

**South Ayrshire Council**

**Report by Director of Strategic Change and Communities  
to Cabinet  
of 14 February 2024**

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**Subject: Galloway Nomination For New National Park Status**

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**1. Purpose**

- 1.1 The purpose of this report is to seek approval to provide support in principle for the proposed nomination developed by the Galloway National Park Association (GNPA) for a new national park in Galloway.

**2. Recommendation**

**2.1 It is recommended that the Cabinet:**

- 2.1.1 supports, in principle, the Galloway National Park Association's nomination for a new National Park to be designated which includes areas of South Ayrshire, East Ayrshire and Dumfries and Galloway Council areas (the deadline for nominations is 29 February 2024);**
- 2.1.2 notes that the Scottish Government is still considering the new National Park function including arrangements for governance and operational models. The finalised framework to support the designation of a New National Park is not available at this time and it will likely be released in line with the closure of the nomination process;**
- 2.1.3 requests a further report, if the GNPA nomination is successful, detailing any statutory, regulatory or financial implications which will be laid out by the new framework and the formal consultation undertaken by the Scottish Government Reporting Unit and NatureScot. South Ayrshire Council would retain the right to consider its position in regard to the regulatory and statutory implications of any proposals. This will be the subject of a future Cabinet paper, following the NatureScot formal consultation and decision to explore further work supporting a new National Park.**

**3. Background**

- 3.1 It is almost 20 years since Scotland's first National Parks in Loch Lomond and Trossachs and Cairngorms were established. Scottish Ministers recognise that National Parks can bring positive benefits to our environment and economy by supporting progressive development. The Scottish Government is committed to establish at least one new National Park in Scotland by Spring 2026. This will help to address the climate emergency and improve public and community wellbeing.

- 3.2 Individuals, communities and organisations have been asked to develop their nominations for Scotland's next National Park. Nominations are submitted through standard forms. Detailed information on the governance, functions and resourcing are not matters covered in the initial nomination procedure and would be for Scottish Ministers to advise through the process that follows, including through a Reporter investigation for any proposed National Park following the appraisal of all nominations.
- 3.3 Galloway National Park Association ('the GNPA') have been campaigning for a new National Park since 2016. With the publication of the nomination process in 2023, they have prepared a nomination for Galloway which includes a proposed area of 3000 km<sup>2</sup> and covers local authorities in Dumfries and Galloway, East Ayrshire and South Ayrshire. The GNPA has approached South Ayrshire Council, alongside the other local authorities to consider their nomination and ask for an indication of our support. The GNPA is able to submit this bid without the support of local authorities.
- 3.4 The timetable and steps for the designation process have been set out by the Scottish Government as follows:

**2022–23**

National Discussion

Consultation: the future of National Parks in Scotland.

Consultation: selecting new National Parks and changes to National Parks' powers and functions.

**2023-24**

Nominations and Appraisal

Development of appraisal framework and public consultation.

Nominations for new National Parks.

Appraisal of nominations.

**2024-25**

Reporter Investigation

Ministers announce proposal for new National Park(s) and Reporter investigation begins. Consultation on new National Park proposal.

Report to Ministers.

- 3.5 The National Parks (Scotland) Act 2000 created two National Parks, Loch Lomond and The Trossachs and Cairngorms. Loch Lomond and The Trossachs National Park Authority is the Planning Authority for the area and is responsible for all planning applications in the area and preparation of Local Development Plans. The planning system in the Cairngorms National Park is managed by the Cairngorms National Park Authority and the five local authorities which operate in the National Park, with the Park Authority having responsibility for preparation of Local Development Plans in their area and an ability to 'call in' and decide those applications which are important to the National Park objectives. The exercise of planning authority powers in both national parks is undertaken through committees, with a variety of political and non-political representation, and through delegation given to dedicated planning teams. Planning fees associated with planning applications are retained by the National Park dedicated Planning Services.

- 3.6 The Scottish Government recently consulted on proposals for legislative change in the National Parks (Scotland) Act 2000 included within the consultation on Scotland's Strategic Framework for Biodiversity – which closed in December 2023.
- 3.7 If the GNPA submission is successful, the Scottish Government will appoint NatureScot and the Scottish Government Planning and Environmental Appeals Reporter's Unit to start more formal consultations aligned with the development of a new National Park. These formal consultations will provide further engagement with key stakeholders, communities and public bodies to provide more detailed engagement around the National Park framework and proposals, in order to assist in the final design of any new National Park.
- 3.8 During this more formal consultation phase South Ayrshire Council, along with other key stakeholders, would have the opportunity to review the detailed framework and proposition for a new National Park and engage with NatureScot and the Reporter's Unit on issues such as extent, size and scale, government and operational delivery models which are as yet undefined along with other aspects of the National Park.
- 3.9 Exact timeframes are not confirmed at this stage, however the timetable outlined in paragraph 3.4 of the report indicates that the formal consultation would take place during late 2024 until early 2025 and at this time the Council could make appropriate representations and raise any concerns or objections.
- 3.10 A National Park in South Ayrshire has the potential to offer real benefits to the region, within the community, tourism sector, the local economy as well as biodiversity and the environment. However, there are further considerations on the governance, financial, statutory and regulatory powers of a National Park, which cannot be addressed until after the consultation and reporting period.
- 3.11 If the Council did not provide support in principle, the GNPA could submit the nomination without support and, if it was successful, the Council would be required to engage with the formal consultation process.

#### **4. Proposals**

- 4.1 The proposed new National Park governance and operational models are still being considered by the Scottish Government and the finalised framework to support the designation of a new National Park will likely be released in line with the closure of the nominations process.
- 4.2 It is proposed that the Council supports, in principle, the GNPA nomination for a new National Park to be designated in Galloway.
- 4.3 If the GNPA nomination is successful, a further paper will be presented to Cabinet, detailing any statutory, regulatory and financial implications laid out by the new framework and the formal consultation undertaken by the Scottish Government Reporting Unit and NatureScot and consider whether to raise any objections at that point. The support is therefore in principle at this stage, and the Council could withdraw this if, during the appraisal process, it is not satisfied with terms of governance or financial implications.

#### **5. Legal and Procurement Implications**

- 5.1 There are no current legal implications with supporting the nomination in principle, If the nomination is successful, the legal implications will be reviewed as part of the consultation period.

5.2 There are no procurement implications arising from this report.

## **6. Financial Implications**

6.1 There are no current financial implications with supporting the nomination in principle. If the nomination is successful, the financial implications will be reviewed as part of the consultation period.

## **7. Human Resources Implications**

7.1 Not applicable.

## **8. Risk**

### ***8.1 Risk Implications of Adopting the Recommendations***

8.1.1 There is a reputational risk that the Council supports the nomination and, if successful, subsequently objects to the proposal as part of the formal consultation process.

### ***8.2 Risk Implications of Rejecting the Recommendations***

8.2.1 There is a reputational risk that the proposal was rejected before the consultation period, when there was no governance, legal or financial information to inform the decision.

## **9. Equalities**

9.1 This report does not include any changes to policy or the development of new services, therefore an Equalities Impact Assessment is not required at this stage. It is proposed that a full Equalities Impact Assessment be carried out if the nomination is successful.

## **10. Sustainable Development Implications**

10.1 ***Considering Strategic Environmental Assessment (SEA)*** - The nomination applications covers sustainability themes currently championed by South Ayrshire Council.

## **11. Options Appraisal**

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

## **12. Link to Council Plan**

12.1 The matters referred to in this report have the potential to contribute to Priority 1 of the Council Plan: Spaces and Places, Priority 2: Live, Work and Learn and Priority 3 Civic and Community Pride.

## **13. Results of Consultation**

13.1 There has been no public consultation on the contents of this report.

13.2 Consultation has taken place with Councillor Alec Clark, Portfolio Holder for Tourism, Leisure and Rural Affairs, and the contents of this report reflect any feedback provided.

#### 14. Next Steps for Decision Tracking Purposes

14.1 If the recommendations above are approved by Members, the Director of Strategic Change and Communities will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:.

<b><i>Implementation</i></b>	<b><i>Due date</i></b>	<b><i>Managed</i></b>
Update Cabinet on success of the nomination and timeframe/ next steps	August 2024	Assistant Director - Communities
Further Cabinet paper detailing any statutory, regulatory and financial implications.	June 2025	Assistant Director - Communities

**Background Papers**    [NatureScot: National Parks](#)

[Scottish Government: New national parks: nominations guidance and appraisal framework](#)

[Galloway National Park Association: It's Got to be Galloway](#)

**Person to Contact**    **George Hunter, Assistant Director – Communities**  
County Buildings, Wellington Square, Ayr, KA7 1DR  
Phone: 01292 612994  
Email: [George.hunter@south-ayrshire.gov.uk](mailto:George.hunter@south-ayrshire.gov.uk)

**Date:**    **6 February 2024**