

**The Cairngorms National Park:
The Club's Part in the Dialogue Leading to its Establishment**
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The Cairngorms National Park came into being on 1 September 2003, the result of many years of dialogue about the need or otherwise for National Parks in Scotland, and latterly about the form that they should take and about which areas were worthy of this status. The Cairngorms Park was the second to be established in Scotland. It extends to some 3,800 square kilometres and has the Club's home hills at its heart. The Club cannot claim to have shaped the course of history in these matters, but it has made a creditable attempt to see that its values gain recognition. In this article I seek to give a brief overview of this contribution.

The debate about the appropriateness or otherwise of having National Parks in Scotland had, perhaps to the nation's discredit, gone on for decades. The Club made a carefully considered submission to the Countryside Commission for Scotland in the early 1970s, in a consultation that led to its Mountain Areas Report. About twenty years later the government of the day set up the Cairngorms Working Party, and the Committee made extensive submissions and even a personal presentation. A Club member, John Duff, was a member of the Cairngorms Working Party and was one of the two members who dissented from the majority conclusion, taking the view that the measures recommended by the majority were inadequate and that National Park status was appropriate.

The recommendations of the Cairngorms Working Party led to the setting up of the Cairngorms Partnership, which brought a more unified approach than before to the addressing of issues affecting the Cairngorms as a whole. However, things were destined to change more radically when, following the inception of the Scottish Parliament, the establishment of National Parks was announced as a definite objective of the new Scottish Executive. Scottish Natural Heritage (SNH) were commissioned to consider how National Parks might best be established and operated in Scotland, not necessarily on the same lines as those elsewhere. They published a consultation paper in September 1998, and the Club of course submitted a response. SNH then reported back to the Scottish Executive, who in January 2000 published a draft National Parks (Scotland) Bill, draft because the Executive wished it to be open to public consultation, before an actual bill was laid before the Parliament. The draft Bill said nothing about which areas might be designated as National Parks, but set out criteria for selecting such areas. There was also a method for the implementation of designation, a draft Designation Order which would be



The Cairngorms in Winter from Sgor Mor

open, surprise surprise, for still more consultation before being laid before the Parliament. Finally, there was a list of powers which might be conferred on a Park Authority, and a scheme for how its members might be appointed.

The Club in March 2000 dutifully made its contribution to the consultation process on the draft Bill - a modest four pages, as the merits of the approach taken were not really open to discussion, just the details. In due course the actual Bill was laid before the Scottish Parliament and, without much more public discussion, enacted.

By this time the Scottish Ministers had set themselves the political agenda of having two National Parks in place by early 2003, and it was known that the prime candidates were Loch Lomond and the Trossachs, and the Cairngorms. Detailed proposals were put forward, consulted on and adopted for a Loch Lomond and the Trossachs National Park before there was evident movement towards a Cairngorms National Park, but the Club took no real part in these discussions.

At the end of 2000 consultation began, again through SNH, on the possible establishment of a Cairngorms National Park. SNH were invited to consult and advise amongst other things on whether the Cairngorms met the statutory criteria, on the precise area which should be included if they were to be designated a National Park, and on the powers that the Park Authority should

have. The Club took a lead in arranging a meeting of kindred clubs in the north-east, with representation also from the Mountaineering Council of Scotland. The intent was to collate ideas, though not necessarily to arrive at a unanimous view. In April 2001 the Club's submissions were put in, this time eleven pages plus a summary. There were two issues which later came to be particularly contentious. On the first, the extent of the Park, the Club advocated a large area, essentially the whole mountain area centred on Upper Deeside, bounded on the west, north-west and south-west by the line of Glen Garry-Drumochter-Speyside, and coming down Deeside to around Dinnet. On the second, the powers of the Park Authority, we recommended that it should have as full powers as possible, including that of serving as the Planning Authority for its area.

A period of seeming inactivity followed, though punctuated for me by a pleasing manifestation of how systematic and consistent the Club had been in its approach. In February 2002 I had e-mailed a number of MSPs urging them to support a motion tabled with the Scottish Parliament that the Scottish Ministers should do more to pursue the possibility of World Heritage Site status for the Cairngorms. One of the recipients was an MSP who was on record as wanting to tear up the agreements and planning conditions whereby the operator of the Cairn Gorm funicular could not allow non-skiers to exit on foot at the top station. He e-mailed back asking on what basis the Club thought that the Park Authority should be the Planning Authority for its area (an issue linked with World Heritage Site status and canvassed in my e-mail). This response was at first sight innocuous enough, but it struck me that it might be a clever way to find out if we were just a club jumping on the band wagon of what others were saying without ourselves having thought things through. I picked the e-mail up one lunchtime, just hours before a debate on the motion about the World Heritage Site aspects, and I wanted to shoot something straight back. After a moment's hesitation, I realised that I had a ready-made answer in what we had said at one of the earlier stages of consultation, and so, with no more than a quick search of texts on the PC, I was able to send back a cogent response. It may not have persuaded the gentleman on the merits, but it should have let him see that the Club did not lobby about things that it had not stopped to consider!

At the end of May 2002 a Draft Designation Order was published. As with the draft Bill, the intent was that there should be a period of public consultation, with account taken of the responses before a definitive Draft Designation Order was laid before the Scottish Parliament. The Draft almost immediately became known as the Daft Designation Order. It allowed for an area markedly less than the area recommended by SNH (in particular including nothing from either Perthshire or Angus), and contrary to the prevailing view amongst groups such as the Club (though in keeping with SNH's recommendations) it did not make the Park Authority the Planning Authority for



The Cairngorms in Summer- the Cairngorm Traverse September 2002

its area. A period of less than three months, overlapping with the summer holiday period, was allowed for consultation, and there was no real chance to consult widely with kindred clubs in the way that had been possible with the draft Bill. However I was able to assimilate a range of informed views at a workshop in Dunkeld arranged by the Cairngorms Campaign and LINK. A Club position was then tentatively agreed by the committee and made known to members, who were encouraged to lobby MSPs. The Club's submissions on the issue of the designated area expressed criticism of the disparity between what the Ministers were proposing and what their own statutory adviser, SNH, had recommended (a disparity for which the Ministers gave no explanation, but which was generally taken to have political reasons, rather than reasons based on the success of the Park), and again urged more extensive planning powers.

There was some cause for optimism when the Scottish Parliament's Rural Development Committee, after looking into aspects of the Draft Order, came out with pronouncements critical of the limited area, but despite that, when the definitive Draft Order was formally tabled, it reflected only a small concession, the inclusion of the tops of the Angus Glens, though still none of Perthshire.

The parliamentary procedures and terminology, it should be said, were a little perplexing. We had had a Draft Designation Order put out for public

consultation. It was still however a Draft Designation Order when laid before Parliament. But it was not open to Parliament to scrutinise it and to table amendments in the way that happens with Bills. They could only debate whether or not it should be passed and either pass it in full or reject it in full.

It seemed that a significant number of MSPs, in line with the comments of the Rural Development Committee, thought that the Draft Designation Order was flawed. There was a school of thought that MSPs should be lobbied to reject it, with a reasonable prospect of them doing so. However, there was a contrary view that such an outcome might leave us with no Cairngorms National Park for a long time to come, and that half a park with an Authority possessed of half the powers that it might have, was better than none. Against this it could be argued that the Executive were so politically committed to having a second National Park in place before the May 2003 elections, that if they saw a real prospect of a defeat they would yet concede something.

For most of November 2002, there was ongoing dialogue amongst the groups who wanted a better Cairngorms National Park than the Scottish Ministers were offering. In order to be present at an important meeting in Edinburgh sponsored by the National Trust for Scotland (who were taking a lead role and making some very pointed public statements), I allowed myself, for the first time in thirty years, to miss a Club AGM. The meeting was worth attending, and after it I heard a few sympathetic MSPs in action at a briefing section. Alas, when it came to a parliamentary vote, although there had been nearly 50% support for a motion which might have led to something different, the vote on the actual Designation Order approved it by a considerable majority.

Before the Designation Order was even passed, advertisements had appeared in newspapers to the effect that applications were invited from persons interested in serving on the Park Authority. The Authority was to comprise twenty-five members: ten appointed by the Scottish Ministers on local authority nominations; five appointed by local elections; and ten appointed by the Scottish Ministers simply on the basis of their judgement as to who else would be well-qualified and committed members for the Authority. I came to think that I might myself apply to be considered, and others within and outwith the Club encouraged me to do so. I had some misgivings, mainly in relation to the time factor, but I did apply. I was afforded an interview, but I was not amongst those ultimately chosen. I must have been the only interviewee who had never undergone any similar interview before, but having progressed from apprentice to senior partner in the same office my only experience of interviews was from the side of the prospective employer!

The Cairngorms National Park Authority Board came into being on 25 March 2003. It had an initial period of just over six months within which to take stock of its role and resources before the Park itself came into being on 1 September 2003. As yet the Board has kept a fairly low profile, but it is

heartening that they chose as their Chairman someone who might be regarded as independent, rather than one of the local authority nominees. There is a Park Authority website at www.cairngorms.co.uk which is gradually being developed, and which brings copies of discussion papers and Board minutes into the public domain. As yet the Club has not sought to influence the Board in its policy-making. Perhaps in the next Cairngorm Club Journal we can review what the Park Authority has begun to achieve. Perhaps too there may by then be other National Parks in place or in prospect, and the Club will have to consider if the ranks of its office-bearers should be swollen to include a National Park Liaison Officer!