

14 DECEMBER 2023

1 PURPOSE AND SUMMARY

- 1.1 The report sets out the process under which a new National Park for Scotland will be designated and the work undertaken to assess the potential for a National Park in the South of Scotland. It also seeks Members views on whether the Council supports the proposal being developed by the campaign for a Scottish Borders National Park in the Southern Borders.
- 1.2 It is accepted that National Park designation has the potential to bring a range of significant benefits to the region, helping to deliver key economic and environmental policy objectives. However, it is not without its opponents and potential negative impacts, based on the experience of other areas, including increasing house prices, additional bureaucracy, pressures on infrastructure and services, etc.
- 1.3 The Regional Economic Partnership (REP) have been working to develop a strategic South of Scotland approach for a National Park, as it was felt this had the greatest potential to explore the opportunities and maximise the potential benefits to construct a robust and persuasive case, building on existing 'Scotland Starts Here' branding, and strategies and frameworks for the South of Scotland. However, this has failed to gain support from the existing campaign groups and Dumfries and Galloway Council have recently reiterated support for the Galloway proposal. There are now two competing proposals in the South of Scotland and in the circumstances, it is not proposed to undertake any further work developing this concept at this time.
- 1.4 The Campaign for a Scottish Borders National Park have asked that Scottish Borders Council consider their proposal and have specifically asked for an indication of support. Officers have identified challenges with their proposed concept and do not feel that a compelling and cogent case has been made for a National Park in the Scottish Borders alone.
- 1.5 In view of the inability to get agreement on a strategic South of Scotland approach that would deliver the greatest potential benefits to the region and align more closely with key policy drivers and strategies, it is not possible to support a National Park in the Scottish Borders.

2 RECOMMENDATIONS

2.1 I recommend that Council: -

- (a) Note the nominations process for a new National Park(s) in Scotland has commenced and acknowledge the work undertaken to develop a strategic approach to a South of Scotland National Park and the work of the campaign for a Scottish Borders National Park; and**
- (b) Determine that it is unable to support the proposal by the campaign for a Scottish Borders National Park in the Southern Borders.**

3 BACKGROUND

- 3.1 The question of National Parks in Scotland has been debated since the 1930s. The key reports on National Parks are the 1945 Ramsay Report and the Countryside Commission for Scotland's reports in 1974 and 1990. None of these reports put forward any proposals in the Scottish Borders, with only a brief mention of St Mary's Loch as a possible back up in the 1945 report. All of the suggested proposals were within the Highlands of Scotland.
- 3.2 The National Parks Act was enacted in 2000 and subsequently two National Parks at Loch Lomond & Trossachs and Cairngorms were formally designated.
- 3.3 In 2006 and 2008, the Scottish Executive recommended a coastal and marine park for Argyll Island/ Lochaber and South Skye and in addition, plans were developed for an Isle of Harris park. For a variety of reasons, not least lack of public and political support, neither of these projects proceeded at that time,
- 3.4 The [Unfinished Business](#) document published by the Scottish Campaign for National Parks (SCNP) and the Association for the Protection of Rural Scotland (APRS) in 2013 set out the campaign's aspirations for the designated of all of the previously suggested National Parks in the highlands plus two new proposals; one for Dumfries & Galloway and a small area in the Cheviots. The Cheviot option was seen then as an extension of the Northumberland National Park and not a park in its own right. Priority they stated should be given to areas with highest local support or where there were greatest threats to the area's significance.
- 3.5 In 2016 a local pressure group formed to **Campaign for a Scottish Borders National Park**. The campaign seeks to promote the potential benefits of a National Park for the Scottish Borders, in an area adjoining the existing Northumberland National Park on the south side of the Cheviot Hills. The group have published a number of supporting reports, in line with the National Parks (Scotland) Act 2000, including a Feasibility Study, a Position Statement, and a Proposal paper, as well as reports on National Park Merits, Tourism, Governance, and Revenue and Costs on their own dedicated web site, which can be viewed here: [Scottish Borders National Park - Resources](#).
- 3.6 A similar campaign group formed in 2016 in Dumfries & Galloway to promote a National Park in Galloway, but they have focussed on the benefits of park status rather than defining a specific geography at this stage: [Galloway National Park Association](#). Dumfries & Galloway Council have indicated support in principle for the proposal.

4 NOMINATION PROCESS FOR A NEW NATIONAL PARK(S) FOR SCOTLAND

- 4.1 The signing of the Bute House Agreement between the SNP and the Scottish Greens in 2021, set out the new position of Scottish Government on National Parks and made a commitment to:

- *Designate at least one new National Park by the end of this parliamentary session (2026)*

- 4.2 The Scottish Government subsequently commissioned NatureScot in Spring 2022 to undertake research into the designation process for new National Parks, including consideration of the assessment criteria, their vision, mission, powers and governance but not specifically into any particular geographies.
- 4.3 A National Parks Stakeholder Advisory Group of experts was set up and Officers from the Council (under the auspices of Heads of Planning Scotland, (HOPS) and South of South of Scotland Enterprise (SOSE) contributed to this working group. NatureScot also carried out extensive public consultation as well as targeted engagement with interest groups, including the Scottish Borders and Dumfries & Galloway Campaign Groups.
- 4.4 NatureScot published their findings and submitted their advice to Scottish Government in February 2023. On the basis of this advice, Scottish Government set out a nomination process and produced an Appraisal Framework to support the assessment of nominations for new National Park designations. A consultation on the framework was launched and concluded in August 2023 and the formal [Nomination Process](#) was launched in October 2023. This extends for a 5 month period and concludes on 29th February 2024.
- 4.5 The Appraisal Framework sets out 6 key criteria against which nominations will be appraised, which will support the selection of National Park proposals to be taken forward for designation. These are set out in the table below:

Outstanding national importance	Is the area of outstanding national importance due to its natural heritage or the combination of its natural and cultural heritage?
Size, character and coherence	Does the area have a distinctive character and a coherent identity? Does the area's size justify designation?
Meeting the special needs of the area	Would National Park designation meet the special needs of the area? Would designation be the best means of ensuring the National Park aims are collectively achieved in a coordinated way?
Strategic contribution	Would designation of this area as a National Park bring wider benefits to Scotland as a whole (e.g. through its contribution to climate action, nature restoration, nature-friendly farming, green skills and jobs, responsible investment in natural capital)?
Visitor management and tourism	Would designation have a positive effect on visitor management, public understanding and enjoyment of the area and sustainable tourism?
Local support	Is there evidence of local community engagement and participation in developing this proposal?

	<p>Is there evidence of local support for this proposal? Does the nomination reference any opposition to this proposal?</p>
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4.6 The timeframe and key steps for the designation process is set out in the table below:

<p>2022-23 - National Discussion</p> <p>Consultation: the future of National Parks in Scotland.</p> <p>Consultation: selecting new National Parks and changes to National Parks' powers and functions.</p>
<p>2023-24 - Nominations and Appraisal</p> <p>Development of appraisal framework and public consultation.</p> <p>Nominations for new National Parks.</p> <p>Appraisal of nominations.</p>
<p>2024-25 - Reporter Investigation</p> <p>Ministers announce proposal for new National Park(s) and Reporter investigation begins.</p> <p>Consultation on new National Park proposal.</p> <p>Report to Ministers.</p>
<p>2025-26 - Designation</p> <p>Development of draft Designation Order.</p> <p>Consultation on draft Designation Order.</p> <p>Designation Order laid in Parliament.</p>

4.7 Scottish Government has confirmed that a number of areas across Scotland have pre-registered their interest in submitting a nomination, which are:

1. Galloway
2. Scottish Borders
3. Tay Forest
4. Lochaber
5. Eilean a' Cheo (Skye and Raasay)
6. Affric to Alladale
7. Glen Affric
8. The Lammermuirs
9. Largo Bay
10. Loch Awe

- 4.8 Scottish Government have also committed during the 5 month nomination period to provide support from an external organisation to individuals, groups or organisations have requested such support to build their bid case.
- 4.9 Scottish Government has acknowledged that where nominations do not succeed in being proposed for National Park designation, they may seek to contact nominating groups to discuss the contents of their nomination and any viable alternative options, particularly where there is the potential for nominating groups to make a significant contribution to nature restoration and climate change mitigation in their areas.

5 CONSIDERATION OF A NATIONAL PARK IN THE SCOTTISH BORDERS

- 5.1 The Local Development Plan (LDP) Main Issues Report consultation in 2018/2019 included questions about the potential for a National Park in the Scottish Borders, its possible boundaries and operational model. There were mixed responses to this, although there were more responses offering support for a National Park in the Scottish Borders than were against. In addition, there were a wide range of different geographies across the Region that were suggested for potential designation.
- 5.2 When the Proposed LDP was reported to Council for approval on 25th September 2020, the report expressed no specific position on a National Park for the Scottish Borders, reiterating that designation was ultimately a matter for Scottish Ministers following an assessment and recommendation by their advisors NatureScot. As the Scottish Ministers had not yet decided a position, the LDP could not make any formal designations nor policy references at that point in time.
- 5.3 In the subsequent period, Officers have continued to engage with the campaign group and considered their reports and submissions. There was concern that the group had started with a proposal for a specific geography rather than carrying out an independent analysis of qualifying requirements and the broader case for a National Park in principle first. It could appear that this was fitting the justification for a National Park to their preferred option rather than establishing the case and then determining the particular location best suited for a National Park. There are other areas in the Scottish Borders that have an equal, or more immediately obvious justification for designation, for example; in our National Scenic Areas plus areas such as Tweeddale, Berwickshire Coast or the Tweed River catchment.
- 5.4 Officers were concerned that further work is needed on the potential economic benefit case presented for the benefits of designation, as set out in the campaign's reports. Although the potential economic benefits from a National Park designation could be significant for raising the profile of the area as a visitor destination, the designation of a National Park on its own (the proposal to "designate and they will come") is simplistic and over-optimistic and would need more consideration working with the tourism sector and communities. There was also limited recognition, until recently, of the natural capital, net zero and climate change aspirations set out by the Minister for new National Parks. The most recent submission from the campaign group does further address this to a degree but primarily highlights the additional protection that designation may bring rather than

addressing the key priority for National Parks to unlock increased action that leads to nature recovery and a just transition to net zero promoted by Scottish Government and NatureScot. However, it is acknowledged that through the nomination process the campaign will have the ability to develop the case and strengthen their arguments in this regard when preparing their responses to the assessment criteria and questions.

- 5.5 Whilst the campaign group have advocated a light touch administration and governance arrangement for the National Park, and the specific retention of planning powers for the Council, this is not within their gift and will be determined by Scottish Government through the designation process. Both existing National Parks have planning powers, and the indication is that a new National Park would need to have suitable powers to deliver the wide-ranging policy objectives set out in the government's vision. There is also likely to be other, as yet unspecified, demands on the Council's resources to support the establishment and administration of a new National Park, if designated. In addition, the financial costings in the group's submission are now likely to be out of date and as a result an underestimate of the set up and operational revenue costs.
- 5.6 On balance, it is not felt that a compelling and cogent case has been made for a National Park in the Scottish Borders alone and that there is potential risks and costs associated with such an approach. In the circumstances, an alternative option was examined looking at the potential for a strategic approach to a National Park on a South of Scotland basis.

6 SOUTH OF SCOTLAND APPROACH

- 6.1 The opportunity of a National Park was discussed at the Regional Economic Partnership when considering the Regional Economic Strategy's (RES) delivery plan. Partners agreed in Action 5 (E) of the delivery plan commits to:
- *Explore the feasibility, including innovative approaches to administration and management, of a National Park in the South of Scotland*
- 6.2 The RES delivery plan committed partners to explore the benefits and feasibility of such a proposal, drawing in and building on existing work, on the emerging new South of Scotland Responsible Tourism Strategy, the Regional Land Use Partnership (RLUP), and the Borderlands Natural Capital Programme, including positively exploring potentially innovative models for efficiently administering and managing a new National Park.
- 6.3 Officers have been engaging in constructive discussions with colleagues from SOSE, VisitScotland, and Dumfries and Galloway Council as well as positively engaging with Scottish Government and NatureScot on the potential for a National Park in the South of Scotland, linked to this commitment. A number of meetings at Team South of Scotland have focussed on the National Park question and a small cross organisational working group was formed to take this work forward. A round table discussion between partners and Scottish Government and NatureScot officials also took place in June 2023 to discuss the appraisal and nomination process and the options for a South of Scotland proposal.

- 6.4 The working group considered that there was a significant opportunity to build on the work undertaken by the campaign groups in both the Borders and Galloway, to develop a strengthened case that could be developed by focussing on a single strategic proposal for a South of Scotland National Park. This could be a multi-locational model with a single administration, incorporating both of the current proposals in some form but including other potential localities as well. It was felt this would more closely align with the Scottish Government's vision for new National Parks that utilise innovative approaches with a clear focus on climate change, nature and natural capital benefits, as well as addressing more traditional issues of economic development and tourism. The ability of a National Park to deliver significant positive outcomes on the key twin crisis of climate change and biodiversity is a key consideration of the Scottish Government in deciding the location of a future National Park in Scotland, and it is felt that a stronger case can be made on delivery on those policy objectives on a strategic South of Scotland basis.
- 6.5 The group also felt that such a strategic approach would align with and complement the other strategies and frameworks developed in the South of Scotland in recent years. In particular, the Borderlands and Edinburgh and South East Scotland growth deals, which have linked Regional Spatial and Economic Strategies that promote the region's economy, tourism offer, placemaking, transport and climate change, natural capital and net zero aspirations. There was also the potential to link to the work of the Regional Land Use Partnership in developing a Land Use Framework for the South of Scotland. It would also build on the branding of South of Scotland as – 'Scotland Starts here'.
- 6.6 In order to take this strategic concept forward and before committing any additional resources, the broad concept was discussed with Members of both Councils and both campaign groups. Whilst Scottish Borders Council members were content to see this idea tested, neither campaign group was receptive to the idea, and understandably did not want to see a deflection of attention from their respective proposals. Subsequently, Dumfries & Galloway have reiterated their support for the Galloway proposal. It is regrettable that we now have two competing proposals in the South of Scotland and that we have been unable to build a collaborative working approach at this point in time.
- 6.7 In the circumstances, it is not proposed to undertake any further work in developing this approach. However, if neither proposal in the South of Scotland is successful in being taken forward for designation, and there are other rounds of nominations proposed, then it may be worthwhile revisiting the concept and identifying suitable resources to develop the idea.

7 IMPLICATIONS

7.1 Financial

There are no direct costs to the Council attached to any of the recommendations contained in this report. At present, no resources have been identified to support a National Park bid in the Scottish Borders. The approval of the creation of a National Park in the Scottish Borders is likely to have significant cost implications for the Council.

7.2 Risk and Mitigations

The risks around the creation of a new National Park in the Scottish Borders are not fully understood at this point in time and would need to be explored fully if this proposal is progressed.

7.3 Integrated Impact Assessment

An IIA assessment has not been undertaken and would be completed if the proposal to create a National Park in the Scottish Borders is progressed.

7.4 Sustainable Development Goals

The creation of a National Park in the Scottish Borders has the potential to support a number of SDGs, including Goal 3 – Good Health and Wellbeing; Goal 8 – Decent Work and Economic Growth; Goal 13 – Climate Action; and Goal 15 - Life on Land.

7.5 Climate Change

The qualifying criteria for the designation of a new National Park include assessment of how a park would address the joint crisis of Climate Change and Biodiversity loss. Designation has the potential to make a positive contribution and develop innovative means of tackling these issues and promoting a “Just Transition”.

7.6 Rural Proofing

Rural Proofing is not required as the proposals in this report do not relate to new or amended Council policy or Strategy.

7.7 Data Protection Impact Statement

There are no Data Protection implications in the proposals contained in this report.

7.8 Changes to Scheme of Administration or Scheme of Delegation

There are no changes required to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals in this report.

8 CONSULTATION

- 8.1 The Director (Finance & Procurement), the Director (Corporate Governance), the Chief Officer Audit and Risk, the Director (People Performance & Change), the Clerk to the Council, and Corporate Communications are being consulted, and any comments received have been incorporated into the final report.

Approved by

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Background Papers:
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