**National Parks Stakeholder Advisory Group**

**Note of meeting – 3rd July 2023 - online**

**Present**

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| **Name** | **Organisation** | **Name** | **Organisation** |
| Ian Aikman | Heads of Planning/Scottish Borders Council | Jayne Ashley | South of Scotland Enterprise |
| Douglas Cowan | Highland and Islands Enterprise | Sarah Cowie | National Farmers Union Scotland |
| James Davidson | Disability Scotland | Calum Duncan | Marine Conservation Society |
| Andy Ford | Cairngorms National Park Authority | John Mair | Forestry and Land Scotland |
| David Adams McGilp | Visit Scotland | Isobel Mercer | Royal Society for the Protection of Birds |
| Steve Micklewright | Trees for Life | David Miller | Scottish Landscape Alliance |
| Allan Rutherford | Historic Environment Scotland | Nikki Sinclair | Scottish Campaign for National Parks/ Association for the Protection of Rural Scotland |
| Helen Todd | Ramblers Scotland | Marcus Trinick | Scottish Renewables |
| Gordon Watson | Loch Lomond & The Trossachs National Park Authority | Stephen Young | Scottish Land and Estates |
| Pete Rawcliffe  Eileen Stuart  Laura Campbell | NatureScot | Donald Henderson (chair)  Jenny Gibbons  Nick Breslin | Scottish Government |

**Agenda**

1. Welcome – Donald Henderson, Deputy Director Nature Division, Scottish Government (Chair)
2. Update on future of National Parks in Scotland – Jenny Gibbons, National Parks Team, Nature Division *(background paper circulated with agenda)*
3. Comments, feedback and questions from Stakeholder Advisory Group members on draft appraisal framework and nominations process (notes below of points raised)
4. AOB and timing of future meeting(s)

Following the welcome and update from Scottish Government, there was an open session with questions and discussion as summarised below.

1. **Timings** - will we know by spring 2024 where we expect the National Park(s) to be?

*SG - Yes, it will be very clear by late spring or early summer next year which areas will be the formal National Park proposal(s).*

1. **Appraisal method**. SAG debated weightings and scorings at some length: can you provide more insight into that?

*SG - This is being discussed with analytical colleagues in SG, and there is a question about it in the current consultation. We’re interested in views on this. The scoring methodology will be published with the final version of the appraisal framework, but we can’t provide much more at this stage.*

1. How are you proposing to manage the potential for **legislative change** during the application process for new national parks – is there a risk of nominees feeling that the sands are shifting?

*SG - Ideally we’d wish to avoid looking at legislation at the same time looking to designate new Park(s), but we don’t have the luxury of being able to separate them given the timescale we are working within (i.e. the current parliamentary period). We realise there could be some tension with this, and we will try to manage it by being as open and transparent as possible. The proposals for changes to the National Parks (Scotland) Act 2000 will be published for consultation before being presented as part of a Bill for Parliament to consider. However, they should provide the direction of travel that Scottish Ministers are seeking. If there were to be changes that are agreed by Parliament, they would apply to existing and new Parks.*

1. How will you measure the **local support criterion**, and will there be opportunities for those who don’t support new National Parks to have their voices heard?

*SG - In the nomination process, the views from the local area both supportive and less supportive, can be aired. This is partly behind the idea of having some support to local areas, for example to facilitate some local discussions and capture some of the views in those areas. We will be able to provide a bit more detail when we come back with the scoring and weighting methodology for the appraisal framework. We are likely to be looking for evidence of local engagement, local support and the sort of the breadth of coverage of that local support.*

To clarify, if a nomination was put forward by a local community, would there then be a consultation of everyone affected; or would the onus be on the nominees to provide evidence of that support?

*SG - There are two phases here - an area deciding whether it wants to put forward a nomination, and in putting forward that nomination representing the local engagement that has taken place, local support for the proposal and the breadth of that support from that area. That's for that interested party or organisation to manage themselves. Then there is the later phase, if there is a decision from Ministers to go forward as a National Park proposal, there would then be a full public consultation within that area.*

*NatureScot - From past experience, NatureScot can offer reassurance about level of engagement and consultation at the reporting phase. One of the roles as a Reporter is to make it as clear as possible to Ministers what the levels of support and opposition, and the arguments being raised by both. This only really becomes possible during the reporting phase because you have a specific area and a boundary in mind, and more specific proposals about the powers and the governance of the park. During the nomination phase, it's still only in principle and without detailed proposals for powers and governance.*

*NatureScot - For the current National Parks, all the work that took place during the reporter investigation process is on the National Archive site at Libraries of Scotland. It's quite difficult to access, but you'll find the Reporter’s report plus the six or seven reports that we did on various aspects of consultation, including with land managers. It might be useful to make those reports accessible again on the NatureScot website. And looking ahead, we would welcome a discussion at some point about reporting work and what it might include. This group would be very useful to contribute to that as well, I think.*

1. The **combination of the criteria and the aims**. The remit to take a leadership role in tackling climate and biodiversity crises; there seem to be three strategic additional criteria and one focusing on visitor management. Are we expecting that a slight modification to the aims will pick up that strengthening role in demonstrating leadership on climate and biodiversity? It’s implicit in the overview of the strategic role, but it's not explicit. Where do we expect the real focus on leadership on the twin crises to come – out of the criteria or out of the aims?

*SG - It is implicit in the consultation on the appraisal framework, because there is a very explicit ambition that Ministers have put forward for national parks to take more of a leadership role on nature and* climate, as set out in the Scottish Biodiversity Strategy*. This ambition also is likely to be reflected in any proposed changes to the aims and powers*.

1. Managing the risks between the **parallel timescales and processes**. Does Scottish Government have any plans to do additional engagement or events about the legislative proposals, in addition to just the written consultation? It sounds like a large consultation covering a number of areas which could raise issues of how accessible it’s going to be.

*SG - That’s something we could factor in for the support for nominating groups. It’s worth bearing in mind that although it will be a broad consultation, it will be divided into specific sections and the national parks proposals will be in a standalone section. So it will be possible for respondents to focus on whichever part of the consultation is relevant to them, and it should hopefully be quite accessible and clear to all.*

*SG - More broadly, we're developing our communications strategy that will support the summer consultation and the launch of the nominations phase for new National Parks. In terms of engagement with partners, our door is always open*.

1. A specific question about the appraisal framework and the consultation, related to question two. This looks at the headline **national importance aspect of the criteria** and I was wondering what the reasoning was to separate them into two components rather than just reflecting what is essentially in the act now.

*SG - The intention was to break this criterion on national importance down into elements that nominating areas might want to reflect on, and consider what they might want to highlight as part of their nomination.*

1. Can you provide more detail on what the **support for nominating areas** would be?

*SG - We are close to finalising our tender specification for that support, but would still welcome views from the group on what you think nominating areas would require. We are assuming that a big part of it would be bringing people together, and making space available, facilitating discussions and reporting on those discussions. It is a non-financial offer so there will not be a pot of money available for nominating areas to spend. However, the organisation that is awarded the contract to provide support will be able to provide a range of services. They will not be able to prepare a proposal (it’s not a nomination writing service). But they can provide guidance on the selection criteria and advice on how a nominating group might want to respond to those criteria*.

*SG - One point to clarify on the support provided. There won't be direct funding being made to nominating groups, but there will be funding for the supplier that is providing support to those groups, to enable things. So for example, if you want to have a community meeting and you need to hire a venue and receive support with the organisation and facilitation of such an event, there will be funding available for those types of activities.*

1. Time scales between any potential legislative changes and the nominations: in the NatureScot advice there was a suggestion, which we talked about in this group, about having a **non-statutory policy statement** to guide nominees. Is Scottish Government thinking about taking that forward?

*SG - It's something that we've given consideration to. But there is a there is a tension between developing a national policy statement that is out of sync with current legislation. So we are not assuming that we will take that forward. The intention of the consultation that we're preparing on possible changes to the legislation will set out in writing what Ministers are proposing, with a series of questions to seek views on the areas where changes are proposed. Hopefully that will that will become clearer once the consultation is published.*

Communicating the proposals for legislative change will be really important.

1. First, looking at other consultations and discussions about policy options which are alive at present, how do you see the **interaction between the workshops** which are going to be quite extensive over the summer? On climate change and in particular land use and agriculture; bringing those conversations into the discussion that would intersect with the National Park debate. I could foresee some issues arising which won't necessarily be entirely consistent with the national parks consultation.

Second, I wonder what reaching out you're doing through the pilot **Regional Land use Partnerships**. They could be a proxy, if not wholly satisfactory for some of the wider engagement and the links through to communities, and might indeed prove some form of early learning on what the structure or remits of a new National Park might learn from. So really my questions are both about joining up with other discussions in related arenas.

*SG - We work within the Scottish Government’s directorate for environment and forestry. We also work closely and collaborative with other government directorates including those leading on agricultural reform and climate change.*

*SG - We are therefore very mindful of the needs across government to join up on these big policy challenges and areas of and reform. For any of the proposals that we have been developing on National Parks, we have actively engaged our colleagues across government and we're very mindful of the need to join up. Please keep flagging things if you feel that we're missing anything*.

*LLTNPA - The existing national parks are engaged with a lot of these agendas. We appreciate the next National Park might be different from the existing two, but a lot of the topics I'm sure will be similar. Both National Parks are obviously happy to help inform, and share our experience, without advocating anything.*

It will be important to consider opportunities to take any appropriate and useful learning from the ongoing RLUP work to ensure unnecessary duplication is avoided.

1. Is there a **link with existing designations**, particularly the UNESCO biospheres? Has there been any thought on how that sits with this National Park journey?

*SG - Yes, we are absolutely conscious that there are other designations and there's a lot of work happening relevant to new national parks in lots of parts of Scotland. In terms of any particular nominations, it would be for the relevant area to think through what the join-up or links might be, and give consideration to that as part of their nomination. We could then consider what that looks like as a package, rather than coming at it the other way around*.

*CNPA - Picking up on that point in relation to National Parks, it's an opportunity to look at things spatially across all of the different policy lines. Of course, it ultimately comes down to the next part of the conversation, about the powers. You can have a land use framework and a partnership, and that is essentially what a Park does in many ways. And you can align all the policies, and that is what we try to do in many ways as well. But we're not a regulator, we have very few statutory functions, and we're not the grant giver in many, many different cases. Once you align everything up, it's all done by influence and that’s where the role of the Park Authority is going to be really important.*

1. Injecting **coastal and marine** into the discussion, which is quite an interesting space at the moment with the announcement last week. It's early days, but just to have it noted. Also to find out if and how the people involved in national parks are engaged with the Marine Directorate. I know the Minister was keen on coast and marine, and there may be some communities that want one. I'm not joining the call to suggest any, but we need to make sure we have that means still on the table.

*SG - It is possible, given the size and nature of Scotland, that some communities/groups may wish to nominate an area for a new National Park that includes a coastline as part of their National Park proposal. Scottish Government will consider the merits and opportunities of all nominations that are submitted as part of this process. We work very closely alongside Marine Scotland colleagues and we have been in discussion with them, taking account of the proposals for Highly Protected Marine Areas the recent announcement on the need for further reflection and consultation.*

1. The five month **nomination period** is relatively short if we're looking at providing a level playing field for all proposals. Some are more developed than others and some will come out of the woodwork. Is that long enough to build the sort of local support, or test whether there is local support? Could it mean a proposal is tested at the formal stage, when actually you find that there's no support or not sufficient support? Does that mean you get no national park, or is it more likely - and this is the key part of the question - that will have a number of proposals coming forward into the statutory phase? Does that mean they need to test a proposal’s support more effectively? Is there the potential for one or two or even three proposals to go through to the formal stage?

*SG - We have looked very carefully at the time we have until spring 2026 and our project manager has worked through, in consultation with others, what we think each stage is going to take. We've planned that out as carefully and accurately as we can and five months is the absolute maximum that we think is available.*

*SG - One of the ideas of trying to level the playing field is the offer of support to nominating areas. This support offer can be used to help bring people together, and help to facilitate some of the discussions to help gauge whether there is enough local support. It can also help to draw out what are the opportunities for designating the area as a National Park, and also what are some of the challenges? The more that that can be brought out in the nominations process the better. We hope that five months, with the offer of support, will be enough for areas to be able to respond to the questions that we've posed, to the level of detail that that we're requiring at this stage.*

1. **AOB and timing of future meeting/s and action points**

SG are keen to continue this engagement and to make sure that it's the right form and the right frequency to reflect the needs of the Stakeholder Advisory Group and the point of the process that we're at. The next meeting has been suggested around mid-September, and we expect to have published the consultation on proposals for legislative changes by then. We could at least go through your initial digestion of the consultation and it gives us an opportunity to give a presentation on it. That could be as we've done today if this format works really.

We will plan for a meeting in mid-September. We weren't yet proposing a detailed time scale for how often we would meet after that, because we may have a better sense of what’s preferable at that discussion, and what people need e.g. how many regional meetings are taking place. This group may expand over time as other interests come forward.

**Actions**

**AP1 Scottish Government** to confirm dates for next meeting

**AP2 NatureScot** to arrange for the Reporter’s reports from the current Parks’ designations process to be more accessible e.g. on website.