went ahead it would take at least three hours to clear full car parks on the mountain. In a situation with rapidly deteriorating weather — a condition not unknown on Cairngorm — skiers would abandon the slopes and start leaving the car park within a short space of time. The road would not be able to cope with the rush of traffic, particularly as driving conditions would simultaneously be getting worse, and it could prove very difficult to evacuate all these skiers safely.

Alastair Stevenson, formerly the Area Tourist Officer for the Spey Valley, was commissioned jointly by the Mountaineering Council of Scotland and the Nature Conservancy Council to examine the economic effects of the proposals and to determine to what extent they satisfied the demand for skiing facilities in Scotland. His conclusion was that economic benefits would accrue mainly to Aviemore whereas other areas in Badenoch and the Upper Spey Valley were more in need of economic support. The proposed development would satisfy many of the demands of the skiing market but would concentrate even more than at present Scottish skiing facilities into one area under control of one developer. This concentration may not be in the best interests of Scottish skiing or the skier in Scotland.

Drennan Watson quoted from studies of tourism in Scotland which showed that a high proportion of visitors to Glen More Forest Park are involved in a variety of mountain recreation activities. Other studies showed that hill users put a high premium on factors such as isolation, presence of wildlife, rugged character of landscape, scenic beauty and absence of roads and other man-made artefacts. The Cairngorms and the northern corries have these qualities to a high degree and in fact they are often referred to in tourist literature. Amongst the extensive data referred to in his precognition were the results of a survey carried out in 1976 of things liked and disliked by visitors to the Spey Valley. Most liked were the scenery and the peace and quiet; most disliked were Aviemore and the Aviemore Centre. In contrast to these findings the proposed development would detract severely from the scenic grandeur and the peace and quiet of the corries. The Scottish Tourist Board, Highlands and Islands Development Board and the Highland Regional Council included in their grounds for supporting the proposal, their belief that it would help to develop the Aviemore Centre even further.

The Mountaineering Council of Scotland also had two witnesses from overseas. Professor Curry-Lindahl, an expert in the ecology and conservation of wilderness areas, testified to the international importance of the Scottish Highlands generally as a wilderness area and of the Cairngorms within this. In his opinion it had been a serious mistake to

develop the present skiing facilities so close to the National Nature Reserve and to permit further developments would only compound the original error.

There are only three skiing complexes of any size in Scotland and they are of relatively recent introduction compared with those in the Alps and it might be thought that lessons learnt there could be applied in Scotland as well.

Dr. Swarzenbach, at one time Director of the Swiss Centre for Alpine Research and an expert on developments in alpine regions, was called to comment on the proposals for Cairngorm. He summarised the necessary conditions for a successful development in terms of facilities on the mountain and in the valley and applied them to the proposals as presented at the inquiry. He thought there were defects on both counts in the existing facilities and he confirmed many of the criticisms that had already been made about the proposed developments. Though perhaps he did not make any points which had not already been considered by the objectors on behalf of the hill users and the conservationists, it was reassuring to have them reiterated by an 'outsider'.

Though I have focussed on the evidence of the major objectors, many others made their contributions. The Reindeer Company was concerned at the effects on their herds. Bill Murray spoke on behalf of the Scottish Countryside Activities Council. The evidence of the Badenoch and Strathspey Conservation Group was presented by Basil Dunlop, a ski instructor, who had maintained the local meteorological records since 1962 and could speak authoritively on snow conditions in the proposed development area. I read the statement on behalf of the Cairngorm Club and individuals spoke on behalf of themselves. When all the witnesses had been heard, the legal counsels and solicitors summarised the cases on behalf of their clients and the inquiry ended on the 2nd October.

After such a long inquiry it was not surprising that Mr Campbell took a long time to prepare his report — part 1, that section dealing with findings of fact, alone runs to 225 pages with 20 pages of annexes — and the Secretary of State a corresponding period to consider it. It was a long and anxious wait and was not until the 15th December 1982, more than a year after the inquiry closed, that his decision to reject the application in its entirety was announced.

Though there were no joyous celebrations at the news with popping of champagne corks (at least to my knowledge) those who had been involved in the opposition to the planning application could feel very satisfied at the outcome. Their stance had been vindicated and the effort and time put into the objection had not been wasted. The character of the corries had been retained (I hope forever but I'm not sure there might not be an attempt to propose a modified scheme for them at some time) and personally I am pleased I played some part in what became known as the 'Lurcher's Gully Affair', the more so as it was as President of the Cairngorm Club.