



OFFICIAL REPORT
AITHISG OIFIGEIL

DRAFT

Rural Affairs and Islands Committee

Wednesday 11 June 2025

Session 6



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RURAL AFFAIRS AND ISLANDS COMMITTEE

20th Meeting 2025, Session 6

CONVENER

*Finlay Carson (Galloway and West Dumfries) (Con)

DEPUTY CONVENER

*Beatrice Wishart (Shetland Islands) (LD)

COMMITTEE MEMBERS

Tim Eagle (Highlands and Islands) (Con)

*Rhoda Grant (Highlands and Islands) (Lab)

*Emma Harper (South Scotland) (SNP)

*Emma Roddick (Highlands and Islands) (SNP)

*Mark Ruskell (Mid Scotland and Fife) (Green)

*Evelyn Tweed (Stirling) (SNP)

*Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Mairi Gugeon (Cabinet Secretary for Rural Affairs, Land Reform and Islands)

CLERK TO THE COMMITTEE

Emma Johnston

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Rural Affairs and Islands Committee

Wednesday 11 June 2025

[The Convener opened the meeting at 09:01]

Decision on Taking Business in Private

The Convener (Finlay Carson): Good morning, and welcome to the 20th meeting of the Rural Affairs and Islands Committee in 2025. Before we begin, I ask everyone to ensure that electronic devices are switched to silent.

Our first item of business is consideration of whether to take item 4 in private. Do we agree to do so?

Members *indicated agreement.*

Natural Environment (Scotland) Bill: Stage 1

09:02

The Convener: Our second item of business is an evidence session with the Scottish Government as part of our consideration of the Natural Environment (Scotland) Bill at stage 1. Today, we will take evidence on part 3 of the bill. I welcome Mairi Gougeon, the Cabinet Secretary for Rural Affairs, Land Reform and Islands, and her officials from the Scottish Government: Nicola Bradley-Martin, a solicitor; Brittany Brown, the policy lead; Jenny Gibbons, team leader, national parks; and Felicity Hollands, deputy bill team leader.

We have allocated around an hour to discuss part 3 and, as usual, we have quite a few questions to get through, so I ask for succinct questions and answers.

I will kick off. What difference to national parks do you think that the amendments to the statutory purposes that are being suggested will make?

The Cabinet Secretary for Rural Affairs, Land Reform and Islands (Mairi Gougeon): Ultimately, we have tried to modernise the aims, and some of the language has been simplified. I do not think that the amendments to the statutory purposes will fundamentally alter the work that our national parks do and what they deliver; rather, they will ensure that the aims better reflect the work that our national parks do. Importantly, the proposed new section 1(2) of the National Parks (Scotland) Act 2000, which modifies the aims highlights the actions that are key to delivering those aims, and it also better reflects some of the key challenges that we face at the moment with regard to the biodiversity and climate crises and sets out the role of our national parks in tackling them. The key aim is to introduce that language in order to better reflect the work that our national parks are doing.

The Convener: The 2000 act says that one of the aims of a national park is to

“promote sustainable use of the natural resources of the area”,

but the bill talks about promoting the

“sustainable management and use of the area’s natural resources”.

What does that mean in practice?

Mairi Gougeon: That change has been proposed because the parks’ aims are about not just the use of our natural resources but how they are managed in the interests of climate, nature and people. That phrasing better reflects the work that is done as part of the aims.

The Convener: Thank you. Rhoda Grant will ask the next questions.

Rhoda Grant (Highlands and Islands) (Lab): The drivers for reviewing national park legislation were the strategic framework for biodiversity and recognition of the role of national parks in tackling the twin crises. However, many stakeholders have described the changes that are proposed in the bill as “modest”. What impact will Part 3 of the bill have on national parks’ ability to contribute to addressing those big societal challenges?

Mairi Gougeon: As I reflected in my previous responses, it better reflects the critical work that our national parks do in delivering for biodiversity as well as tackling the climate crisis that we face. As with anything, there will undoubtedly be people who think that we could have gone further.

Ultimately, we are trying to get a balance between what we put forward as the aims of the national parks and the other vital work that national parks do, recognising that the parks are a place where people live and work. I feel that, with the modernisation of that language and the addition of the subsection that I mentioned, we might have that balance right. I am keen to hear the views of the committee, however, and I am interested in seeing what it recommends in relation to stage 1. The proposed new subsection is also important because it picks out specifically how some actions will help to deliver those aims. It puts beyond doubt that those actions will contribute to the four aims as they are set out.

Rhoda Grant: Do you think that our national parks have been delivering up till now?

Mairi Gougeon: Yes, they undoubtedly have been doing more for biodiversity and climate as well as more generally for the communities that live in the parks. I would point to some of the projects in park areas—Cairngorms Connect, for example, has been doing important work in bringing together different partnership organisations. One real benefit of having national parks is that they can do that at a landscape scale. They have the convening power and ability to bring together lots of different organisations and people, which is critical.

We can also look at the promotion of sustainable and regenerative agriculture. Both parks have had pilot projects with farmers and land managers working in those areas, to try to encourage more nature-friendly and climate-friendly farming. All of that has been really positive. The parks have been a real driving force in helping to tackle some of those big challenges.

Emma Harper (South Scotland) (SNP): Good morning. Some stakeholders have questioned the intent behind adding “cultural development” to the aims when there is existing wording around

“cultural heritage”. They have suggested that those concepts could be better differentiated by, for example, reference to support for the creative sectors. What is the intention behind that change, and could it be made clearer in the bill?

Mairi Gougeon: “Cultural heritage” is defined in the 2000 act as including

“structures and other remains resulting from human activity of all periods, language, traditions, ways of life”

and so on. I think that adding an aim of cultural development is important, because it takes that a step further. It is not just about sitting still and appreciating what we have; it is also about how we can develop that further, into the future. To me, that means also looking at how we can help to develop the creative sectors, for example. It could well mean supporting other community projects related to the creative sector and arts. I see that addition as a positive step forward.

If committee members feel that further definitions or changes to the language are needed, I would be happy to look at that. I am keen to hear what recommendations members might have.

Emma Harper: Would that aim link with the Scottish Languages Bill, which, I hope, we are about to pass? That bill promotes Scots as well as Gaelic, so cross-portfolio connections could be a part of this.

Mairi Gougeon: I think that there could well be, and that is where the cultural development element would come in.

Emma Harper: Thanks.

The Convener: There has been some concern about what the definition of cultural development is. Some have suggested that you should have considered alternative words such as “creative” or “creative arts”. Was there a reason, or much discussion around, why the term “cultural development” was used?

Mairi Gougeon: I hope that I was able to explain that in some of my previous responses. I think that the use of the word “development” suggests that it is something that one looks to encourage, much in the same way as we would talk about economic or sustainable development. It is about how we take something that step further.

If there are other suggestions on language, I am more than keen to hear them, but I would like to think that we have the balance right in relation to what the phrase “cultural development” could mean more broadly—as I have said, the promotion of the creative industries could be included in that. It is important that we do not narrow the definition too far down, though, because the aims in

themselves are quite broad and fairly generic, so that they can encompass a lot of that activity.

Mark Ruskell (Mid Scotland and Fife) (Green): Would that cultural development include local food cultures as well? Obviously, one of the concerns around new national parks is what they do for food production and the food economy. Could a park bring out a cultural element and that tradition aspect to food marketing under that aim?

Mairi Gougeon: Absolutely. Food would fall under a few different elements of the aims. The element of cultural heritage and development, which is important, or that of economic development would capture all those aspects.

Mark Ruskell: Would an aspiration to make an area a food destination and to bring together restaurants, businesses and food producers be seen as a cultural aspect as well as an economic one?

Mairi Gougeon: I would like to think so, because I think that it is really important. More broadly, it is a really important part of our heritage and what we produce across Scotland.

Mark Ruskell: Okay. Thank you. That is making me hungry.

Rhoda Grant: Is there sufficient balance in the proposed aims of the national park between the protection of natural heritage and the sustainable economic development of communities? We have been speaking to the national parks and have learned that their plans were very focused on housing, because there is a degree of need for it, with people not being able to live in the national parks. Do the new aims in relation to the functions of the national park reflect that aspect?

Mairi Gougeon: I feel that they do. I am more than happy to get views on the matter if members feel that the balance is not quite there, but I think that the aims broadly capture some of those issues. You are absolutely right that the issue of housing, which has been identified in the park plans, is huge. We want to ensure that we have sustainable and thriving communities in our national parks as well—that is absolutely critical. However, I feel that the issue is captured in the aims that we have and that, overall, we have that balance. We cannot forget that the overarching purpose of our national parks is to ensure that the four aims that are set out in the bill are collectively achieved, which I think gives them equal importance.

Rhoda Grant: I am afraid to say that I remember the process of the original legislation, and I guess that the four aims were hard fought for in trying to get the balance right. There is an additional focus on different areas through the priorities that are set out in paragraphs (a) to (f) of

the proposed new section 1(2) of the National Parks (Scotland) Act 2000, but paragraph (f) is the only one that really looks at people's wellbeing. All the others look at the area, tourism or climate change—nothing really to do with the wellbeing of people. Could that skew the balance of those aims? Previously, we had four equally balanced aims in which, obviously, the natural environment was a priority. I am wondering whether the new sub-aims could skew the balance.

Mairi Gougeon: The sub-aims are really more to show, and to put beyond doubt, that the actions that are being taken contribute to the aims. They are not meant to be hierarchical; it is not about putting one above the other, but about highlighting those actions.

If more clarity needs to be sought—particularly as your expertise in this area definitely extends beyond mine—we are keen to get that evidence from the stakeholders who have responded to the committee as well as from members, but we have introduced those provisions in a way that we feel strikes that balance.

Rhoda Grant: Given that both national parks raised the issue of housing, do you not think that we should be looking specifically at housing for the local community?

09:15

Mairi Gougeon: I would have to consider what that would mean. However, housing is fundamental to the general aims, even outwith the proposed subsection. It is a given that, if we want thriving communities and we want to achieve the fourth aim of national parks, which is

“to promote sustainable economic, social and cultural development”,

we ultimately need people to live and work in our park areas. A fundamental element of that is the delivery of housing and ensuring that we have adequate housing for people in the area.

We could never have a definitive list of every single action. This is always the problem with lists: once something is there, it could become a case of making additions, or, if something is not on the list, people might feel that it is missing altogether. I am keen to get views on that. Housing is a key issue, but it would be captured by what we have set out.

Rhoda Grant: To slightly turn this on its head, what are you hoping to gain with the new sub-aims?

Mairi Gougeon: We want to highlight and give specific mention to some of the challenges that we are facing right now in relation to biodiversity and climate change, as well as to highlight the

importance of recreation. It is to show that those specific actions will help to deliver the aims.

Rhoda Grant: Okay.

Emma Harper: I will pick up on what Rhoda Grant said about housing. We know that there are housing challenges in rural areas. I am thinking about support for repopulation—people say that we need to address depopulation—in our rural areas. That will be part of the aim

“to promote sustainable economic, social and cultural development of the area’s communities”.

Providing housing is a critical part of helping to address depopulation.

Mairi Gougeon: Absolutely. I outlined the importance of housing in helping to deliver the fourth aim in the subsection. As Rhoda Grant highlighted, there is also reference to

“promoting sustainable development activity which improves the health, wellbeing and prosperity of individuals and communities”.

Housing is intrinsic in helping to deliver on those aims.

The Convener: I really struggle with lists, because—you touched on this yourself—we create a list and the focus is then on what is not on the list. From what you are saying, it appears that the objectives in paragraphs (a) to (f) in proposed new section 1(2) are all a bit woolly and that we can fit anything into them. Nowhere does it mention housing, but we hear from the Cairngorms and the Loch Lomond and the Trossachs stakeholders that housing is absolutely key. When we heard evidence on the proposed Galloway national park, one of the concerns was about the cost of housing.

You could fit housing into the bill—you could squeeze it into paragraph (e). However, there is no specific mention of it. Is there any point in having these objectives if you can squeeze anything you like into them? It may well be housing, jobs that pay the living wage or whatever. All of those things are important, but are they really the main aims of the national parks? Would it be better to get rid of the list altogether?

My follow-on point from that is whether there is a priority. We have previously heard that there is not a priority and that all the aims are important. However, they ultimately all go back to paragraph (a):

“restoring and regenerating biodiversity in the area”.

That is the overriding and most important aim of a national park. Are the aims set in a criterion that says, for example, that paragraph (a) is more important than paragraph (d) or that paragraph (e) is more important than paragraph (f)? Is there a chance that planners will use the list to prioritise

allowing, disallowing or encouraging certain activities and not others?

Mairi Gougeon: No, and it should not be interpreted in that way. It is not meant to come across in that way or as being hierarchical. As with the four broader aims, the overarching purpose of the national parks is to collectively achieve the aims together.

The bill does not change the Sandford principle, which applies under section 9(6) of the 2000 act—if there is deemed to be a conflict between the aims, the first aim is the overriding one. However, in relation to the list in the proposed new subsection, the aims are not intended to be hierarchical, and one aim should not be prioritised above another.

I completely appreciate your arguments about creating a list. I have touched on that point myself, because it can become about what is not there. It is important to at least reference biodiversity and climate change, given all the work that is happening in that regard. I am more than happy to take away the views of the committee.

By their very nature, the aims can never be all-encompassing and capture all the actions. It is about trying to strike the balance between being general enough that they can cover a lot of that activity and not being too specific, but I am more than happy to hear views.

The Convener: Are you open to considering amendments that would add to that list, to address some of the specific issues around, for example, housing or jobs that pay the living wage in the national park? Again, there is scant reference to those who live in the national park. Rhoda Grant previously mentioned visitors and tourism, and there is not a lot in the bill about protecting those who live in a national park. Does that need to be expanded on?

Mairi Gougeon: I would say that that is covered by the final provision of the proposed new section 1(2), which talks of

“promoting sustainable development activity which improves the health, wellbeing and prosperity of individuals and communities”.

People who live and work in our national park areas are absolutely a key priority. We want them to be thriving in prosperous areas. I am more than happy to engage in discussions with members around the table about any potential amendments that they would like to see and to get advice on any implications. I am happy to have those conversations.

The Convener: Thank you. You just rang a bell in my head. Why does the bill refer to the “prosperity of individuals”? That raised a few

eyebrows among stakeholders. What is your definition of “prosperity of individuals”?

Mairi Gougeon: It is important that we recognise and reference that, as well as having thriving communities, people as individuals are important. If there are views to the contrary, I am more than happy to hear them, but it is about communities and the individuals who live in them. It is important to identify that.

The Convener: Thank you.

Beatrice Wishart (Shetland Islands) (LD): Good morning to the witnesses. I have just locked myself out of my laptop. Thankfully, I have a printed copy of the papers in front of me.

NatureScot referenced the modernisation of the aims, which you touched on in an earlier answer. It also said that the proposed additional list would be “useful in clarifying the intent of the aims”,

which

“could be complemented by the preparation of a national policy statement on National Parks.”

Does the Scottish Government intend to progress that recommendation?

Mairi Gougeon: Given the overarching purpose and the aims that we are proposing to modernise and change through the legislation, as set out in the bill, we feel that there is an adequate purpose. We do not feel that there is a need to produce a statement, as NatureScot has recommended. We feel that the driving force behind our national parks and what they should be aiming to achieve is adequately set out in our proposals and in the aims and the overarching purpose.

Beatrice Wishart: Okay.

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): I want to explore the proposal in the bill to have a strengthened duty on public bodies to facilitate the implementation of the park plans. We have heard from both national park authorities that they believe that that is a positive move. The Cairngorms National Park Authority said that

“‘Have regard to’ is a fairly passive term”—[*Official Report, Rural Affairs and Islands Committee*, 2 April 2025; c 23.]

and that having a duty to help to implement the plans would be a positive move. However, we heard concern from some stakeholders that that duty could run into conflict with a public body’s own statutory duties and functions. What would the Scottish Government like to see fulfilled in practice with that measure, and what changes do you think that that will lead to?

Mairi Gougeon: I hope that it builds on work that is already happening across our national park areas. Having a stronger duty to facilitate the

implementation of the plans puts more of a focus on all public bodies to work to deliver that. That is an important element that we have introduced to the bill.

It is also important to remember that our national park plans are not developed in isolation—our national parks already have to work with local authorities and other public bodies in their development, and there is extensive consultation around that.

Ultimately, it is up to public bodies to deliver a lot of what is set out in the plans. We have touched on housing today, and I think that there are provisions in the bill that will help with that. I do not perceive too much of a conflict between what the national park plans are trying to achieve and the overall duties of our public bodies. A section of the bill makes it clear that the obligation will apply only

“so far as is consistent with the proper exercise of”

that public body’s functions, which I think manages that issue. I hope that what comes through in the evidence that you are hearing from stakeholders is the strong relationships that exist between the national park authorities and other public bodies, particularly local authorities. It was interesting to see the evidence that the committee received from some of the councils, which welcomed some of the duties that we intend to introduce.

Elena Whitham: Should a requirement be put into the 2000 act for park authorities to consult a wider suite of public bodies on their plans? Right now, it feels like consultation is restricted to local authorities. Although I think that they all feed in in some way, should the duty be explicitly widened to include further public bodies?

Mairi Gougeon: I am happy to take views on that and get further advice on what it might look like and its potential implications. As you have outlined, there is a close working relationship already, but you are right to say that only local authorities and community councils are specifically mentioned in the 2000 act. If you are recommending widening that, I am more than happy to consider that and see what it might mean. Again, that work is already under way.

Mark Ruskell: Thinking about the national park plans that we have and their status as planning documents and as the guiding vision for the local area, I am wondering how they could be strengthened through the bill. Do you have any reflections on park plans in particular?

Mairi Gougeon: What we are proposing to introduce through the bill will build on the strong partnership working that is already in place. The real benefit of the plans is—to come back to some of our discussions this morning—in the overall

convening power that the national parks are able to bring and the focus that they are able to put on those critical areas to drive the plans forward. The plans are strong and focused, and they help to drive that delivery. The measures that we are planning to introduce through the bill will help to make them even stronger and ensure extra focus on the delivery of what is set out in the plans.

Mark Ruskell: Public bodies obviously have a duty to have regard to those plans. However, there is less of a requirement for private landowners and developers to abide by and deliver the park plan. Do you think that national parks have enough teeth to deliver the objectives of their park plans when it comes to private landowners and developers?

Mairi Gougeon: National parks have a lot of experience in working in that area, because the vast majority of the land across our national parks is in private ownership anyway. They have a strong record of collaboration, working with landowners and land managers. The national park plans themselves have to be widely consulted on, and that engagement with all relevant people is really important. Another important point to remember is that the regional land use partnerships are about bringing together the public bodies. Each of our national parks has a regional land use partnership and framework, which is about bringing together all the different representatives to drive forward the priorities for the area. It is not necessarily about having teeth but about fostering collaborative working and trying to ensure that everybody is pushing in the same direction.

09:30

Mark Ruskell: I suppose that the question is whether that is working right now. I think that a £10 million lottery bid is going in for a landscape-scale restoration project where I stay in Loch Lomond and the Trossachs national park, for example, so good things are happening, but some private landowners have not bought into that and there is potentially some conflict with the objectives of public agencies as well.

I am thinking back to where the primacy of the park plan sits in the bill and to whether more reforms could be brought in to strengthen that primacy. For example, is it right that a major development—there is obviously a lot of controversy about the Lomond Banks proposal at the moment—would not automatically go to a public inquiry if it were contrary to the park plan? Where does the park plan sit in relation to such developments?

Mairi Gougeon: That would probably cut across into areas of planning legislation, so I am hesitant

to set out what that could look like or where the most appropriate place for changes would be, if they were to be made.

Obviously, our national parks have different planning powers as it is and, should a new national park be created in the future, those powers would be designed to suit the national park authority's needs. That would potentially be a lot more complex an area than the bill could cover.

Mark Ruskell: I know that you would not want to comment on the Lomond Banks development itself. However, that particular issue is an example in which a development is in contravention of a park plan but the decision making over it happens elsewhere, and even the process of gathering the evidence and having a discussion and a determination on it is not necessarily guaranteed in the planning system. It feels as if the park authority has planning powers but it is really just the same as any other local authority, and ministers can call things in. There is not necessarily a requirement for a public local inquiry if something is in contravention of a park plan, so I come back to that question about its primacy.

Mairi Gougeon: It is important and, as I have already set out, it is about facilitating the implementation of the plan. I do not know how much stronger it could be made without there being wider implications on other public bodies and the potential for conflict with their duties. As I have said, I do not imagine that that would happen, but there are provisions in the bill that help to deal with that situation. The issues that you reference are more in relation to the planning system, though, which is something that would have to be looked at in relation to our overall planning legislation, as opposed to measures through the Natural Environment (Scotland) Bill.

Mark Ruskell: On another day in this room, we have been considering the Land Reform (Scotland) Bill and the provisions in it for land management plans. How do you see land management plans reflecting the vision of the park and the park plans?

Mairi Gougeon: I think that some of the amendments that we covered yesterday were in relation to the local place plans and what could be set out in the land management plans. An amendment that was supported yesterday was around what consideration land management plans should give to local place plans. We could potentially consult on the matter in relation to national park plans as part of the overall regulations and guidance that we would be delivering for land management plans. The issue could be considered in that work; it is important that we have that consultation and engagement on it.

Mark Ruskell: You would expect the guidance for land management plans to reference park plans when they exist, obviously, and that someone who was producing a land management plan would need to refer to what was in the national park plan in their area.

Mairi Gougeon: All that I am saying right now is that that could well be the case but it is something that we need to consult on and look at. If we are doing that with local place plans, national park plans are potentially a part of that, but more detail would follow in the guidance and the regulations that we would introduce on the back of that bill.

Mark Ruskell: That would make sense. In Loch Lomond and the Trossachs, I think that just about every community now has a local place plan, apart from three that are aiming to complete them by the summer. That local planning, park planning and land management planning should all flow together and be unified.

Mairi Gougeon: We would want to ensure that, as far as possible, we are not developing the plans and doing everything in a silo. It makes sense that those things align.

The Convener: Following on from Mark Ruskell's question, I have one on the period for which these plans are in place and how often they are reviewed. Do you think that there is the potential for conflict? Local authorities have an electoral cycle and there are national plans such as the United Kingdom forestry standard, but we have a forestry industry that needs to plan 25, 30 or 35 years in advance. How can you ensure that the national park plans are flexible enough to deal with that?

Commercial forestry might not be a huge consideration in Sitka spruce scenarios and in the Cairngorms, but when the Government considers other areas—for example, the Galloway and Ayrshire national park—how can we be sure that the national park plans recognise the electoral cycles of local authorities and national plans such as the UK forestry standard? How can the park plans interact with those to ensure that they are flexible enough that they do not put off or divert investment away from local authorities when it comes to election and budget-setting scenarios?

Mairi Gougeon: I imagine that, given the length of time that the national parks have had experience of producing their plans, that is not a particular concern; I have not been made aware of that causing issues. The park plans always start from the premise of collaboration and engagement with the relevant public bodies and other authorities. Because of the strong relationships and the collaboration that happens there, I do not see that being an issue. I do not know whether the committee has heard about that in evidence.

The Convener: Thank you.

Evelyn Tweed (Stirling) (SNP): Good morning. My question is about bylaws. What are the opportunities for the use of bylaws in the national parks to tackle issues such as antisocial behaviour, public safety and environmental damage?

Mairi Gougeon: Bylaws are in operation in Loch Lomond and the Trossachs national park. It is important that our parks have the ability to deal with particular issues. I know that the committee heard evidence from the national parks about that. We are considering a bylaw on fire management for the Cairngorms national park, given some of the significant issues that we have seen with wildfire, which is an increasing problem. Our parks having the ability to address such problems is important and powerful.

Where the bylaws have been operating in Loch Lomond, they have been effective. The measures that we are looking to introduce through the bill will help the enforcement of those bylaws to be even more effective than it is now. Loch Lomond and the Trossachs national park is trying to do things in relation to water safety, which is a key concern, and being able to address some of the problems that they have seen has been important.

The ability to introduce bylaws is very much a beneficial power that our parks have. The measures that we are looking to introduce in the bill can only strengthen that.

Beatrice Wishart: The committee heard support in principle for national park authorities being able to issue fixed-penalty notices in respect of bylaws. However, concerns have been expressed that that power could detract from the role of ranger services in engaging with the public, providing education and supporting voluntary compliance. Is there a risk that having powers to issue fixed-penalty notices would detract from the ranger services role?

Mairi Gougeon: I certainly do not think so. The rangers have an important role in the national parks. The fixed-penalty notice regime would just give them that extra tool. Enforcement can be cumbersome for the national parks now because of the route that they have to take of referring things to the Crown Office and Procurator Fiscal Service. I do not see the addition of fixed-penalty notices as changing the role of rangers. I think that it gives them an additional tool for tackling some of the issues that they can experience on the ground.

No doubt you will have heard evidence from the national parks about the training that their rangers go through. That is critical. Enforcement is always a last resort—you do not want it to be the starting point. However, it is important that they have that ability rather than having the system that operates

at the moment, which I do not think gives them the ability to tackle some of the issues that they are seeing as effectively as they could.

Beatrice Wishart: Is it about taking swifter action rather than waiting for the enforcement procedure that is available at the moment?

Mairi Gougeon: Yes, absolutely. You would hope that that could also act as a deterrent. If people knew that they could be given a fixed-penalty notice, that could deter behaviour that we would not want to see in our national parks. The role of rangers in educating and having those conversations with people will still be critical, but the fixed-penalty notices are an additional tool that they can use.

Emma Harper: While we are talking about fixed-penalty notices specifically linked to farming, I know from our national rural crime officer that there is interest in Police Scotland looking at six-week limitations for accessing Conic Hill, part of the west Highland way, which goes through the Lomond and Trossachs area. That would limit access for folk with their dogs or mandate that the dogs go on a lead in order to reduce livestock attacks. Are you aware of that? Could that be pursued? According to the rural crime officer I spoke to, that could help to reduce livestock attacks during lambing time.

Mairi Gougeon: I am not aware of that proposal. I would have to look at it in detail and consider the implications. I am more than happy to follow up with you directly on that, or to provide that information to the committee, if that would be helpful.

The Convener: We have more or less come to the end of the questions on part 3 of the bill.

Additional amendments to part 3 may be lodged on the Galloway national park and the process for proposing and designating a new national park. At this stage, it is probably more appropriate to bring up those suggestions or concerns around the existing bill in our next evidence session, but it could also inform our discussions on our stage 1 report on the Natural Environment (Scotland) Bill. I just wanted to put that on the record.

We come to the end of the evidence session. I propose that we suspend for 10 minutes.

09:42

Meeting suspended.

09:50

On resuming—

Galloway and Ayrshire National Park Proposal

The Convener: Welcome back. Our third agenda item is an evidence session with the cabinet secretary regarding the decision not to proceed with plans to designate a Galloway and Ayrshire national park. I again welcome Mairi Gougeon, the Cabinet Secretary for Rural Affairs, Land Reform and Islands, and her officials.

We have allocated around an hour for this item of business, and I invite the cabinet secretary to make a short opening statement.

Mairi Gougeon: I do not have much to add at this point and am happy to move straight to questions if the committee would prefer that.

The Convener: Thank you. Emma Harper will kick off.

Emma Harper: Cabinet secretary, can you lay out the reasons why the Scottish Government decided not to progress with the proposal for a Galloway national park? What is the timeframe for progressing alternative recommendations for the area? The ideas at the forefront of my mind are the dark sky park, the forest park and, of course, the United Nations Educational, Scientific and Cultural Organization biosphere.

Mairi Gougeon: I hope that I was able to outline in my announcement and my statement to Parliament a couple of weeks ago why we reached the position that we reached.

We have been through an extensive process. The statutory process, in which we appointed NatureScot as the reporter to advise on the proposal, commenced last summer. We received that report, in which the main recommendation was that we should not proceed with the designation but should, instead, look to build on existing structures within the overall area.

The NatureScot report outlined significant opposition to the idea of a national park. The overall figures from the consultation showed that 54 per cent of people were opposed to the national park and that 42 per cent supported it, but, when local responses alone were considered, that first figure rose to 57 per cent of people being opposed to designating Galloway as a national park.

The NatureScot report detailed a number of concerns that were raised throughout the consultation process. I know that there were concerns from specific sectors such as renewables, agriculture and the forestry sector. On

the basis of its consultation, NatureScot made the recommendation that was the basis for our decision.

Emma Harper: I will stop there for now.

The Convener: One issue that came out above the rest concerned the timescale for organisations to come forward in the bidding process and the capacity within areas to produce successful bids. There is no legislation at all for that, so we may need to look at addressing that by using the Natural Environment (Scotland) Bill to make amendments to the existing National Parks (Scotland) Act 2000.

In some areas, there appeared to be an overreliance on using volunteers to bring forward proposals. We heard in evidence that it took up to seven years to reach a consensus about how the national parks in Loch Lomond and the Trossachs and in the Cairngorms would be developed and that businesses, locals, individuals and non-governmental organisations came together to look at how they would see a national park being developed. However, in Galloway, that timescale was significantly shorter.

The main issue was that NatureScot played two separate and distinct roles, one of which was to make recommendations as a reporter to the consultation while the other was as the natural heritage adviser to the Scottish Government. That led to a lot of people suggesting that NatureScot was biased in its role as reporter in providing the Scottish Government with professional advice as well as trying to carry out an effective consultation. How did you weigh up that advice, considering NatureScot's two roles? Would you consider again an amendment that would provide for an independent reporter to provide the consultation responses for future designations?

Mairi Gougeon: There is quite a lot to pick up on, convener, so I hope that you will allow me to address all of your points.

On your last point, about NatureScot's role as a reporter, it is important to note that that is what is set out in the 2000 act. I received two sets of advice from NatureScot that are very separate and distinct. The advice from NatureScot in its role as a reporter was based on the wide range of consultation that it had undertaken and the views that it had heard, and its report was produced on the back of that. Separately, we received advice from NatureScot in its other role, in relation to the other elements of the proposal, which advice was distinct. As I said, NatureScot's role as reporter is set out in the legislation.

Another important report that was published at the time of my parliamentary statement the other week was the report from the Scottish Community Development Centre, in which it commented

specifically on the role of NatureScot as a reporter. It is important to outline that the SCDC was appointed to independently assess the work and engagement that NatureScot had undertaken. The SCDC felt that NatureScot had

"managed to navigate the process with a commendable level of neutrality".

The SCDC picked up in the report that there had been criticism of NatureScot, but it found that that would be expected in any

"high-profile public consultation".

It also noted that

"few other organisations would have had the capacity and expertise to manage such a complex and large-scale"

exercise. It went on to say that NatureScot was the

"perfectly acceptable choice"

of reporter for the Scottish Government to make, given that it is the agency that operates on environmental issues. It is important to outline that in this context.

I will pick up on some of the other points—

The Convener: Sorry—to make it easy for me, as well as for you, I will just come back in.

Even if the report suggested that NatureScot acted in an unbiased way or as well as it could, from the outset there was a perception that NatureScot simply could not be unbiased. Ultimately, NatureScot promotes and has a huge role in the two existing national parks. Surely it would be more appropriate to choose a reporter with appropriate skills in conducting such inquiries or processes, through which they could set out their recommendations independently of NatureScot. That approach would have immediately taken away some of the suspicion that the process was, from the outset, going to be biased. The fact that the organisation that carried out the overview considered that NatureScot acted unbiasedly did not matter to the people who, from the start, thought that it was biased.

Would you consider having an independent reporter in the future, to remove that perceived bias?

Mairi Gougeon: I am not going to rule anything out. It is important that we consider the outcomes of the consultation, the whole process and how we can improve going forward. We must learn lessons from that—there is no question about it. I am following what is set out in the legislation. You would expect me, as a Government minister, to do that.

I appreciate the concern, which was raised with me early in the process, including directly by you, convener. It is important to outline the process that

NatureScot undertook and to recognise that it was a significant undertaking. That is where the independent assessment and the views on NatureScot's process are important.

Other organisations were brought in in relation to the engagement exercise. It is important to highlight the work that led to those findings of neutrality.

The Convener: Okay. Thank you.

Mairi Gougeon: Could I come back to some other points that you raised about the process, convener?

The Convener: Certainly.

Mairi Gougeon: Notwithstanding the time that the process took to designate our first two national parks in the Cairngorms and Loch Lomond and the Trossachs, which you outlined, I would say that the current process has been significant. I do not think that the Galloway National Park Association has been arguing that it has been a quick process. In fact, I remember meeting representatives of the association when I was first appointed as a minister, in 2018, and I note that it has been building its campaign over the intervening time.

10:00

In 2021, we set out that we were looking to establish a national park. We had a parliamentary debate in 2022, in which there was broad parliamentary support for establishing another national park, and many members were telling us to do that as quickly as possible and to designate more than one national park.

The process that was established was intended to be community led, and it was consulted on at various points, so it is not necessarily fair to suggest that it has been a rushed process. The steps that were taken at each stage to consult and to get the appraisal criteria right were all very important.

You have raised the really important point that, although the process to designate a park is clearly set out in the National Parks (Scotland) Act 2000, the process of how to nominate is not outlined in the act at all. We had tried to develop and bring forward a process that would be built from the bottom up and that came from communities themselves.

Mark Ruskell: On the process, do you think that there should be a firmer vision of the proposed national park at the point at which ministers formally propose it? That is a bit ambiguous under the legislation. There was an attempt to get the discussion going locally—from the bottom up and led by local people. Has that worked? Would it not

be better, in a way, to have a much clearer vision at the point of proposing the park? The 2000 act does not explicitly require that.

Mairi Gougeon: To be perfectly honest, the whole purpose of approaching it in the way that we did, and the way that NatureScot went about its consultation, was not to go in with a fixed idea. We want the national park to be built by the communities in Galloway. As I also appreciate, however—and as was picked up in the Scottish Community Development Centre report—not having such an approach makes it harder for people to take a view. If people felt that they were against a national park, they were less likely to engage in other questions about what its shape could be or to consider alternative proposals. It is important to mention the Scottish Community Development Centre report, because it brings out some of those issues and challenges.

I did not want to go to any community and just say, "This is the model." We would then have had accusations that we had come to impose something on people. It was a matter of getting a balance and saying to people, "Do you want this in your area? You can help to design it." I absolutely appreciate that that approach comes with difficulties, but that was our reasoning for setting about things in that way.

Mark Ruskell: Yes—that is difficult. You are asking people whether they want a national park, but when people ask, "What is it?" you are saying, "Well, you decide." It is a tricky one.

Another point has been raised with me about guidance and how a suggested area has to meet the criteria under the 2000 act. Does there need to be a bit more guidance on that?

Mairi Gougeon: It is a matter of having the flexibility to design the process. As much as how to go about doing nominations was not set out in the 2000 act, the process that was established and the flexibility for us to design the process has represented an important exercise. There were various stages of consultation throughout 2022 and 2023, to consider what the criteria might be and how we would appraise different groups, and looking for nominations from those groups. Being able to design that process—trying to ensure that a bottom-up approach was taken to something that communities actually wanted—has been a positive.

It is also important to point out that local support was a critical element, as assessed through the appraisal process by the expert panel, in determining how to move forward to the next stage and what groups we should proceed with.

Rhoda Grant: There is an opportunity to make amendments to the Natural Environment (Scotland) Bill. What lessons can be learned from

the national park process that we might be able to reflect in the bill?

Mairi Gougeon: There are probably quite a lot of lessons to be learned from the process. I do not think that all of them would require a legislative fix, but if the committee thinks that that is needed, I am more than happy to hear the committee's view.

The independent assessment has made recommendations on the engagement process and how, if we should seek to engage again, we could improve on that. That is important—we need to take that into consideration.

As I outlined to Mark Ruskell, it has been beneficial to have the flexibility to design a process for the nominations. However, I am more than happy to take on board members' views if they think that any particular areas need to be addressed.

Rhoda Grant: I was thinking more about lessons in relation to building local support. Obviously, there was not local support in Galloway, but, in the early stages of the process, I was aware that there were several areas of the Highlands and Islands where people tried to build support for a national park designation, and I was surprised at the pushback against that. When we were considering legislating and people were talking about future national parks, there seemed to be a head of steam in favour of national parks, but, suddenly, there was quite a big pushback whereby people in areas where I thought that national park status might have been wanted said that they did not want it.

How should we approach the issue of building local support? Maybe we should also think about how to deal with local concerns, because people have told me that the board would not listen to them. Is that a reflection of how the two boards that we have at the moment are working? How do we make the process more open, get people involved and make them feel that they have a voice on whether they want a national park?

Mairi Gougeon: There are a couple of separate issues in that question. There are the issues that can be identified with the current national parks, which you referred to, and there is the issue of how we could look to build community support in other areas at some point in the future. How can we legislate for that or ensure that such support is there?

I think that the issue is partly to do with how we talk about our national parks. There was some misinformation in the campaign in Galloway in relation to what some people felt that a national park would impose. It was not necessarily the case that what they thought would be imposed would have been imposed. There was some misunderstanding about what a national park in

the area might mean. An example is that people felt that, if there was a national park, the requirements in relation to planning would be a lot more onerous, but that would not necessarily have been the case, because there is flexibility in the designation process in relation to planning powers and what those might look like for a new national park area. There are issues there.

As far as the national parks themselves are concerned, they do some tremendous work. That came up in our session on the bill, when we spoke about the collaborative nature of the work that they do. They deliver on many of the objectives that we would want to be met—we can all see, I hope, the results of that collaborative work in our areas. However, if there are particular concerns on which people feel that they are not being listened to, I hope that the park authorities would try to address those, where possible. I do not know whether Rhoda Grant has a specific issue in mind, but I would be more than happy to pick that up. Perhaps she has a specific change in mind.

Rhoda Grant: I am simply reflecting what people have said to me, which is that the people who were looking to build a consensus on a national park were not necessarily people who had a community focus. There were groups that were keen on having a national park that had aims and objectives that the community was aware of but that the community felt did not reflect their views. I think that that did not help.

Will a look be taken at having a mechanism that allows communities to come together to discuss a national park proposal very openly without feeling that they are in a yes or no position, which immediately forces them to pick a side, depending on their level of trust or mistrust of the organisation that is promoting the proposal? It seemed to me that it was almost a no-go area for many people from the outset, because of the way in which the putting forward of proposals was being handled.

Mairi Gougeon: It is challenging, because, as I outlined in my previous comment to Mark Ruskell, a key element of the nominating process that we went through was to ensure that there was local support. There was no point in taking forward a nomination if it did not appear to have strong community backing.

I do not know whether you mean that we must ensure that the community as a whole is represented but that some areas felt that their community had not necessarily been represented in that process. If so, that is why a key part of the reporting process on the back of that appraisal was to gauge the overall interest across the area and to do a deep and wide consultation to get people's views. That is where the nominating process and the appraisal are important. In the appraisal for Galloway, I think that it was found

that there was quite significant and extensive local engagement in and support for the proposal. That is why it was recommended as one of the areas that could proceed to the next stage.

If there are any particular suggestions from members as to improvements that could be made to the nominating or appraisal processes going forward, I am more than happy to consider them, but we did try to build aspects into the process to ensure that there was community engagement and support.

Rhoda Grant: I think that there was community engagement, but it was about who was carrying out that engagement. Where were the trusted voices? People felt that, the moment someone was consulting them, it was a done deal and that that was the aim of the exercise. Therefore, people either took fright and said no or they were very positive about it. Views became entrenched very early on, and it felt as though there was no open and honest conversation about what the proposal could be, how we could shape it and what input we would have if it went ahead. It almost felt as though we missed a stage at the very start, before having the wider consultation.

Mairi Gougeon: Sorry—are you saying that it is the reporter stage and the engagement stages before it that need to be considered?

Rhoda Grant: Yes. Other members will know more about the Galloway situation, but I was very aware of what was happening in relation to the areas in the Highlands and Islands that were putting forward nominations. I felt that people were becoming very entrenched in their views very quickly, rather than being given the opportunity to explore, without any pressure, the nomination and what it would mean for them. Having a stage earlier in the process would give people ownership of it rather than make them feel that they had to make a decision early on.

Mairi Gougeon: I would be keen to hear more detailed views on which part of the process should be changed, because the process to get those nominations was very much designed to try to get that support.

Another organisation supported that nomination process and supported local groups in those areas in undertaking the wider consultation and engagement work to discuss the proposal. I would be keen to get clearer views on which part of the process should have changed or how we could have gone about it differently. As I said, the process was very much designed to take a bottom-up approach that did not impose the proposal on anyone.

It was important to say to communities across Scotland, “If this is something that you want in your area, come forward, engage and let us

know,” rather than saying that the Government would choose an area and tell communities what would happen.

There is that wider piece, which relates to Mark Ruskell’s earlier point, about what a national park looks like and means, and how it can be different. It is not about having a one-size-fits-all approach across the country. There is flexibility to design something that suits local needs and to have better messaging around that.

The process that we have established over the past few years is about trying to get community support, but we must look back and see what lessons can be learned from it as well as from the reporting process.

10:15

The Convener: The process went horribly wrong. It is not an exaggeration to say that it was a complete and utter disaster that pitched community against community. The whole process was polarised from the outset.

You said that you failed to set out how the park could be different, and that was one of the issues. Communities judged what a Galloway national park would be like by basing that on the two existing parks, but they were told that it could be, or had to be, different—we will move on to that idea in a minute. They were told that the impact on farming, forestry and renewables would be on a completely different scale from that elsewhere. Why did the Government and NatureScot fail to set out how a Galloway park could be different in practice?

There were concerns that farmers would have some of their permitted development rights taken away, that there would be stronger regulation of commercial forestry or that the national park would lead to far more low-paid jobs and higher house prices. You kept on saying, “Don’t worry about that. It’s going to be different. It’s going to be flexible.” Why did the process fail to set out how a Galloway national park could be different? People just did not understand how it could be different in practice, and that is fundamentally why we find ourselves where we are today.

Mairi Gougeon: To be fair, we all took pains to try to explain that. The Scottish Government did that. NatureScot launched the official consultation in November last year, and there were also three months of engagement prior to that to lay the groundwork and to clearly explain that the national park could fit around the needs of the area if that was something that the people of Galloway wanted to see.

I absolutely recognise the importance of agriculture and the dairy industry in the area. The

park would have supported the key industries that exist in Galloway.

The engagement was very much part of the process, which takes me back to Mark Ruskell's point about how to strike a balance between, on the one hand, going in with a clear idea of what the park could look like and, on the other, just telling people what will come to their area. You do not want to be top-down or to go in with an idea that says what you are going to implement, because people will accuse you of forcing something on them that they do not want.

I am more than happy to hear any views on that, but the approach throughout the whole process, starting when it was established, was to ensure that the park was something that communities and local people wanted to see in their area and that they could design it.

We have a number of recommendations from the Scottish Community Development Centre regarding improvements that could be made to the reporting process, as well as recommendations for the future that will be important for us to seriously consider in any steps that we take from here. I also want to hear members' views of their experiences.

The Convener: I know that Mark Ruskell and Emma Harper want to come in. I will bring in Elena Whitham first, then pick up supplementary questions.

Elena Whitham: Some of my questions have been touched on by the convener.

I will say from the get-go that I first heard about the Galloway national park back in 2016, nine years ago. I was a local councillor in East Ayrshire in 2018, when that council took what I viewed as a positive decision to support the national park after doing extensive public consultation on the back of what the Galloway National Park Association was doing.

The idea of the park did end up feeling like a bolt out of the blue for some sectors, including farming, forestry and renewables. We seemed to get to a point where those sectors became galvanised after suddenly realising that the park might have an impact on them and feeling that their voices had not been heard in the mix. I do not think that anyone can apportion the blame for that to the people from the Galloway National Park Association, because they set out their vision and took it out to people and they consulted quite extensively from 2016 onwards.

Having listened to the other members around the table and yourself, I am wondering how we can ensure that sectoral issues and any further proposals that affect real people on the ground who are farming or who are part of forestry or

renewables do not get to the stage where it feels as though people are getting entrenched. There was a groundswell of support, but all of a sudden it got to a crunch point where it felt as if there was not, and some sectors felt that they were not being heard. How do we deal with that? How do we overcome challenges from those sectors to get to a positive conclusion?

Mairi Gougeon: It is about continued engagement with them throughout the process. I know that I have talked a lot about it today, but the Scottish Community Development Centre's report sets out some of the issues that it saw with the process and how to avoid similar situations occurring again in the future. One of its suggestions is about bringing together a local steering group early in the process that can advise, help with that engagement and ensure that there is wider feed-in, so that people do not feel alienated by the process but feel that they are part of the conversation and that it is not something that is being done to them. We need to pay attention to a lot of the points that were raised in that piece of work.

I do not think that any of us would want to end up in a similar situation. We have to be able to have these discussions and debates without ending up as polarised as we have seen and experienced. We certainly want to avoid that in the future.

Elena Whitham: Do you think that other things had been happening at the same time that ended up making this feel very messy? The Natural Environment (Scotland) Bill has been going through, as have been the changes that we spoke about in the previous question session and the changes that are happening with agricultural payments. The convener also mentioned that permitted development rights might be coming into question. Do you think that a lot was going on and it felt as if the national park would be something else on top, so the vision could not be seen?

Mairi Gougeon: I appreciate that that could have been an issue and a concern for people. We have just had the session on the Natural Environment (Scotland) Bill. From my perspective, the work that we are doing on agriculture would not have been impacted had the proposal gone ahead and vice versa, because farmers would have still received their payments in the same way, regardless of whether they were in or out of a national park area.

I do not think that the aims of the Natural Environment (Scotland) Bill and what we are proposing would have fundamentally altered the proposal that was being considered for Galloway. So much is happening across the Government at the moment that I appreciate that people on the outside looking in could view it that way but, from

my perspective, those things would not have fundamentally altered the proposal.

The Convener: Emma Harper has a supplementary question, and then we will hear from Mark Ruskell.

Emma Harper: In the consultation, there were options of boundaries that were to be chosen. Option 1 was the smaller national park area and options 2 and option 3 were bigger and wider. I am thinking about the biosphere boundary, which has recently been expanded to cover the Rhins of Galloway. Was there significant input into the boundary proposals as part of the consultation?

I will also quickly pick up on what Elena Whitham said about other things going on, such as the establishment of the regional land use partnerships, the dark sky park and the forest park. A lot of other stuff is going on already, so I am just wondering about what effect that had on the feedback on the boundary options that were offered.

Mairi Gougeon: You are absolutely right about the boundaries. NatureScot had said that, should ministers decide to designate, it would have recommended the smaller core area, as it outlined in its report.

The situation was difficult according to the different reports that came out. NatureScot also outlined in its report that, if somebody felt that they were against a national park, it was harder to engage with them about the different options of what boundaries could look like and what shape governance could take. The boundary choices were informed by engagement with local people and other stakeholders. There were always going to be difficulties with that.

Can you remind me of your second point?

Emma Harper: It was to pick up on what Elena Whitham was saying about the regional land use partnership and other activities that were going on. Many people were supportive of the tourism economy, for instance, but the option for the smaller core area did not include some of the dairy farmland. It is interesting that we have ended up with no proposal at all, but many other things have been going on.

Mairi Gougeon: Absolutely. That was identified in the report. A key part of NatureScot's recommendation was to look at the existing structures and mechanisms in the area and to consider how to build on them. Those include the natural capital innovation zone, the work that South of Scotland Enterprise is doing, the UNESCO biosphere, the regional land use partnership, which you mentioned, and the framework on the back of that.

Mark Ruskell: There were reports of some intimidatory tactics at the Galloway meetings, particularly from those who were opposed to the park. I do not know what lessons can be learned from that about how the public narrative plays out. Similar concerns were raised during the earlier bid process about aggressive tactics being used around Scotland. What is the Government's reflection on that?

Mairi Gougeon: It is really concerning to hear that. The independent facilitators, Outside the Box, who were undertaking the engagement work with NatureScot, picked up on that concern and noted some of the behaviour at the engagement events, which was not what we would want to see. We should be able to engage, have a discussion and debate points, as I said earlier, without intimidatory behaviour. People should feel free to express their views, whether they are for or against a proposal.

It comes back to the work that we can do earlier in the process to try to prevent polarisation, so that we can have an open and honest conversation about serious issues and concerns, such as those that were identified during the consultation process. People had legitimate concerns about issues in the area.

We need to be able to have conversations in a constructive way in order to avoid some of the issues that you have described. We have to reflect on the recommendations and move forward in a positive way.

Mark Ruskell: Do you think that there was a heavy reliance on volunteers? I know that some of the volunteers who were working on the earlier bids had to put their heads above the parapet to propose change, at quite a heavy cost to them. It feels as though, for many people, leading a change would put them in a vulnerable space.

Mairi Gougeon: Yes, it can be a vulnerable process. I recognise the sheer amount of work done by the volunteers in Galloway and by those who put forward the other bids. I do not, by any means, underestimate how much work went into that and how much capacity it would have utilised.

We tried to support those volunteers and engaged other consultants to support the nominating groups, recognising the burden that the process would put on them. We also aimed to ensure that good quality bids were put forward for the appraisal process. I appreciate the difficulties that you raise and the onus that was placed on the volunteers. It is important that we supported the nominating groups, but I think that it had to be a community-led effort.

Mark Ruskell: My next question is about where the Government will go next with the policy on national parks. Two other bids—Lochaber and Tay forest—met the appraisal criteria. Perth and

Kinross Council led an extensive consultation process for Tay forest, which showed that there was a large majority of support for a national park in the area. You said that the rejection of Galloway as a site for a national park focused on the lack of public support. One area has public support and meets the criteria, so what is the future for a national park in Tay forest? It appears to have everything on the table.

Mairi Gougeon: We had selected Galloway from that list because it met all the criteria that had been set out through the appraisal process. However, I want to be clear that we set out a process to designate a new national park in Scotland, and, as far as I am concerned, we have completed that process and have come to a decision not to proceed with that designation. I do not want you to think that we will now reopen the process or go back to consider other bids, because we have been through the process and it has been completed. I will not be going back to review those bids or to consider proceeding on that basis.

Generally, we are open to considering the establishment of a national park in the future, but it would be for a future Government to determine how to take that forward. I certainly will not be reopening the process in the time that is remaining in this parliamentary session.

10:30

Mark Ruskell: It sounds like there will be no more national parks for Scotland for the foreseeable future, at a time when lots of national park proposals are being developed in England and elsewhere.

Mairi Gougeon: That will be the case for the remainder of this parliamentary session. It will be a decision for a future Government to take in the next session.

Mark Ruskell: What about the issue of adjusting the boundaries of the existing parks? The Tay forest bid was situated between two existing national parks. Evidence has been brought forward that suggests that the existing national park boundaries do not easily fit with the geography of the area or, indeed, with a lot of the issues around economic development, tourism and regulation of the environment. Would the Government be open to adjusting the boundaries of the existing two national parks, or is that off the table?

Mairi Gougeon: It is not a proposal that has been put to me or that I have been asked to consider, so I would not be looking to consider it at this stage. If a proposal came forward, it would have to undergo significant consultation and engagement. I have not been approached about

that, so I am not looking to consider it at the moment.

Mark Ruskell: It came up in the discussions around the Tay forest bid, because the boundaries of that park would be contiguous with the existing two national parks. There are communities that perhaps have a better understanding of what a national park looks like, because they can look to their neighbours and see exactly what is happening. Would you be open to a conversation around that if, say, Perth and Kinross Council or others came forward and said, "Look, there is a case now to adjust the boundaries in some way"?

Mairi Gougeon: If anybody wants to have that conversation with me, I am more than happy to have it, but I cannot make any commitments at this stage that I will look to do that, because of the processes that would potentially be involved. Again, I have not received a specific proposal in relation to that.

The Convener: It appeared right from the outset that the timescales for the designation of the Galloway national park were going to be incredibly difficult to meet. The Galloway National Park Association had carried out the only work that had been done on the proposal and although that was very commendable, it was considered quite some time ago, before I became an MSP. It was clear quite early on that the Government's consultation process was deeply flawed. Almost £350,000 was spent on that failed process. Should you not have considered halting the consultation earlier, given that it was so clear, even back in December and January at the turn of this year, that the process was ultimately doomed and would be very polarising?

Mairi Gougeon: I do not think that there would have been much point in stopping the consultation midway through. It was important for that exercise to reach its conclusion, so I would not have agreed to a proposal to halt the consultation when it was only halfway through its established timeframe.

The Convener: We have heard that the Citizen Participation and Public Petitions Committee recommended that there should be an independent review of national parks to inform future decisions. We heard that suggestion throughout the consultation, and you have touched on it yourself. There was misinformation around some of the challenges that the current national parks have. Would it not be sensible to have an independent review of national parks? We know that they have annual reviews, but, effectively, the park authorities mark their own homework. Although the Government has oversight of that process, there is a lack of confidence that the reports reflect the true situation in national parks. There are still questions about whether parks

deliver on their nature targets and for local communities.

Would you consider an independent review? If one had been in place prior to the Galloway national park proposal, the arguments would not have been quite so polarised and there would not have been accusations that misinformation led people to their conclusions about whether there should be a new park.

Mairi Gougeon: In some ways, it is all very well to say that with hindsight now. However, I hearken back to the parliamentary debate that took place in 2022, at which every party in the Parliament unanimously supported us in looking to establish another national park. No concerns were raised at that point about an independent review or that the national parks were not delivering on their stated aims and objectives, so that was not considered at the time.

As I responded to the Citizen Participation and Public Petitions Committee, I am not considering undertaking a review at the moment. I believe that our parks are accountable and transparent and that they deliver on their objectives. As I have set out and as I have said previously, there is oversight from ministers. There is also a role for the Parliament in that respect; if there were to be any concerns from the Parliament, the committee could undertake an inquiry into national parks. I do not feel that there is a particular need to review them at the moment, so it is not something that I am actively considering.

The Convener: It became clear that the misinformation and distrust were about some of the main issues: that house prices would be higher, that there would be less affordable social housing, and that there would be an impact on agriculture and forestry. There was also misinformation about whether renewables would be allowed to expand or would be more controlled in a national park. The fact that there was such misinformation suggests that there was no trust in the national parks and their performance.

An independent review would have taken away a lot of the doubt, speculation and fears at the outset of the designation process. I am not sure why you do not appreciate that point, because you have been telling us about misinformation all along. There is a lack of trust, and an independent review would certainly put that to bed, because the figures would be there and they would be independently reviewed. Moving forward, if future Governments were to be minded to designate a national park, it would be clear what the real picture is. At the moment, that trust does not exist, regardless of whether national parks are producing annual reports or whether they are being scrutinised by the Government or potentially by the Parliament.

Mairi Gougeon: I appreciate the points that have been made in the requests for a review, but, as I have outlined, it is not something that I am actively considering at the moment. We have just been through the designation process and I believe that our national parks are accountable and transparent in relation to what they deliver. If the Parliament wanted to do a deeper investigation into national parks, that is, of course, within the committee's means.

The Convener: If it is the case that national parks are performing as well as the Government believes that they are and that they are delivering what the Government believes that they have been set out to deliver, why was all that information allowed to influence the decision of the people in Galloway?

Mairi Gougeon: Sorry—are you talking about any misinformation in the campaign?

The Convener: Yes. Ultimately, the decision of the people in Galloway appeared to be based on the idea that national parks are not delivering and that they are actually curtailing the ability for areas to be economically sustainable. Again, the view was that national parks just exacerbate problems with the low-wage economy, low-skilled jobs, higher house prices and restrictions on agriculture. If that is not the case, why did that misinformation effectively succeed in persuading the majority of people in Galloway not to back a national park?

Mairi Gougeon: People have perfectly legitimate views and it is up to them to express those; I will not suggest otherwise. However, I think that outlining what a national park can do and deliver was very much part of what NatureScot undertook in the pre-engagement work that I talked about. It also tried to provide information and outline to people in the Galloway area that a national park was something that was entirely up to them to design if it was something that they wanted to have in their area.

The Convener: Okay. As we have no further questions, that concludes our evidence session. I thank the cabinet secretary and her officials for their time this morning.

10:39

Meeting continued in private until 11:36.

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