

CONSULTATION

Response Document



The Future for National Parks in Scotland

30 November 2022

NatureScot Commission

Introduction to CIEEM

The Chartered Institute of Ecology and Environmental Management (CIEEM), as the leading membership organisation supporting professional ecologists and environmental managers in the United Kingdom and Ireland, welcomes the opportunity to comment on this consultation.

CIEEM was established in 1991 and has over 6,000 members drawn from local authorities, government agencies, industry, environmental consultancy, teaching/research, and voluntary environmental organisations. The Chartered Institute has led the way in defining and raising the standards of ecological and environmental management practice with regard to biodiversity protection and enhancement. It promotes knowledge sharing through events and publications, skills development through its comprehensive training and development programme and best practice through the dissemination of technical guidance for the profession and related disciplines.

CIEEM is a member of:

- Scottish Environment Link
- Wildlife and Countryside Link
- Northern Ireland Environment Link
- Wales Environment Link
- Environmental Policy Forum
- IUCN – The World Conservation Union
- Professional Associations Research Network
- Society for the Environment
- United Nations Decade on Biodiversity 2011-2020 Network
- Greener UK
- Irish Forum on Natural Capital (working group member)
- National Biodiversity Forum (Ireland)
- The Environmental Science Association of Ireland

CIEEM has approximately 720 members in Scotland who are drawn from across the private consultancy sector, NGOs, government and SNCOs, local authorities, academia and industry. They are practising ecologists and environmental managers, many of whom regularly provide input to and advice on land management for the benefit of protected species and biodiversity in general.

This response was coordinated by Members of our [Scotland Policy Group](#).

We welcome the opportunity to participate in this consultation and we would be happy to provide further information on this topic. Please contact Jason Reeves (CIEEM Head of Policy) at JasonReeves@cieem.net with any queries.

1. Section 1 – The Role of Scotland’s National Parks

This section examines the role of National Parks in Scotland and sets out proposals for refreshing the approach to National Parks.

At present, Scotland’s two National Parks cover 7.2% of its land area. Establishing more National Parks will increase this total, bringing Scotland more in line with other parts of the UK (for comparison, the 10 English National Parks cover 9.3% of England and the 3 Welsh National Parks cover 19.9% of Wales). How do we enable the National Park designation to deliver more for each of these areas and Scotland as a whole?

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- The role of National Parks
- The statutory Aims of National Parks
- Powers and Functions of National Park Authorities
- Diversity in approach

The role of National Parks (Q1-7)

1. Do you support “leadership of nature recovery and a just transition to net zero” becoming the overarching purpose of Scotland’s National Parks? If not, what else would you propose?

Yes, given these are crucial to achieving these twin objectives. There was overriding support at the joint policy event CIEEM held with the BES Scottish Policy group¹. The future of our national parks should be focused on the simple adage of the 2010 Lawton Report² *Making Space for Nature* – More, Bigger, Better and Joined Up.

- More - there needs to be more sites for nature conservation, of which designating new National Parks is part of this process.
- Bigger – there needs to be much greater ambition and landscape-scale nature restoration projects from summit to sea, with the focus on tackling the challenges, rather than looking at the barriers. National Parks allow the opportunity to make connectivity work at a landscape scale.
- Better – nature recovery should be the prime purpose. Wildlife and landscapes within a national park should be demonstrably better than those outside the boundaries – e.g. better quality habitats throughout, such as % woodland cover, % native tree species planted, state of designated features, extent and improved state of degraded peatlands, state of the wider countryside, species populations and recovery of rare and endangered species.

¹ <https://cieem.net/policy-debate-on-national-parks-in-scotland>

² Lawton, J.H., Brotherton, P.N.M., Brown, V.K., Elphick, C., Fitter, A.H., Forshaw, J., Haddow, R.W., Hilborne, S., Leafe, R.N., Mace, G.M., Southgate, M.P., Sutherland, W.J., Tew, T.E., Varley, J., & Wynne, G.R. (2010) *Making Space for Nature: a review of England’s wildlife sites and ecological network*. Report to Defra.

<https://webarchive.nationalarchives.gov.uk/ukgwa/20130402151656/http://archive.defra.gov.uk/environment/biodiversity/documents/201009space-for-nature.pdf>

- **Joined Up** - initiatives should be linked across the National Parks. Nature recovery actions should be holistic and be embedded across the landscape and linking with nature networks outwith the park boundary. Landscape-scale projects should be viewed as opportunities to deliver multiple benefits in a joined-up manner – nature networks, pollination corridors, natural flood management, well-being walks, etc. and make what happens in our National Parks relevant to all. Joined up can also refer to partnerships. National Parks function most effectively when they are the product of partnerships between all concerned parties.

Additionally, the National Parks should have a key role in conserving and enhancing geoheritage given its key role of supporting and underpinning habitats and species. Likewise, natural beauty and scenery must be given greater weighting given the weakness in the current legislation, policy and operation of National Scenic Areas.

In the application of the four-fold purposes of National Parks as set out in the National Parks (Scotland) Act there have been cases where a greater emphasis has been placed on the fourth purpose of sustainable social and economic development than on the first purpose. A conflict between objectives and the duty under Section 9 (6) often arises. A weakness is that the Sandford Principle applies to Park Authorities but does not apply to all public bodies operating within the Parks' boundaries. An overarching principle would provide some clarity.

2. Which of the proposed elements of leadership and action set out in the list above do you support? What others - if any - would you propose?

The first four elements are essential. Their operation should be informed by the outcomes from independent objective research, and ensuring ecological expertise is woven into the decision making process. Care needs to be given to the last three elements with these overtaking the overriding environmental objectives of the National Parks. We would suggest seven or fewer elements would be best as anymore would risk too many ideas and confusion.

Would like further clarity on the final (7th) role. Can you have an 'optimum' outcome for people, nature and landscapes without the implied suggestion that this will always be a 'balance' - and the risk we retreat to a mediocre position where actions are only taken where they are acceptable to all three elements (or at least not unacceptable to all). However, we do support the leadership role outlined. National Park Authorities have an important role as trusted leaders and facilitators in partnerships and a convening hub for landscape scale initiatives. A National Park Authority's role could be further enhanced to be more focused on creating active partnerships.

The fifth proposed element should be strengthened to specify "responsible private investment in natural capital" and should refer to the Scottish Government's Interim Principles for Responsible Investment in Natural Capital.

To ensure a long-term and just transition to a net zero, nature-positive economy, there needs to be clear policies and implementation measures to ensure that environmental considerations are given true weighting over and above traditional economic considerations. The most salient point of the Dasgupta review³ is that "Our economies, livelihoods and well-being all depend on our

³ Dasgupta, P. (2021), The Economics of Biodiversity: The Dasgupta Review. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/962785/The Economics of Biodiversity The Dasgupta Review Full Report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/962785/The_Economics_of_Biodiversity_The_Dasgupta_Review_Full_Report.pdf)

most precious asset: Nature. Truly sustainable economic growth and development means recognising that our long-term prosperity relies on rebalancing our demand of nature's goods and services with its capacity to supply them. It also means accounting fully for the impact of our interactions with Nature across all levels of society." The findings of the Dasgupta review can help inform policy direction in the National Parks where tensions arise between economic opportunities/ drive for productivity with climate and biodiversity objectives.

National Parks need to be the foci for nature restoration at a faster and larger scale than what may be possible elsewhere. National Parks need to be exemplars of best practice.

3. What opportunities are there for National Parks to generate private investment in natural capital?

Private investment is an important element of funding for national parks and other protected areas, but this must not be used as a way to ignore the need for public finances that are needed for statutory functions but can also help to attract private finance.

There are opportunities for emerging financial support. Private finance support is huge and often just waiting for ambitious projects that a co-ordinated approach can help generate. Revere⁴ is delivered through a partnership between Palladium and the UK National Parks. They catalyse private finance to restore the UK's 15 National Parks at the scale and pace needed to tackle the climate emergency and biodiversity crisis. Amongst other objectives, Revere helps design nature restoration projects, raises private capital to fund them, and generates revenue through sale of ecosystem services.

Clear protocols are required to be drawn up by Environmental Standards Scotland and rigorously implemented by the National Park Authorities. This would allay legitimate concerns arising from recent land purchases and avoid greenwashing. We support the Scottish Government's Interim Principles for Responsible Investment in Natural Capital.

The approach of Wildland Limited⁵ with its restoration work on the Glenfeshie Estate provides a good example, with a clear long-term vision and supporting actions to deliver at a level well beyond what most public sector bodies envisaged. Cairngorms Connect⁶ is another example of private, public and agencies working together in a single partnership and across a joined up landscape to deliver at a vast scale and attracting significant quantities of external funding.

4. What role should local communities play in the National Park and how should National Park authorities work with and for them to secure a just transition?

It is important to consider communities and their complexities. Who are the local communities? How are they engaged or served by the National Park? Local communities should be given a real voice, not just part of a consultation process. It is imperative that governance structures allow for community voice and representation at all stages including proper representation of local communities on the governing body of the National Park Authority. There needs to be a contract between local communities and the nation, as represented by the Scottish Parliament, to recognise the duality of the roles and the overarching context set by legislation.

⁴ <https://revere.eco/>

⁵ <https://wildland.scot/>

⁶ <http:// Cairngormsconnect.org.uk/>

More resources and funding are needed to connect schools to National Parks. Educating children can be a catalyst for change and a central goal for a just transition. The Cairngorms Junior Ranger project⁷ as well as the John Muir Award provide great opportunities for youth involvement. Likewise, citizen science and citizen action are important for examples the Cairngorms Rare Plants and Wild Connections Project⁸.

There have been many changes since the two existing national parks were designated including communications (social media), economic development, increasing transport/mobility, increasing number of visitors, increasing expectations, awareness of the importance of mental health and access to the countryside (especially with COVID-19). These issues are central to many. National Parks can only work effectively, and a just transition secured, if communities feel directly engaged and involved in decision making processes. Note that it is not just local communities but also communities of interest, such as people taking recreation, that have an interest.

We need to make sure that what happens in our national parks is relevant to others. National Parks must connect to urban populations and also decision-making masses. They must embrace diversity. Why not have a Loch Lomond Visitor Centre in Glasgow (connect also to emerging proposals for a Glasgow National City Park), a Cairngorms centre in Aberdeen, etc?

5. Do you support a “vision and mission” for all of Scotland’s National Parks being clearly set out in a national statement? If not why not?

Yes. A National Statement that sets out the Scottish “vision and mission” for National Parks would be useful to provide further clarity on the role of National Parks and to promote their work more widely. A National statement will also ensure that there is more rigour in implementation by the National Park Authorities than there has been to date. Being clear about the priorities is essential as there is currently confusion as to whether National Parks are social and economic development areas or natural and cultural restoration and conservation areas.

Any National Statement that is developed needs to provide clear recognition and encapsulate the differences between the National Parks both now and also in the future.

A vision and mission statement will make expectations clear for all. For example, expectations of land remaining the same needs to be managed. Restoration, not just preservation should be the key outcomes.

The national vision should also clarify what organisations need to recognise about our National Parks and their role in assisting delivery of national priorities.

6. If you favour a national statement for Scotland’s National Parks being developed, what else should it cover?

The National Statement should address how National Parks will contribute fundamentally to addressing the twin crises of climate change and biodiversity. Working with nature, mimicking nature and putting natural processes at the centre point are needed, alongside innovative and creative approaches.

⁷ <https://cairngorms.co.uk/caring-future/education/learning/junior-rangers/>

⁸ <https://www.plantlife.org.uk/scotland/our-work-scotland/projects-scotland/cairngorm-wildflowers-project>

Clarity on the “*Duty to have regard to the National Park Plan*”. We urgently need to move away from the very weak 'duty to have regard to....' to a direct policy instruction to work and act differently within our National Parks. It must be clear how state agencies such as Forestry & Land Scotland, Scottish Water, NatureScot and SEPA need to recognise the difference required from them in the way they operate within national parks – enhanced grant levels, priority actions, native tree planting % targets, etc. Other bodies need to be part of the process and given directions and duties to act, not just take regard to. Early engagement in the development and direction of the National Park Plan will empower a sense of ownership and long-term commitment.

7. To what extent should new National Parks be about the future potential of an area for nature restoration as well as what’s currently in place

Yes, the new National Parks should be about the future potential of an area for nature conservation and restoration. What could the area become, not just what it is currently. In comparison to 1999 when the debate around the two existing national parks was in full flow, so much has changed beyond recognition or prediction in terms of biodiversity loss and climate change. Therefore, any designation needs to meet changing conditions, creating resilience to a shifting baseline and realised future potential. Climate change (greater storminess, more high precipitation events, periods of drought, warming of the seasons) is inevitably leading to change in the natural environment and this needs to be taken account of. The effects of climate change will need to be effectively monitored to ensure adaptive management occurs to assist the positive trajectory to nature recovery and restoration.

Also, there are many examples of destruction of natural features and processes both abiotically and biotically that will need to be reversed if National Parks are to succeed in the longer term.

There is a great opportunity for National Parks to expand their role in delivering nature recovery and restoration at-scale. With additional support to build on the existing positive measures that the National Parks are taking, more and more areas within the parks should meet the criteria and, over time, count towards the 30% target. For example, it may be helpful to consider where National Parks can lead on nature restoration through land managed directly for nature, IUCN category 2, with active management for restoration and ecological links to build ecosystem wide resilience via Nature Networks.

The statutory Aims of National Parks (Q8-12)

8. Are any specific changes to the existing four Aims required? If so why, and what are they?

We suggest a primary aim to restore nature within the National Park (and natural processes), so the emphasis is on action for nature recovery. The world is very different now from 20 years ago and the twin existential threats of loss of biodiversity and climate change requires a new focus, new priorities and new responsibilities.

Section 9 (6) balancing duty must be kept; the use of the word 'must' in the statute is essential and acts as an overriding duty of the National Park Authorities.

The definitions need some adjustment. Natural heritage needs to recognise the process dynamics as the current wording is based on the original definition of SSSIs in the 1949 National Parks Act.

Something along the following lines would be more suitable 'Natural heritage comprises the features of species, habitats, geology and geomorphology and the natural processes which have resulted in their existence and will determine their survival'. Other areas that are missing are carbon sequestration, climate change adaptation, adaptive management and increasing natural capital.

9. Which of these possible options, or mix of possible options, do you think would help strengthen the focus and contribution of National Parks, and why?

The preference would be for an overarching statutory purpose as stated in option three as that should be the new approach in view of the priority of addressing the twin crises of climate change and biodiversity. See comments for question eight. The four aims can remain beneath that purpose with Section 9 (6) remaining as the strict duty.

10. Are there other options that could be considered? If so, what are they?

The aims need to be evidence based. Baseline data and monitoring are essential to determine the success or otherwise of strategies. We would like to see monitoring and evidence based decisions as a focus of the aims. Monitoring should align with existing international standards where possible. This will enable better reporting of UK PAs.

Change to the Sandford principle to extend it to all public bodies operating in the parks, not just the National Park Authorities.

11. Do you think there should be any changes to the wording in the Act to require public bodies to support delivery of National Park Plans? If so, what would you propose?

There needs to be a stronger duty on Park Authorities and other public bodies to achieve the National Park Plan. The 'have regard to provision' is far too weak. It needs to be removed and a stronger duty placed on all public authorities. It is best drafted as a positive 'must do' duty with specific mention made of key agencies and public bodies (SEPA, NatureScot, Scottish Water, Forest and Land Scotland, and Marine Scotland) to whom this applies and in what context it should be followed. It is not just taking direct actions on their lands, but also their grant-giving powers, funding and resourcing, licensing powers etc. within the National Parks.

Currently National Park Plans are not viewed enough as a joint working approach. Early involvement of different bodies, organisations and stakeholders in National Park Plans may help with this. There needs to be accountability of stakeholders to help avoid 'woolly wording' of responsibilities and expectations. Clear wording, expectations and trust building between stakeholders is paramount, plus clear recognition of the added value.

There are several examples where the statement in italics has not been the case '*While the track record of partnership working by public bodies in National Parks is strong, issues can arise between policy objectives which may slow or block delivery of the Park Plan.*' For example, the recent application for a salmon farm (the largest in the UK), within Loch Lomond and The Trossachs National Park (Planning Application 2021/0357/DET). This was supported by NatureScot and Forestry and Land Scotland, it was the National Park ecologists and landscape experts and ultimately the full National Park Board who rejected it. Likewise, another planning application within an SAC at Loch Katrine (Planning Application 2020/0260/DET), was opposed by both Loch Lomond and The Trossachs National Park and Forestry and Land Scotland, but NatureScot

withdrew their initial objection and the planning application was ultimately approved against the National Park officers' recommendation. As well as being within the edge of the Trossachs Woods Special Area of Conservation (SAC), the application site overlaps with Ben A'an and Brenachoile Site of Special Scientific Interest and a National Scenic Area, effects on which would not be covered by the HRA process. We therefore need to strengthen the decision making process to fully capture all important aspects of planning applications set within National Parks.

Analysis could be done on how to most effectively link five-year plans to deliver long-term objectives.

12. Do you have any other suggestions for improving partnership working to support the implementation of the National Park Plan by all?

There should be a concordat agreed between each National Park Authority and the public sector partner authorities that can be independently assessed for compliance by Environmental Standards Scotland.

Powers and Functions of National Park Authorities (Q13-16)

13. Could any of the existing powers and functions be used more effectively? If so, which ones and how?

An important power that can cause problems and could be improved is local planning control. It can divert resources within the National Park Authority into dealing with routine and even minor detail on development control that has little or no impact on the National Park purposes.

A review of existing planning powers and the differing arrangements between Cairngorms National Park Authority (whose power is restricted to calling in only those applications that would seem to be of importance < 50/year) and Loch Lomond and Trossachs National Park Authority (which, as a full Planning Authority assesses between 4-500 per year) should be conducted to evaluate how planning operates and how and where this could be modified or strengthened. This is particularly in light of the requirement of the Planning (Scotland) Act 2019 that all development should, amongst other key outcomes, secure positive effects for biodiversity.

In the new and existing National Parks it is crucial to balance both the potential negative and positive impacts of increased tourism, including the appearance of second homes and Airbnb's. Lack of affordable housing is an increasing issue for residents.

14. Are any of the existing powers or functions redundant or unnecessary? If so, which ones and why?

See comments above around detailed planning control.

15. What, if any, changes to the powers and functions in these areas should be considered and why?

National Park Authorities have the potential to provide examples of best practice and a coordinated strategy and delivery of the Agricultural Bill, Scottish Biodiversity Strategy, NPF4 and land reform.

This is a vital area that will need change with respect to other government policies and funding mechanisms that can conflict or weaken National Park purposes. Primary in these is the operation

of the support regimes for land through agriculture and forestry. The current agricultural system based on the Single Farm payment and poorly funded agri-environmental schemes is not fit for future purposes of soil management, carbon sequestration, biodiversity restoration and landscape improvement to name but a few. A radical revision is required based on the principle of 'public money for public goods' with, in this case the public goods being the National Park. This ties in with the current consultation on the Scottish Government Vision for Agriculture. National Parks would seem an ideal place to explore and pilot new arrangements that could deliver on a wide range of ecosystem services.

In forestry, the balance within the grant scheme needs to radically shift towards favouring the planting of native species and the maintenance of existing woodlands that occur within protected areas, including National Parks and stricter controls placed on methods used for afforestation, thinning and felling. These are important within the boundary of the National Park, but also for any cross-boundary effects on for example wide ranging species, on water quality, and soil and nutrient loss.

The National Park Authority should therefore have the power to intervene in any decision by other parts of the public sector which have an effect inside or adjacent to the National Park that are considered to have a detrimental effect on its purposes and aims.

As mentioned previously the powers, functions and duties of other public bodies and agencies (SEPA, FLS, NatureScot, Scottish Water, Marine Scotland, etc) should be changed so as to give them a clear duty to operate differently within a National Park (not just 'have regard to'), so as to actively restore nature on their own lands and in all the functions they undertake - licensing, levels of grant support, native species % planting, etc.). These powers, functions and duties should have the same weight as those for designated sites including SACs and SPAs.

16. Are there any other areas where strengthened or new powers and functions will be needed by the National Park Authority? If so, what are they?

See response to question 15. In addition, specific powers to control and indeed ban the use of activities that have significant environmental impacts e.g. jet skis on water bodies, off-road motorbikes within National Parks.

Diversity in approach (Q17-18)

17. Should the powers and functions of National Park Authorities be decided on a Park by Park basis? Should any apply to all National Park Authorities? If so, which ones and why?

There must be overriding, and overarching purposes, duties and responsibilities applied uniformly to all National Parks. One would be that they are all focussed on restoring nature (so an active restoration mandate and duty). Also, we would suggest the requirement to take an integrated approach to land use within each National Park, using an Ecosystem Services Approach and as a minimum, aligning to existing regulatory requirements. For example, the requirements of the Habitats Regulations apply to SACs/SPAs and (through planning policy) Ramsar sites; and to EPSS regardless of whether or not these are located in National Parks. Any development affecting such sites or species within National Parks should expect to undergo more stringent scrutiny in planning control processes than development affecting such sites and species outside National Parks.

There may be specific duties to reflect the needs of the natural and cultural heritage of an individual park and take account of local circumstances. These should have been assessed independently to help in the decision-making process.

18. Are there any changes you would want to see to the governance and management arrangements of all National Park Authorities?

Any changes to the statutory Aims of National Parks and the powers, functions and governance of National Park Authorities will require amendments to the legislation and will be the subject of further consultation by the Scottish Government. There needs to be a majority of national interest members on the park board in recognition that these areas are of national importance. A transparent appointment system is needed with clear criteria for selection - expertise, experience, diversity etc. The process of elections and member appointments means that a National Park Authority can have missing areas of vital expertise. Of the Loch Lomond and The Trossach's National Park Authority Board there are seventeen members only one of which (a ministerial appointee) has any professional experience of ecology. All of the Boards should include biodiversity and climate adaptation experts, which would help expertise and into the decision-making process.

A current failing in governance is the lack of diversity on Authority Boards. Youth, gender, and ethnic diversity are all real challenges - and we are failing to improve this situation.

- The election process for local members is not delivering on this.
- The appointment system by 'overlapping' Regional Councils is not addressing this.
- Only those directly appointed by the Minister (following advertising and due selection) is able to partially promote better diversity.

Section 2 – Criteria for selecting National Parks

This section considers the issues that need to be addressed in selecting new National Parks. While NatureScot has been asked to provide advice on how it should be done and what it should comprise, the Scottish Government will lead the development of the evaluation framework and the nomination process itself.

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- Developing a nomination process for National Parks
- Criteria for nomination and evaluation
 - Outstanding national importance
 - Size and coherence
 - Need or added-value
 - Degree of support
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- Selection Criteria – other issues

Developing a nomination process for National Parks (Q19-21)

19. Are these the key elements of an effective nomination process for National Parks in Scotland?

This co-production approach and transparent evaluation of nominations is welcome. The role of expertise input alongside a 'bottom up' nomination process should be clear.

There would be value in evaluating areas that are already designated for one reason or another for how a National Park would provide added benefit both for local, regional and national longer-term objectives and purposes. A key question to be asked is what would designation of a National Park status enable an area to do and achieve that it cannot at present? For example, Galloway already has UNESCO Biosphere status, so it could be argued that National Park status would add little more.

20. Do you have suggestions for improving any of the specific elements of the process?

The process needs to encompass two aspects, the review of the nominated sites and the identification of the exact boundaries of each National Park. Building on the experience of the creation of the existing National Parks it should be possible to identify criteria for setting the exact boundaries.

Ideally, the boundaries of future National Parks should align with the boundaries of other designations (e.g. Ramsar and SPA boundaries) that may be present in an area to facilitate ease of management for landowners and practitioners. As an example, Muir of Dinnet National Nature Reserve that lies within the Cairngorms National Park has multiple designations all with differing boundaries. Could there be stakeholder coordination and consolidation of borders?

Land ownership and discussion with local landowners should take place early on in any discussion of boundaries on the new National Park.

21. Are there additional elements you want to see included, and if so, what are these?

We would like to see publication of objective assessments of the state of health of the natural and cultural heritage, and the opportunities for delivering net gain for nature recovery and just transition to net zero.

Criteria for nomination and evaluation (Q22-37)

22. Do you agree that outstanding national importance should be a criterion? Could the clarity of it be improved and, if so, how?

Yes, and we agree that we should consider the potential for relative contribution to nature recovery and a just transition to net zero in any area that is nominated.

23. Do you agree with the proposed components? Are any components missing and, if so, what are they?

Outstanding national importance should be a criterion.

The inclusion of the coastal and marine elements distinguishes Scotland from most national park systems around the globe because of the provisions in the 2000 Act to have a unitary land, coastal and marine NP all based on the one Act. However, managing marine areas requires

additional competencies and clear boundaries in policies and strategies. We need to build on the existing National Marine Plan as well as the Regional Marine Plans in preparation.

24. Do you agree with size and coherence as a criterion? Could the clarity of it be improved and, if so, how?

Yes. Size is important as there is a tendency to designate small areas and seek to expand them at a later date. A large National Park is required that can really deliver landscape scale nature restoration.

25. Do you agree with the proposed components? Are any components missing and, if so, what are they?

Yes. More thought needs to be given to the definition of the fourth component. It is contestable which uses of the land and water are intensive. It is also unclear if the word 'more' means 'additional subsequent to the formation of the park' or 'more intensive than elsewhere' There is, for example, heavy use made of Loch Lomond by high-powered vessels that are often noisy. This needs addressing. Not controlling powered vehicles on water (and land) in terms of damage to fauna and flora and the noise they create is unacceptable.

The inclusion of economic activity and settlements depends on whether Scotland wishes to achieve IUCN Protected Area Management Category 2 status or remain in Category 5. To achieve the former would mean excluding sizeable settlements for the most part and strict restrictions to exploitative land uses. If the Scottish government is going to use this as part of the 30 x 30 calculations, then we MUST have proper powers and duties to deliver nature restoration.

26. Do you support the consideration of the potential contribution of the National Park in delivering nature recovery and a just transition to net zero as criterion? Could the clarity of it be improved and, if so, how?

Yes, and it needs to be backed by the powers and duties to deliver nature restoration at scale.

27. Do you agree with the proposed components? Are any components missing and, if so, what are they?

28. Do you support the assessment of the merits of a National Park compared to existing or other approaches as a criterion? Could the clarity of it be improved and, if so, how?

Yes - there is no real benefit in 'adding' National Park status to, for example an area that already has UNESCO Biosphere or similar designations.

29. Do you agree with the proposed components? Are any components missing and, if so, what are they?

30. Do you support the consideration of existing support as a criterion? Could the clarity of it be improved?

Yes, local support is crucial but it is a national designation so local support is a component alongside national opinion and support.

31. Do you agree with the proposed components? Are any components missing and, if so, what are they?

32. Do you support the assessment of the strategic contribution of an area as a criterion? Could the clarity of it be improved?

Yes. For point two National Parks can contribute to the delivery of 30 x 30, however not in their entirety due to the many often conflicting objectives. Of the two existing National Parks, Loch Lomond and the Trossachs National Park can hardly be said to be delivering for nature conservation to the extent that should be expected to count as part of the 30 x 30. We need to enhance what Loch Lomond and the Trossachs National Park can do and ensure a new National Park is focussed on effective and real 30 x 30 delivery.

Further clarity is required for the fourth component. It does not align with the primary purposes of National Parks and 'sustainable' is often misused and misunderstood to support activities that are environmentally unsustainable.

In response to *'Do we want to increase the relevance of this role by selecting a range of areas that cover the issues and opportunities that come from the different landscapes and seascapes that Scotland has?'* We are not convinced that a strategy to designate examples of each and every major landscape and conservation type in Scotland is the right approach. The Cairngorms National Park works well as it is a coherent entity, not an attempt to be lots of different little things.

33. Do you agree with the proposed components? Are any components missing and, if so, what are they?

Could legal protection such as 'Conservation Easements' be introduced that are attached to land units to ensure sustainable long-term use?

Selection Criteria – other issues

34. Are there any significant issues that are not covered by the proposed criteria? If so, what are they?

35. Do you think any of the criteria are more important than others? If so, which ones and why?

We have to ensure that the opportunity to deliver landscape scale nature recovery and restoration must be the most important.

36. Do you think the selection criteria and proposed components provide the right balance between covering the issues required and simplicity? If not, how could they be improved?

See comment above - nature recovery potential needs to be key.

37. Should more of the proposed components be quantifiable? If so, which ones, and how?

No. It is often tempting to give more weight to criteria that are quantifiable. However, these are often not the most important.

Section 3 – Other issues and respondent information (Q38-40)**This final section covers other issues and respondent information**

This consultation has focused on proposals for the role, powers and functions of National Park Authorities and the criteria for selecting new National Park areas. Future consultations from Scottish Government will follow, seeking views on the detail of any legislative changes Ministers consider are required and on a draft evaluation framework for selecting new National Parks. Following the finalisation of this evaluation framework, a call for nominations for specific areas will then be issued by Scottish Ministers.

38. Are there any other issues about either Scotland's approach to National Parks or the selection of new National Parks you would like to raise in your response at this stage?

Need to focus on **Quality not Quantity (except scale)**. The Lawton mantra **Larger, Better and More** connected is the key.