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The Functions and Powers of the National Park Authority

The proposal

5-1 In their proposal, Ministers indicated their preference for the main Town and Country planning functions remaining with the local authorities but envisaged that the National Park Authority would be a statutory consultee in the preparation of the respective local and structure plans and on development control decisions. However, in recognition that these proposals did not have support from all quarters, Ministers sought views on a number of alternative options, including the option of the National Park Authority assuming responsibility for the planning functions outlined above, and with the local authorities as statutory consultees.

5-2 At the same time, Ministers sought views on the implications of their preferred option for local planning and development control, specifically, the desirability and feasibility of establishing a single local plan for the Park area; on the detail of consultation arrangements between the local authorities and the National Park Authority over development control matters; and on the circumstances under which local authorities should be required to notify Ministers if they wished to grant planning permission against the recommendation of the Park Authority.

5-3 Ministers also invited comment on any powers, additional to those provided by the National Parks (Scotland) Act 2000, which might be required by the National Park Authority.

SNH consultation document

5-4 In the consultation document, we explained Ministers' proposal for the planning arrangements and described alternative options. Views were sought on Ministers' proposal or on any of the alternative options. Views on further powers which might be envisaged for the National Park Authority were also invited.

The planning function

5-5 There was considerable discussion at all open meetings and other events about the proposed arrangements for planning. Almost all

written responses and all of the community-led consultation reports commented on the issue. Most comments focussed on where responsibility for the function should lie. By comparison, a much smaller number of comments was generated on the issue of the single local plan, consultation arrangements between the Park Authority and the local authorities, on Ministerial notification, or on the proposal for National Park Authority members to be co-opted onto local authority planning committees.

5-6 Comments on where responsibility for the planning function should rest fell broadly into two main groups: those in favour of Ministers' proposed arrangements and those who favoured giving planning powers to the National Park Authority. In the written responses, there was a significant majority in favour of the latter view. Conversely, the majority of responses using the summary leaflets expressed a preference for the Ministers' option. Overall, the community-led consultation reports indicated a clear preference in favour of the local authorities retaining the planning function, although opinion in a number of communities – including Ballater and Crathie, Grantown-on-Spey, Nethy Bridge, and Rothiemurchus and Glenmore – was not conclusive. The option of the Park Authority becoming the planning authority for the area was supported by some local communities including Braemar, Ballogie and Birse Finzean, Kirkmichael and Tomintoul.

Comments generated in favour of Ministers' proposal

5-7 Approximately one third of all full written responses on this question endorsed Ministers' proposal that the planning functions should remain with the local authorities. Similarly, just over half of the written responses using the summary leaflet agreed with this proposal. A small proportion of respondents qualified their comments by recommending that the National Park Authority should have a 'power of veto' or 'casting vote' on planning decisions. Relatively little comment was made by those favouring the Ministers' proposal on how the development plan functions might be deployed, perhaps suggesting that most of these respondents consider existing arrangements to be satisfactory.

5-8 Respondents in favour of the proposed arrangements notably included all five local authorities in the Park area (Moray, Highland, Angus, Aberdeenshire, and Perth and Kinross) and Dundee City Council. Other supporters represented a wide range of different groups including many individuals, communities (notably Aviemore, Blair Atholl and Struan, Boat of Garten, Carr-Bridge, Cromdale and Advie, Dulnain Bridge, Kinraig, Kingussie and Laggan) and Community Councils (Newtonmore & Vicinity, Carr-Bridge & Vicinity, Grantown-on-Spey, Mid-Atholl & Grandtully) within the general area; economic and business interests (e.g. North of Scotland Water Authority; Scottish Enterprise Tayside; Highlands & Islands Enterprise; the Highlands of Scotland Tourist Board; Scottish Council for Development and Industry); land management interests (e.g. Scottish Landowners' Federation; Crofters' Commission; a small number of recreational interests (e.g. the Cairngorm Ski Club; British Horse Society (Tayside); and a number of professional, research and academic bodies (e.g. the Scottish Society of Directors of Planning; the Institute of Chartered Foresters and the Macaulay Institute).

5-9 Many of those respondents in favour of Ministers' proposal emphasised that to establish the National Park Authority as the planning authority would be a waste of resources and create an additional bureaucracy, when the staff and structures already exist in the local authorities. It was claimed that existing development plan and development control arrangements are working well, and that the Cairngorms Partnership's Joint Planning Study (Cairngorms Partnership, 1998) demonstrated policy convergence between the different local authority plans, and adherence to those policies in development control decisions. In addition, the local authorities were considered to have the advantage of already being familiar with local issues. A small number of respondents commented that in England and Wales, where the National Park Authorities hold the planning function, the relationship between the Park Authorities and local authorities is sometimes tense. For that reason, some felt that the Park Authority would be in a better position to establish a partnership approach with other bodies if it did not have the planning function.

Several respondents suggested that the National Park Authority should not be encumbered by largely "domestic" casework allowing it to concentrate instead on land management policies which would have a greater influence on the natural heritage of the area.

5-10 A particularly common theme emerging from the local meetings and from some written responses was the need to retain democratic accountability. It was observed that, since the Park Authority is not to be an entirely elected body, it would be a less democratic arrangement than the existing planning committees in the local authorities.

5-11 In support of Ministers' proposal, many respondents considered that national interests would be adequately represented provided that the National Park Authority has a strong input to the preparation of development plans. It was suggested that, with this arrangement, there should be no need for greater involvement of the National Park Authority in decision-making beyond the role of statutory consultee on planning applications. Input of this nature would ensure consistency of development plans with National Park aims and with the Park Plan. A minority of respondents who generally supported Ministers' proposal expressed support for the co-option of members onto the relevant planning committees, as a means of safeguarding the interests of the National Park.

5-12 A number of administrative disadvantages were also identified on the transfer of planning powers to the National Park Authority, including views that:

- the Authority would be unable to employ sufficient staff to provide specialist advice on, for example, Tree Preservation Orders, minerals, listed buildings;
- there would be duplication of effort and confusion between the various plans for the Park, including the relevant structure and local plans, and the National Park Plan;
- a local plan for the whole of the Park would have to cover an extensive area with relatively little development pressure, and hence there would be a considerable amount of work in its preparation but with little

benefit in terms of achieving the Park Authority's objectives;

- the benefits of the present close-working arrangements between Building Control and Planning services (in both policy and development control) could be lost; and
- the composition of any planning committee of the National Park Authority would be administratively complicated.

5-13 Another factor cited in favour of Ministers' proposal was that social and economic links with areas surrounding the National Park were important. It was considered that Ministers' proposed arrangements would allow delivery of the planning function to reflect the settlement pattern and the social and economic forces affecting the Park's diverse communities. A small number of respondents commented that, in England & Wales where National Parks had planning powers, there had been a tendency to resist any change to the countryside within the Park. Likewise, a very small number of respondents also suggested that Ministers' proposed arrangements were more likely to ensure that affordable housing is provided within the Park, and that wider rural issues would be given the priority suggested by Government policy.

5-14 A very small number of responses specifically linked their comment on planning powers to their preference for the Park's area. A few expressed a preference for the smaller Park options, holding the view that consistency between local authorities would be easier to achieve if there were fewer local authorities involved. In addition, it was said, that it would be more feasible to prepare a single local plan for a smaller Park, with the implication that this too would aid consistency of approach between the local authorities.

Comments generated in favour of a Park Authority with planning powers

5-15 A clear majority of written responses and one third of the respondents using the summary leaflets rejected Ministers' proposal and recommended that the National Park Authority should be the planning authority for the proposed Park. In recommending an alternative approach,

most responses were concerned with the Park having responsibility for the local planning and development control functions.

5-16 Respondents in support of this option came from a full cross-section of interest groups consulted on the proposal. They included a number of individuals, communities (notably Braemar, Ballogie and Birse, Finzean, and Kirkmichael & Tomintoul) and Ballater and Crathie Community Council ; Aberdeen City Council; a large number of environmental protection, conservation and recreation groups (e.g. Scottish Environment Protection Agency, sportscotland, Badenoch and Strathspey Conservation Group, the Cairngorms Campaign, the National Trust for Scotland, the Scottish Council for National Parks, RSPB, Scottish Wildlife Trust, WWF Scotland, Association for the Protection of Rural Scotland, Scottish Civic Trust, Mountaineering Council for Scotland, the Architectural Heritage Society of Scotland, and the Society of Antiquaries of Scotland); and a range of professional, research and academic bodies (e.g. Scottish Countryside Rangers' Association, the Botanical Society for the British Isles, Royal Fine Art Commission for Scotland, Royal Incorporation of Architects, the Town and Country Planning Association and the Royal Town Planning Institute (Scotland)).

5-17 Many of these respondents argued strongly that a coherent approach to planning, and consistency in standards, can only be achieved by the National Park Authority having full planning powers. It was argued that only with policies which are both devised and delivered by the National Park Authority could an approach be focussed on the special needs of the Park. The corollary to this is the argument that liaison and consultation by the National Park Authority with up to five local authorities would be both inefficient and ineffective. To a degree, these views were linked to the issue of the size and location of the Park, with some respondents noting that complexity would increase where more local authorities were involved. Others observed that land use planning is the key tool available to the National Park Authority to achieve its social, economic and environmental objectives, enabling it to deliver sustainable development within the Park. Withholding such powers could only compromise the Park Authority's ability to deliver

this purpose. Several respondents felt that if the National Park Authority were not the planning authority then there would be no point in having a National Park at all.

5-18 A significant number of respondents claimed that the local authorities have different approaches to planning and that their record on development control has been inconsistent. In this respect, a strong critique of the findings of the Cairngorms Partnership's Joint Planning Study (1998) was made in a detailed response by the Scottish Council for National Parks, directly contrasting with the local authority support for this study. A number of respondents also commented specifically on Highland Council's record on planning matters, claiming it was particularly poor, and citing the controversial Funicular development, and the scale and nature of recent housing developments in the area, as examples to illustrate this point. It was argued that the local authorities were not able to demonstrate that they were balancing the need for environmental protection against development pressures, and that job creation and local interests have an undue influence on the outcome of decisions, to the detriment of the area's special qualities. There were also suggestions that there is frequently competition between local authorities to attract certain kinds of development and this can have an adverse impact on the area.

5-19 A number of respondents also commented on the status of the National Park Authority as a statutory consultee, and saw this as a weak role. It was said that this would frequently place the Authority in the role of objector to proposals – essentially in a negative role – leading to conflict and tensions with local authorities and with local residents. In such circumstances it would be difficult for the Authority to establish a collaborative working relationship with its constituent Councils. Furthermore, it was argued, that any objections by the National Park Authority could frequently result in time-consuming and expensive delays, caused by referral of disputed cases to Scottish Ministers. In addition, there was a perception amongst some respondents that there is no advantage in being a statutory consultee, other than providing an obligation on the local authorities to consult. It was argued that the views of a statutory consultee are not necessarily given more weight

and, indeed, that the comments of statutory consultees are often set aside when final development control decisions are made. As a result of this, it was suggested that a National Park Authority without planning powers would be an extra layer of bureaucracy and yet would be in a weak position to reconcile development pressures with the natural and cultural heritage interests of the area.

5-20 In support of their case, numerous responses pointed to experience in England and Wales and other parts of the world and concluded that a National Park Authority required to have power over planning control in order to implement its objectives. In particular, it was argued that the Environment Act (1995), which made provisions for the extension of planning powers to all National Park Authorities in England and Wales, had confirmed that, elsewhere in the UK, previous local authority control of the planning function in protected areas of national significance had not been effective. A significant proportion of views drew comparisons with the recommended option for the proposed Loch Lomond and The Trossachs National Park, arguing that the circumstances and issues are essentially similar and therefore, that the principles should be the same for both areas. Similarly, it was said that Ministers' views about the need to retain links with areas outside the Cairngorms National Park could equally have been applied to Loch Lomond and The Trossachs.

5-21 A number of respondents specifically commented on aspects of the rationale underpinning the Ministers' proposed arrangements. It was argued, for example, that the number of applications which the National Park Authority would handle was irrelevant; and that while the volume of casework arising outwith the settlements might be relatively small, experience had indicated that a handful of contentious applications can have a serious impact on the character of the Cairngorms area. Other views held that, unless controlled by an authority with an overview on standards of development, the cumulative impact of developments of a relatively minor nature would gradually erode the character of the Park. It was also suggested that, in the future, numbers of planning applications could rise as a result of National Park status.

5-22 Other points raised during the consultation exercise included the following:

- having identified an area with a coherent identity in order to designate it as a National Park, it was illogical to then undermine that coherence by leaving planning functions with a number of local authorities as they would inevitably continue with a fragmented approach to planning;
- it was wrong to imply that a Park Authority with planning powers could not effectively establish links across its boundaries, as there are many examples elsewhere where National Park Authorities work beyond their boundary;
- socio-economic links such as shopping and employment would not be seriously threatened by the National Park Authority becoming the planning authority as it was already the case that many people shop and are employed in local authority areas other than those in which they reside;
- the issue of staffing the National Park Authority was not relevant to the question of whether it should be the planning authority or not, for as a statutory consultee it would have to employ staff with planning skills; and that
- it was wrong to underplay the importance of the routine casework which arises in or nearby settlements because, cumulatively, the impacts of many small changes on the special qualities of the area could be as significant as larger developments.

5-23 A small number of respondents specifically rejected the other options suggested in the consultation document: for example, the co-option of National Park Authority members onto planning committees; joint local or subject plan arrangements; delegation of casework by the local authorities; and the Park Authority having responsibility for the core area. A number of respondents observed that if the Park is to be 100% financed by the public purse in the national interest, then it would be entirely appropriate that it be given the planning function with the specific purpose of focussing on the Park's particular needs. A handful of respondents addressed the issue of democratic accountability, and stated that this could be assured by having a majority of

locally elected members on the Park Authority Board.

5-24 A small number of consultees recommended that the National Park Authority should have planning powers but with certain qualifications. For example, it was argued that planning arrangements should be linked to zoning, so that the Park Authority have responsibility for development control in some or all of a 'core' area. It was also suggested that the development control function could be delegated or passed back to local authorities in respect of certain categories of development (such as domestic or householder proposals). The same argument was also made regarding all casework within the larger settlements or the outer zone the Park. With such arrangements, it was suggested that the Authority could retain the option to 'call-in' and determine applications deemed to be of significance. Where delegation arrangements were in place, a further safeguard could be secured by agreement between the local authorities and the National Park Authority to consult each other on certain categories of development. Such arrangements, were seen to have the advantage of promoting higher and more consistent standards of development control across the Park area, particularly in its more important or sensitive zones, but without the Park Authority becoming encumbered with planning casework of a minor nature.

5-25 A very small number of respondents, who were opposed to Ministers' proposed planning arrangements, specifically linked their preference on the planning function to the area of the Park. Most supported the Park Authority becoming the planning authority if the Park was to be relatively small.

Comments generated on structure planning arrangements

5-26 The consultation exercise yielded very little direct comment on the structure planning function. Among such comment as there was, there was a slight preference for the National Park Authority to become a joint structure planning authority with the adjoining local authorities. Reasons cited in support of this approach included the need to:

- develop an effective, strategic framework which would address trans-boundary issues such as roads and other services;
- provide the National Park Authority with a stronger voice at the regional level;
- secure policies to protect the environment on the fringe of the Park; and to
- encourage the Park Authority to work beyond its boundaries and to take account of the surrounding areas in its policies.

The adoption of a single plan containing policies for both strategic and local issues (effectively a unitary development plan) was also suggested by some.

Comments generated on the question of a single local plan

5-27 Comments on this question were significantly fewer in number than comments on the issue of where responsibility for the planning function should rest, with less than one quarter of all written responses and only a few of the community reports addressing this question. Of those who did, approximately three-quarters of written responses were in favour of the preparation of a single local plan for the Park area, the majority of whom also considered that the National Park Authority should take the lead in its preparation. A very small number of respondents considered that the National Park Authority should be responsible for the preparation of several, new local plans for the Park area.

5-28 Supporters of the preparation of a single local plan showed a marked consensus about the need to ensure a consistent approach through common policies for the Park area, although a number of other reasons were also suggested. For example, it was suggested by some respondents, that because the local authorities have difficulty in preparing and revising local plans swiftly for their own areas, it would be necessary for the National Park Authority to take responsibility for preparation of a local plan for the Park area. A few felt there may be merit in a single local plan, but only for the core area of the Park or for one of the smaller Park options

5-29 Only around one quarter of written responses expressed clearly views in favour of the status quo on local plans. Arguments in favour of the current arrangements focused on two main points. First, it was argued that, given the geography of the area, a single plan for the area did not make sense in planning or administrative terms. Second, it was argued that a single local plan for the area was unnecessary, given the involvement of the National Park Authority as a statutory consultee on the preparation of new or the revision of existing local plans by the local authorities. In addition, there is the safeguard of a Public Local Inquiry and referral to Ministers in the event of dispute. Others considered that the attention and energy of the National Park Authority should not be diverted from the production of the National Park Plan, which should inform the production or revision of each local authority's development plans.

Comments generated on possible consultation arrangements between the Park Authority and the local authorities

5-30 Comments on this issue were considerably fewer in number than those on which body should take the lead on planning arrangements. A clear majority of all those who commented were in favour of local authorities consulting the National Park Authority on all proposals. Others suggested that local authorities should only consult on certain categories agreed with the Park Authority, while the use of a weekly list of applications for consent was also recommended as a means of consultation. Similar reciprocal arrangements were proposed by those who were in favour of the Park Authority becoming the planning authority for the Park.

5-31 A number of those respondents who addressed this issue also made comments on the need for consultation over developments outside the Park's boundary. It was argued by these respondents that the National Park Authority should be consulted by the local authorities on all development proposals arising outwith the Park area but potentially affecting the Park or within a specified distance of the Park boundary.

Comments generated on the question of referral to Ministers in the event of dispute

5-32 Comments on this issue were also limited. Of these, a clear majority considered that referral to the Scottish Ministers should apply in all cases where there was dispute, rather than in a more limited number of cases where a development was of particular importance to the special qualities of the Park. Approximately equal numbers of those in favour of the Ministers' proposal and those favouring the alternative of the National Park Authority acquiring the planning function, called for referral in all disputed cases.

SNH view as natural heritage adviser

5-33 As natural heritage adviser we are strongly of the view that development planning and development control must be undertaken in a consistent manner across the proposed National Park. Following designation as a National Park, greater attention in all planning matters should also be paid to the special natural heritage qualities of the area than has previously been the case. Higher standards of design will also be essential to ensuring that built development and other rural land uses contribute positively to the landscape character of the area.

5-34 In our advice to Government in 1999, SNH recommended that the planning function should remain with the local authorities, but that the Park Authority should become a key partner in the development of the structure and local plans for the area, and a statutory consultee with referral powers to Ministers on development control matters. Several factors underpinned this stance, but critically this arose from our view that the National Park Plan should have a strong statutory role in guiding the activities of all public bodies operating in the area, including local authorities. We envisaged that such arrangements would have allowed the Park Authority directly to influence the relevant development plans for the area. Our advice on this aspect of the National Park Plan was not fully transposed into the National Parks (Scotland) Act 2000.

Discussion

5-35 The consultation exercise has shown that there is a significant majority who are against the Ministers' proposals for how the planning function might be handled, including a range of influential bodies such as the Royal Town Planning Institute in Scotland, Scottish Environment Protection Agency, sportscotland, Scottish Council for National Parks and Scottish Environment Link. At the same time, some major stakeholders support Ministers' preferred arrangements. These include all the five local authorities, the local enterprise companies, the Area Tourist Board and the Scottish Landowners' Federation. From the community-led consultation reports, it is evident that, with a few exceptions, the Minister's preferred arrangements are also supported by many of the communities within the area. It is also clear that local people and businesses are in generally in favour of the Ministers' proposal.

5-36 We have, therefore, a relatively polarised set of views on the delivery of the planning function. Nationally, there is a clear consensus in favour of the Park Authority becoming the planning authority for the area. While views either way can be found in responses from both within and outwith the area, the balance of views within the area is for planning powers remaining with local authorities, in part because of local concern about potential future interference from outside the area. Similar views were also expressed in the debate about the balance of representation on the Board of the Park Authority.

5-37 In considering the case for or against the Minister's proposal, a good deal of the argument focuses on which body should be the planning authority, rather than on what role the planning process should have in meeting the aims of National Parks. Cogent arguments were deployed on both sides.

5-38 The case for making the Park Authority the planning authority for its area with sole responsibility for local planning and development control has strong points in identifying:

- that planning is a core activity, central to the established operation and remit of National Parks generally, and specifically in Loch Lomond and The Trossachs;

- that the national interest in the area has not always been upheld in the past;
- that there is a need to secure consistency and direction in development planning policy over the area and that this will be more difficult to achieve with a disaggregated approach to the planning function;
- that a new impetus is needed to achieve higher standards of sustainable development, appropriate to the special qualities of the area; and
- that there are risks in a role for the Park Authority which only focuses public attention on the times when it opposes specific development proposals.

5-39 In view of these arguments, there would seem to be a firm case for making the Park Authority the planning authority for its area, with sole responsibility for local planning and development control. Such an option approach has become the established arrangement elsewhere in Britain and would provide some certainty in the handling of planning matters within this National Park. If this option were chosen, safeguards would need to be provided to ensure that the planning function within the National Park would remain locally accountable. This could be achieved by ensuring that a majority of members of the planning sub-committee of the National Park Authority being either directly elected members or local authority councillors.

5-40 At the same time, the case for planning powers remaining with local authorities contains equally compelling arguments about:

- the need for local delivery, engagement and accountability in the deployment of critical services;
- the relative efficiency of delivering planning through existing local authority systems, especially given that most planning casework is not contentious and the size of the casework load in the area is not particularly high;
- the degree to which the main settlements of the Park are distributed around the mountain massif and have strong connections to areas beyond the Park implies a need for an approach to planning which recognises these links, and;

- the need for the Park Authority to have the powers, functions and focus to tackle the key challenges facing the area in terms of land use and management, rather than seek to simply replace an existing mechanism for controlling built development.

5-41 In view of these arguments, there remains considerable merit in the Ministers' proposal. Perhaps most crucially, such an approach would also mean that the aspirations of some of the Park's major local stakeholders – the local authorities and communities – are not ignored in the establishment of the Park. However, if this approach is to work effectively, a range of measures would need to be put in place through the Designation Order and in subsequent guidance from Ministers to ensure greater joint working between the local authorities and the Park Authority on planning matters. Scottish Ministers may also need to be prepared to intervene more often to secure the national interest in the Park in cases where disputes arise between the Park Authority and one or more of the local authorities.

5-42 It is clear that many of the comments, both for and against Ministers' preferred arrangements, are influenced both by the past experience of planning in the area, and by the current arrangements for planning in the English and Welsh National Parks. As a result, relatively few attempts have been made by consultees to move beyond the question of who should be (or should not be) the planning authority for the area. In view of the polarisation of opinion on this critical issue, we suggest that other options for the planning function require to be considered which could also serve the Park's needs effectively. To have merit, we consider that such options need to:

- give a clear and consistent lead to planning policies over the whole area, because of the critical role of development plans in how development casework is handled;
- encourage the Park Authority and local authorities into a positive partnership, geared to meeting the new challenges which are to be addressed;
- recognise the special features of the geography of a National Park in the

Cairngorms, in particular the peripheral distribution of settlements, their geographic and social isolation across the area and the strong outward links from these settlements to their urban or more settled hinterlands; and to

- contribute to reversing the climate of mistrust, and build a sense of confidence and co-operation between national and local interests and all those concerned with the long term future of the area.

5-43 Options for the planning function which depend on fully splitting the process of drawing up and agreeing development plans and the development control functions between local authorities and the Park Authority are less likely to achieve these goals. Similarly, we recognise that SNH's own proposal in 1999 for sharing of the planning function based on concurrent powers was also criticised during passage of the National Parks legislation.

5-44 An alternative and perhaps more acceptable approach which addresses the needs outlined above may be for the Park Authority and the local authorities to prepare collectively the development plan framework for the area, with the local authorities retaining responsibility for the development control function. In this way, the Park Authority would be a planning authority for its area, but with its role circumscribed to leading debate on Park policies through the National Park Plan and the National Park (local plan) and through last resort intervention, with the actual delivery of most development control issues remaining with the local authorities. Such arrangements could be further strengthened by requiring local authorities to nominate members of their planning committees covering the Park area to the governing Board of the Park Authority (the arrangements for this are discussed further in Section 6).

5-45 Such an approach could provide the basis for a forward-looking partnership that would aim to move on from the more polarised positions that have been established in the area during the last thirty years. While they are several options for establishing this partnership, the most straightforward approach would be to make the Park Authority a joint structure plan

authority alongside the five existing structure plan authorities, and by the establishment of a joint committee of the National Park Authority and the structure plan authorities to prepare a single local plan for the area. Such arrangements could be established under the existing planning legislation, but would currently be unique in National Parks in Britain.

5-46 Joint responsibility for structure planning will be an important cornerstone of these arrangements because of the following factors.

- The importance of the structure plan in the development control process as reflected in Section 25 of Town and Country (Scotland) Act 1997. This provides that determinations under the planning legislation must be made in accordance with the development plan unless material considerations indicate otherwise. Structure plan policies relating to housing, economic development, infrastructure, the environment, conservation and tourism will all have an important bearing on land allocations within the National Park.
- The requirement to secure that, in formulating proposals for a local plan, the plan must conform generally to the structure plan as it stands for the time being (1997 Act, s.11(5)).
- Apparent shortcomings in the merit testing procedures for structure plans. There is no provision for a public inquiry into objections and the Examination in Public has fallen into disuse. If the National Park Authority were to disagree with a planning authority over the content of a structure plan as it related to the National Park, their only remedy would be to write a letter of objection to the Scottish Ministers.
- The importance of ensuring that all structure plans covering a part of the Park are broadly consistent in their policies as they apply to the Park.
- The uncertainty over what weight the National Park Plan will carry in development plan and development control decisions.

5-47 Joint structure plans are quite common under the arrangements introduced by the Local Government, etc. (Scotland) Act 1994 and

statutory procedures are in place in the planning legislation for implementing such an arrangement. If this approach was adopted, it would be desirable for Scottish Ministers to require a review of the relevant structure plans after the establishment of the Park with a view to making any alterations that may be required in the light of the emerging Park Plan. In undertaking the revision of these five structure plans jointly with the current structure plan authorities, it is not envisaged that the Park Authority would seek to comment on planning policies for areas outwith the Park, except where they are of direct relevance to the Park itself.

5-48 A joint committee of the National Park Authority and the local authorities to prepare a single local plan for the area could also be established under the current planning legislation. Depending on the area chosen for the Park, some further consideration would be needed of the area to be covered by the Park local plan, and whether certain parts of the Park area should be excluded. Alternatively, it could be argued that a joint local plan would be too cumbersome to prepare and that a better approach would be for the Park Authority to prepare with each local authority the series of local plans covering the area. This would have the additional benefit in ensuring that planning policy was consistent across the Park boundary, although it would involve the Park Authority in the preparation of several local plans.

5-49 The majority of decisions on planning applications will be made in accordance with the development plan for the Park area prepared by the Park Authority and the respective local authorities. However, on occasion, development proposals may not have been foreseen by the development plan, or may potentially contradict it. To deal with such cases, it is envisaged that the Park Authority should become a statutory consultee on development control matters dealt with by the local authorities. Such arrangements would provide powers for the Park Authority to refer applications for consent to Ministers for determination if disputes between it and the local authority arise.

Reporter's Advice

On the basis of the consultation we have undertaken, it is clear that the arguments for and against the Ministers' proposal are finely balanced. While either of the two main approaches to the planning function set out earlier in this section could be made to work, the consultation has shown that the views of the key stakeholders on this issue are extremely polarised. In these circumstances, the establishment of the Park is likely to be controversial whichever approach is chosen, and this would be detrimental to the crucial early work of the Park Authority as it prepares its first Park Plan for the area.

As Reporter we therefore recommend an alternative approach. Specifically we propose an approach which maintains local authority responsibility for the planning function within the Park area but which also provides the Park Authority with an equal role alongside the existing local authorities in the preparation of the development plan framework for the area. For the reasons set out earlier in paragraphs 5-45 and 5-46, we see this being best achieved by 1) making the Park Authority a structure plan authority with joint responsibility for preparing the structure plans covering the area with the five local authorities, and 2) establishing a joint committee of local authorities and the Park Authority to prepare a single local plan for all or most of the Park area. Alternatively, the current local plan framework could be maintained in its current form, but with each local authority reviewing its local plan jointly with the Park Authority. In cases of disagreement over policy, either the Park Authority or the local authorities would have powers of referral to Scottish Ministers.

In carrying out their development control functions, each local authority should consult with the National Park Authority on development proposals which are deemed by the Park Authority to be of significance to the implementation of the aims of the National Park. In the early days of the National Park, we suggest that the each local authority should circulate a weekly list of planning cases to the Park Authority. In cases where the local authority is minded to approve a proposal contrary to the recommendation of the National Park Authority, we suggest that the local authority should be obliged to notify Scottish Ministers. Ministers would then have the discretion to call this application for determination.

If our recommendation is to have credibility and provide a sustainable solution, the following measures will also be necessary.

Prior to the establishment of the National Park:

- Scottish Ministers should provide firm direction and guidance on the working of these new arrangements, and on the importance of the National Park Plan in shaping the development plan policies for the area;
- the shadow Park Authority and local authorities should agree a single protocol for handling planning matters within and adjacent to the Park; and
- local authorities should be encouraged to nominate members of their planning committees covering the Park area to the governing Board of the Park Authority.

Once the National Park is established:

- the National Park Plan and new development planning framework for the area (revisions to existing structure plans and the preparation

of the new local plan) should be formally approved within three years of the National Park being established; and

- the effectiveness of the arrangements are closely monitored by Scottish Ministers and changes made if the results are unsatisfactory.

Under these arrangements, it is envisaged that the current structure plan framework for the area would be maintained at least for the time being, with the National Park Authority becoming jointly responsible with the local authorities for the preparation of the five structure plans which cover the area. Once the new arrangements are in place and bedding down, further consideration should be given to simplifying this structure planning framework.

In this respect, we note the proposal put forward recently as part of the review of strategic planning arrangements that in National Park areas, the National Park Plan could be 'the vehicle for dealing with strategic planning issues' is to be strongly welcomed (paragraph 25, Review of Strategic Planning in Scotland, Scottish Executive, 2001). We believe that this proposal is worthy of further consideration as a means of strengthening the role of the Park Plan and the position of the Park Authority

SNH advice as natural heritage adviser

SNH supports this recommendation

Other Powers

Comments generated on other powers

5-50 Compared to questions on the planning function, relatively small numbers of responses commented on other powers which should be available to the National Park Authority. Of these, a significant proportion noted that the powers listed in the consultation paper and other consultation materials were adequate and gave their support for them. A few of these comments were qualified by remarks advising care in circumstances where such powers might duplicate those of other bodies, and to stress the need for adequate resources, so that they can be implemented. There also appeared to be support for many of the proposed powers in the community-led consultation reports and in the city consultation meetings.

5-51 However, some responses emphasised the role of particular or additional powers. One of the most substantial areas of comment concerned recreation and access, with some respondents arguing for powers for the National Park Authority to restrict certain kinds of activities (for example, the use of mountain bikes, motorcycles and all terrain vehicles) or to restrict any kind of access to particularly sensitive areas of the Park. In contrast, others held the view that the Park Authority should not be able to introduce restrictions beyond those which would normally be experienced elsewhere. Other responses emphasised that the Park Authority must have the powers and duties anticipated for local authorities under forthcoming legislation for access (a reference to the current draft Land Reform (Scotland) Bill), with specific concerns expressed by a handful in respect of the interests of water-based recreation and horse-riders.

5-52 Another significant area of comment was land management, and the particular need for the National Park Authority to be able to offer incentives for land managers. Specific suggestions included a Cairngorms-wide agri-environment scheme; incentives in respect of forestry proposals appropriate to the Cairngorms; eco-tourism initiatives and facilitation of access; assistance with diversification; additional weighting to be given to farms competing for funding under the Rural Stewardship Scheme;

incentives to follow environmentally friendly methods of controlling livestock pests; and support for branding and marketing of agricultural goods. In addition, management agreements to assist farmers in fulfilling Park objectives over and above provisions made through the Environmentally Sensitive Areas scheme and Rural Stewardship Scheme. Awards for best practice were suggested as a means of encouraging management in keeping with Park objectives. A small number of responses also called for the National Park Authority to become a statutory consultee on land management matters, whether or not it also became the planning authority.

5-53 Other comments on the potential application of the powers proposed for the Park included:

- the establishment of a Park-wide ranger service, replacing existing local authority ranger services in the area, and acting as a co-ordinator for privately-managed ranger services;
- the Park Authority to be given specific responsibility and resources to prepare and promote a Local Biodiversity Action Plan;
- powers to assist existing local businesses and to promote new businesses (thereby assisting communities) – particularly those businesses which are compatible with Park aims, such as green tourism and those using local products in a sustainable manner;
- land acquisition powers for the purposes of facilitating access or protecting key areas of land in the core area of the Park;
- powers in respect of the cultural and historic environment, including responsibility for the maintenance of a sites and monuments record and the management of archaeological and historical assets.

5-54 There were also suggestions for additional powers for the Park Authority to control or influence the following activities: the erection of telecommunications masts; muir burning; the construction of bulldozed tracks; forestry proposals; water catchment management;

the erection of power-lines; the installation of oil, gas and water pipelines; helicopters and low flying aircraft; vermin control; field sports; the provision of affordable housing; traffic management and improvements to transport infrastructure; the provision of public transport; and land management activities including agricultural operations and deer management. A number of respondents suggested that in order to have control of land management, the Park Authority should have powers to make land management orders. These were considered to be essential, if the Park Authority were to resolve intractable situations where land management practices were damaging the special qualities of the Park.

5-55 A number of respondents disagreed with certain of the proposed powers or made comment on the manner in which they might be used. Concern was expressed over the powers of the Park Authority to make charges, lest charges be levied for entry to the Park, to car-parks or other recreational facilities, thereby discouraging access. Others considered that allowing the Park Authority to charge for goods and services would provide unfair competition with private businesses. One set of views held that any charges for services would be resented by the residents of the Park but suggested that an acceptable way of raising income would be to charge for the right to sell branded goods. A number of respondents disagreed with the proposed powers for compulsory purchase of land, suggesting that the Park Authority should concentrate on the provision of incentives. There was also some opposition to the ability of the National Park Authority to introduce byelaws. Commenting on recreation management powers, the Speyside Way Management Group wrote on behalf of member organisations to say that they supported the existing management arrangements for the long distance route, and that responsibility for its management should not be transferred to the proposed Park Authority.

5-56 Many respondents also asked questions about how the Park Authority would use their powers: How byelaws might be used to resolve conflicts between recreational users on water? Whether the Park Authority's grants would replace those of SNH for provision of recreation management facilities? How would byelaws be

enforced? What would the relationship be between the Park Authority and the Scottish Environment Protection Agency regarding powers to improve waterways for recreation? Would there be any restrictions which might be applied to the launching and flying of gliders? What is the definition of 'Miscellaneous Corporate Powers'?

5-57 The community-led consultation reports contained relatively consistent themes about powers, including the need for powers to address the availability of affordable housing through, for example, a tax on second homes, and the need to improve transport provision. At the same time, concerns were expressed about the Park Authority having too much power, with a number of comments suggesting that "the less power the better", and others expressing concerns that the Park Authority would add another layer of bureaucracy. The principal powers with which there was disagreement were those for fixing and recovering charges for goods, services and facilities, and for the compulsory purchase of land.

5-58 Other themes mentioned by a minority of respondents included support for powers or responsibilities for: the provision of information about the area; interpretation and education; preparation of an Indicative Forestry Strategy or Local Forest Framework; the Community Planning process and Local Agenda 21 initiatives; joint promotion of the Park in conjunction with Area Tourist Boards; restoration/rehabilitation of degraded land; control of litter and noise; and co-ordination of the relevant expenditure of all public agencies operating in the area.

SNH view as natural heritage adviser

5-59 As adviser on natural heritage issues, SNH considers that the powers and functions proposed for the Park Authority are generally comprehensive. However, we would want to see the National Park Authority having a strong measure of influence over the activities of other public bodies and statutory undertakes who operate in the area, and this suggests that it should be a statutory consultee on the relevant operations of these bodies, with referral powers to Scottish Ministers in cases of irresolvable

dispute. We also foresee the new Park Authority having an important role in the implementation of the proposed access legislation.

5-60 In view of the importance of the relationship between the natural heritage and land management within this area, we are strongly of the view that the establishment of the Park Authority for the area must be used as an opportunity to create a better framework to promote the sustainable use of natural resources. At the very least we consider that this will require the development of a locally tailored agri-environment scheme to be operated by the Park Authority on behalf of the Scottish Executive. A specific Woodland Grant Scheme to help implement the local forest framework for the area would also bring benefits. Where this is the best means of securing integrated management, consistent with the Park aims, consideration should also be to transferring public land to the Park Authority. Once the Park Authority is established and has gained experience in managing the area, we will investigate this in relation to the National Nature Reserves we manage ourselves within the Cairngorms.

Discussion

5-61 There appears to be broad support for the powers described in the consultation document, although comments on those powers, in particular, those relating to recreation and access, reveal different expectations of how the National Park Authority will use these powers. In this respect, it will be important that the Park Authority is given responsibility within the Park for implementing the future access legislation.

5-62 At the same time, some disquiet was expressed about powers, principally over charges which might be made for access to the Park or its facilities, or for goods and services, and for compulsory purchase of land. We note that many of these powers are already available to existing public bodies and local authorities within the area and that there are safeguards as to their use and practice. Like these existing organisations, the Park Authority will need to consider their use very carefully, both in terms of their impact in specific cases, but also in terms of their general relationship with the local communities and land managers.

5-63 In view of the contribution that traditional agricultural, forestry and estate practices make to the special qualities of the area, there would seem to be a strong need to find better ways to support land managers in their work. We agree that these should build on the current, but limited provisions of the Rural Stewardship Scheme, and encompass many of the suggestions for the use of guidance and grant for land managers contained in paragraph 5-50. In addition, we consider that the Park Authority should provide support for the preparation of whole farm and estate plans for key land holdings which could help integrate further the objectives of individual land-managers with the wider Park aims.

5-64 As part of the current forward strategy for Scottish Agriculture, Scottish Ministers are proposing to establish a new system of support for agriculture based on the development of land management contracts through which farmers will be paid for the social, economic and environmental benefits they contribute to the area. Such an approach would also 'recognise the farm as a whole business and make it easier for farmers to take market-oriented decisions rather than having to meet the requirements of a series of disjointed subsidy schemes' (*A Forward Strategy for Scottish Agriculture, Scottish Executive 2001*). We consider that such a system could bring many benefits for National Parks. It could reward farmers positively for their contribution to National Park aims and provide the basis of a more integrated land management incentive scheme for the area. We note that such an approach will be piloted in the Cairngorms by the Scottish Executive as part of the measure contained within the *Forward Strategy*.

5-65 The management of deer within the area is of considerable importance to the natural and cultural heritage and the sustainable use of natural resources. The Deer Commission for Scotland suggested in their response that the National Park Plan should contain a 'strategic National Park Deer Management Plan' that takes into account and builds on existing deer management plans which cover the area. Consideration could also be given to the establishment of one or more sub-committees by the National Park Authority to guide and support land management, so as to ensure that it meets

the four Park aims. These committees could include representatives from the existing Deer Management Groups in the area and the Deer Commission for Scotland, and they could play an important role in drawing up this strategic deer management plan.

5-66 In addition to the preparation of the Park Plan, and its implementation through the provision of guidance and positive incentives, a number of additional powers could be envisaged for the Park Authority to control land use activities and the range of developments by statutory undertakers which operate within the area. The importance that several respondents placed on these measures reflect observations made by SNH in its advice to Government in 1999 concerning the significance we placed on the Park Authority being able to tackle the range of land use and management issues of importance within the Cairngorms. At that time SNH argued that, rather than giving additional powers to the Park Authority to address these issues, the National Park Plan would provide the means to identify and resolve potential conflicts with the protection of the interests of the Park. However, given the relatively weak duty in the National Parks (Scotland) Act 2000 placed on public bodies to "...have regard to..." the Park Plan, a question mark remains over the extent to which the Authority will be able to exert influence on these bodies.

5-67 Within the present legislative framework, there are a number of means of directly increasing the influence of the Park Authority on land use and management within the Park which could be considered further, as follows.

- **Statutory consultee role** To complement the relationships it will establish as it prepares the Park Plan, the Park Authority could be given statutory consultee status on all matters affecting the area which are dealt with either by statutory undertakers (such as North of Scotland Water Authority and its successor, the power companies and the telecommunication operators), or by public bodies (such as the Crown Estate; Highlands and Islands Enterprise, Scottish Enterprise and the network of Local Enterprise Companies; the Deer Commission for Scotland; Scottish

Natural Heritage, and the Forestry Commission and Forest Enterprise). Referral powers to Scottish Ministers could provide further strengthening of this role of the Park Authority for certain types of proposals being considered by these statutory utilities or public bodies.

- **Article 4 Directions** These could also be used to bring under planning control a range of land use activities which are currently permitted development and therefore do not require formal planning consent. However, experience elsewhere suggests that these powers are seldom used. Nonetheless, use of Article 4 Directions could be encouraged by reference to such measures in any local plan or plans pertaining to the Park area. Alternatively, Ministers could seek to review permitted development rights in relation to a range of activities within the Park with a view to bringing them under full planning control. Such activities could possibly include: roads, tracks, buildings and mineral extraction associated with agricultural and forestry operations; river works affecting the structure of the river (including flood control) and extensive afforestation.
- **Reserve Powers** On occasion, the Park Authority may need 'last-resort' powers to protect wildlife and landscape interests from sudden threats. One way to do this would be for Ministers to formally give the Park Authority an ability to trigger reserve powers held by other public bodies, such as the Deer Commission for Scotland and SNH in respect to deer management, or SNH in respect to nature conservation. Alternatively, Ministers could provide the Park Authority with its own last-resort powers for stop activities, operations and developments. While intended as a measure for use by SNH in relation to SSSIs, the proposals for a land management order contained in the recent consultation by the Scottish Executive on the Nature of Scotland could be adapted for this purpose.

5-68 A range of checks and balances would be needed on the use of such powers, for example by restricting their application to certain circumstances or through the need to seek approval of Scottish Ministers. However, if the

Park Authority is to be clearly seen as a having a more direct role in land use and management within the area more than one of these options will need to be adopted.

5-69 Calls were made for the Park Authority to have powers in respect of traffic management and transport provision. We acknowledge the issues facing this area and the validity of these concerns. As proposed, the Park Authority will have powers to request traffic management orders for roads within its area. It will also have a means of influencing the content of local authority local transport strategies by the production of its own strategy, as a component of the National Park Plan, specifically addressing traffic and transport issues facing the Park area. Again, clear Ministerial guidance may be necessary to ensure that local authorities have regard to the Park Plan in the preparation of their Local Transport Strategies. Close liaison between the Park Authority and the Scottish Executive over the trunk roads network within the area will also be necessary.

5-70 The issue of affordable housing, expressed in both written responses and many of the community-led consultation reports, is common to many National Parks and to other parts of rural Scotland. However, mechanisms do exist to address such issues, and the Park Authority, in drawing up the Park Plan, will wish to work closely with the range of existing organisations with responsibilities in this area including the planning authority, the local and national housing authorities, local housing associations and the private sector.

Reporter's Advice

On the basis of the consultation undertaken, we conclude that the Park Authority should be given the general powers and functions set out in the National Park (Scotland) Act 2000. In addition, the National Parks Authority should be a statutory consultee on all matters affecting the area dealt with by public bodies, the local and national transport authorities, transport operators and the statutory undertakers who operate in the area. Referral powers to Scottish Ministers should also be considered for certain types of proposals being considered by these bodies. We consider that the provision of these general powers is essential if the Park Authority is to develop innovative approaches to taking forward the conservation and enhancement of the natural heritage of the area alongside the sustainable social and economic development of the area's communities.

Because of the third aim of National Parks, it will also be necessary for the Park Authority to assume the responsibilities and powers proposed for local authorities as part of the future access legislation.

We also recommend that approaches are actively pursued to provide the National Park Authority with a more positive role in promoting the sustainable use of natural resources within the Park. Measures that should be adopted include the development of a locally tailored agri-environment

scheme and a specific woodland grant scheme, to be developed by the Park Authority in conjunction with the Scottish Executive and the Forestry Commission respectively. Depending on the outcome of the proposed pilot scheme for land management incentives, a local rural development plan could also be prepared by the Park Authority for its area, which would effectively incorporate other schemes. The creation of one or more sub-committees to guide and support land management to ensure that it meets the four Park aims should also be considered. Because of the importance of deer management with the Park area, these sub-committees should include representatives from current Deer Management Groups in the area and from the Deer Commission for Scotland.

Provision for the Park Authority to protect wildlife and landscape interests from sudden threats may also be necessary. One approach to creating this 'backstop' would be to bring specified activities, operations and developments within the planning system through changes to the General Permitted Development Order. Alternatively, Ministers could formally give the Park Authority an ability to trigger reserve powers held by other public bodies for stopping damaging activities, operations and developments.

A summary of these proposals is contained in Tables 5-1 and 5-2.

SNH advice as natural heritage adviser

SNH supports this recommendation. In addition, we propose that the Park Authority be given effective last resort powers to protect natural heritage features. We suggest that the proposals for a land management order contained in the recent consultation document by the Scottish Executive on the Nature of Scotland could be adapted for this purpose. Consideration should also be given to passing the management of public land held by other bodies to the Park Authority in areas of the Park where this would provide the best means of securing appropriate management, consistent with the aims of National Parks.

Table 5-1: Summary of general powers proposed for the Cairngorms National Park Authority under the National Parks (Scotland) Act 2000

Power	Reference in Legislation	Scope
Management Agreements	Section 15	Provision for the National Park Authority to enter into management agreements to further the aims of the Park
Charges	Schedule 2, 1	Powers to fix and recover charges for goods, services and facilities
Advice and Assistance	Schedule 2, 2	Powers to provide advice and assistance
Research	Schedule 2, 3	Powers to undertake or fund research
Grants	Schedule 2, 4	Powers to give grants
Land Acquisition	Schedule 2, 5	Powers to buy and manage land either by agreement or by compulsory purchase
Byelaws	Schedule 2, 8	Powers to make National Park byelaws to further Park aims in respect to conservation, sustainable use and enjoyment and recreation on land and water
Management rules	Schedule 2, 10	Powers to make management rules within the framework of the Civic Government (Scotland) Act 1982
Miscellaneous corporate powers	Schedule 2, 15	Powers to enter into contracts, accept gifts, form or promote companies and partnerships

Table 5-2: Summary of functions and powers to be held by other bodies within the proposed National Park

Area	Responsible Authorities	Summary of Relevant Functions and Policies	Relevant last resort powers	Potential Powers and Functions of the National Park Authority
Town and Country planning	Local planning authorities, Scottish Executive	NPPGs, structure, local and subject plans, development control, Environmental Impact Assessment, article 4 directions, enforcement procedures	Yes	Power to draw up the development plan for the area jointly with the local authorities, including use of article 4 directions. Statutory consultee on development control matters and Environmental Impact Assessment
Infrastructure provision	Power companies, telecommunication operators, water authorities	Provision of infrastructure		Statutory consultee
Agriculture	Scottish Executive, Crown Estate Commission	Agri-support payments, ESA/CPS, Rural Stewardship Schemes, Farm Woodland Grant Scheme, farm diversification schemes, Environmental Impact Assessment		Development of land management incentive scheme for the National Park Statutory consultee
Forestry	Forest Enterprise, Forestry Commission	Management of forestry estate, felling licences, woodland grant schemes, local forestry frameworks, Environmental Impact Assessment	Yes	Development of woodland grant scheme for the National Park Statutory consultee
Conservation	SNH, Historic Scotland and local authorities, Scottish Executive	Grants, management agreements, land management, byelaws, nature reserves, scheduled monuments, listed buildings, conservation areas, tree preservation	Yes	Powers to establish nature reserves under the National Parks and Access to the Countryside Act Powers to manage nationally designated sites by agreement with Historic Scotland and SNH Statutory consultee
Deer management	Deer Commission for Scotland	Control of deer numbers	Yes	Development of strategic deer management plan for the National Park Statutory consultee
Freshwater management	SEPA, District Salmon Fishery Boards, local authorities, Scottish Executive	Fishing, recreational management and development, river works, flood defence, pollution control	Yes	Statutory consultee

Table 5-2 (continued): Summary of functions and powers to be held by other bodies within the proposed National Park

Area	Responsible Authorities	Summary of Relevant Functions and Policies	Relevant last resort powers	Potential Powers and Functions of the National Park Authority
Recreation	Local authorities, SNH, Scottish Sports Council	Access orders and agreements, management agreements, maintenance of footpaths and rights of way byelaws, access strategies, provision of rangers	Yes	General arrangements for access, provision to make access orders and agreements, acquire land and employ rangers. Duties to protect and maintain rights of way Access powers from the future Land Reform (Scotland) Bill. Statutory consultee
Visitor and tourism management	Local authorities, Area Tourist Boards, Local Enterprise Companies, Highland and Islands Enterprise, Scottish Enterprise, Visit Scotland, SNH	Strategic planning, tourist information centres, ranger services, interpretation and information, outdoor education, provision of camping and picnic sites and car parks, signing, country parks		Powers to provide: campsites, accommodation, meals and refreshments; information, education services and facilities; leisure facilities, and to encourage people to visit the Park Statutory consultee
Provision of housing	Local authorities, Scottish Homes, Scottish Executive	Strategic planning, grant-aid	Yes	Statutory consultee
Environmental protection	SEPA	Strategic planning, pollution control, waste management, water abstraction, Environmental Impact Assessment		Statutory consultee
Environmental services	Local authorities	Litter services, toilets, environmental improvement schemes		Statutory consultee
Economic development	Local Enterprise Companies, local authorities, Highlands and Islands Enterprise, Scottish Enterprise, Scottish Executive	Strategic planning, research and marketing, infrastructure projects, rural development funding, training		Statutory consultee
Roads	Local roads authorities, Scottish Executive	Strategic planning, Construction, maintenance and safety of highway network, cycle ways, environmental impact assessment		Statutory consultee
Traffic management	Local authorities, Passenger Transport Executives, Scottish Executive	Traffic management schemes, traffic signage, public transport services	Yes	Powers to request road traffic orders from Scottish Ministers