

**PROPOSED DISPOSAL OF HIGHLANDS AND ISLANDS
ENTERPRISE'S CAIRNGORM ESTATE**

A POSITION PAPER BY AND FOR

THE CAIRNGORMS CAMPAIGN

This Paper is Supported by:-

The Ramblers Association

The North East Mountain Trust

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Summary

Glenmore, including the HIE estate, forms the *buffer zone* between major tourist developments of Aviemore/A9 corridor and the Central Cairngorms. It follows that the whole of Glenmore, ***including the HIE estate***, form a ***key land unit*** with respect to both the protection of the Central Cairngorms and the tourist industry. Since this larger area encompasses much of the Cairngorms National Park, the management of this key land unit is a core issue for the Cairngorms National Park to successfully meet its four basic functions.

The management of the HIE Estate as part of this buffer zone has been, and continues to be, particularly contentious. To avoid a continuation of this, management of the Estate will require the most skilled and careful supervision and direction.

Collectively, the HIE Estate plus that of the Forestry Commission for Scotland (FCS) have high inherent scientific, conservation, recreational, educational and landscape values. In these capacities, the two landholdings function as a single land unit. It, therefore, follows that they should be managed as one. Hence it would be logical for them to be under single ownership.

Due to an initial approach that focused exclusively on development, the lack of skills in developing within a fragile mountain environment by the then Cairngorm Chairlift Company and others, the area has a history of more acute and prolonged conflicts than any other area in Scotland. These conflicts have spilt onto the national political stage. There remains considerable potential scope for further major conflict.

It follows that any new owner would have to be able to deal with current and future conflicting interests. Therefore the basic balance between conservation of the resource and its development, and hence the terms on which the land is held, will be of key importance.

Under any future landowner,

- 1) The status of the whole of Glenmore, including the Cairngorm Estate and the Forestry Commission Scotland Estate on the lower ground, must be recognised, as A KEY LAND UNIT in the conservation of the Cairngorms and the sustainable management of the Badenoch and Strathspey tourist.
- 2) The high inherent values of the area for conservation, recreation, landscape and education at both national and international levels must also be recognised and the land managed accordingly
- 3) The terms on which the land is held must include a strong conservation remit.

- 4) The whole of Glenmore must be managed as a single entity.
- 5) This integration of planning should extend beyond Glenmore to include neighbouring landholdings.
- 6) The full range of stakeholders should be involved in the management.
- 7) Any future landowner must understand the main conservation issues of the area, have the proven knowledge of how to manage them, and be able to carry the considerable financial burden of managing the area.
- 8) The responsibility and financial burden for removing the current structures should remain with Cairngorm Mountain Ltd (CML) and/or HIE.
- 9) The choice of landowner and the terms of the remit should be decided under ministerial overview.

1.0 Introduction

This paper sets out the views of the Cairngorms Campaign on the future ownership and management of the Cairngorms Estate currently owned by Highlands and Islands Enterprise. It describes the functions and values of the land within the estate, examines briefly the history of land use and conflicts in the area over the past 60 years, and derives conclusions and recommendations for its disposal and management.

In arriving at its conclusions, the Campaign has drawn upon the following sources of information:-

- 1.1 Its members' detailed knowledge of the Glenmore basin and of the wider Cairngorms.
- 1.2 Its members' close experience of the history of the area over the last sixty or more years.
- 1.3 Information on the history of
 - a. the development as given in Watson (1), in his report on the history and development of the Glenmore Forest Park
 - b. the protective designations in the area by Watson *et al.*(2) in their report to the WWF in 1995
- 1.4 The detailed information on the scientific value of the area provided in the report by Watson *et al.* (2).
- 1.5 Its members' knowledge of the conclusions and recommendations on the principles and research findings on the successful balancing between protection of natural resources and sustainable tourism development in mountains elsewhere in the world.

We would emphasise that, within Glenmore, the Estate is historically the upper half of the Glenmore Forest Park and, for various reasons made clear in section 2.2, consideration of the two halves cannot be separated. The values and future of the Cairngorms Estate are therefore considered in conjunction with lower Glenmore, including eastern parts of Rothiemurchus.

2.0 Functions and Values of the Cairngorm Estate.

2.1 Strategic Value of the Estate for the Protection of Natural Resources and Sustainable Development of Tourism Over a Wider Area

It is a primary principle of the protection of vulnerable mountain areas that the capacity to protect them effectively succeeds or fails in the degree to which development is limited and guided within the surrounding foothills and adjacent valleys. This principle has been well established through international experience. This is why zoning of development is accepted globally as an approach to the management of such mountain areas. The foothills act as a buffer zone between major developments and vulnerable protected areas. Such buffer zones are recognised world wide as being of major strategic importance in the management of the relationship between the protection of vulnerable areas of high nature conservation value and the development of nearby tourist areas. Within them, limited development is permitted in a manner that protects the core zones and also permits sustainable development.

The Central Cairngorms are an example of such a highly valued, but vulnerable, mountain area. In much of the area, the core zone is surrounded by such foothills, except at Glenmore. Here, low ground extends directly towards the core zone and then, within the HIE Estate, ascends fully to the edge of the most vulnerable zone, the Central Cairngorms Massif, which forms the southern boundary of the Estate.

At the same time, the qualities of scenery, the diversity of recreational opportunity, as outlined in Section 2.2, and the area's proximity to Aviemore and the wider local tourist industry, have ensured that it has developed a central role in the local tourist industry with, for example, the Loch Morlich beach becoming the most visited summer attraction in Badenoch and Strathspey

Glenmore, including the HIE estate, forms the *buffer zone* between major tourist development and the protection of the Central Cairngorms. It follows that the whole of Glenmore, upper and lower sections ***including the HIE estate***, form a ***key land unit*** in this respect and therefore in the future successful operation of the Cairngorms National Park as a whole in meeting its four basic functions.

However, rather than having limited development within it, as would be the case in a normal buffer zone, there has been intensive development to the edge of the Cairngorms National Nature Reserve. These developments, the construction of roads, and ski infrastructure, including the funicular railway, have greatly increased ease of access for large numbers of people and heightened pressures on vulnerable environments. ***Hence the future management and any further development of the HIE estate as part of this buffer zone is particularly difficult and potentially contentious, and requires the most skilled and careful supervision and direction.***

2.2 Inherent Values and Overall Cohesion of the HIE Estate and the FCS's Estate in Lower Glenmore

In addition to its strategic importance, the HIE Estate has a high inherent value for science and conservation, as well as for landscape, outdoor recreation, and education. Furthermore, the areas of land which carry these values exist in a continuum that encompasses both the lower ground owned by the current FCS, the HIE Estate and the plateau beyond

2.2.1 Value for Science and Conservation.

Repeated studies have established the high scientific and conservation value of the area. Ecologically, since it stretches from the tundra of the high Cairngorms plateau to the forest valley floor, it spans the major altitudinal range of plant, animal and landforms of the Scottish uplands. After examining the most extensive body of information assembled on the area to date, the Reporter, in his conclusions of the report of the 1981 Lurcher's Gully Public Inquiry (3), stated, *"The scientific interest of the Cairngorms in their entirety is more important than that of the parts, valuable though the parts may be. While 20 years ago it was thought satisfactory to place statutory designations on the plateaux – the unquestionably unique areas of the massif – the importance of the concept of site completeness has come to be emphasized both because the characteristics of the plateau will not survive man-induced change in the immediately surrounding terrain and because the study and appreciation, whether structural or biological, of the Cairngorms must be that of an entity ranging from the valley floor to the highest top. This view has my support because the basis is logical."*

After further studies on the area some fifteen years later, Watson *et al.* (2) further underpinned support of this view concluding that:-

"Rothiemurchus and Glenmore are unique in the UK for their continuum of climate, landforms, soils, vegetation, and animals in near-natural habitats from strath woodland (200m) to arctic-alpine 1300m summit within a short distance up to 10km. They offer a potential for continued natural evolution of habitats and enhanced quality in an internationally outstanding site. This was the writers' guiding general principle when appraising specific boundary issues. It is the standard principle used internationally for impartial site investigation and assessment in outstanding natural areas."

They added:-

"There is a remarkable continuum and variety of semi-natural and natural habitats in the area, from strath native woodland to arctic-alpine summit, within a short distance. The area has potential for continued natural evolution of habitats in an internationally outstanding site, and for greatly enhanced site quality and public value, if management with conservation aims becomes the priority for all agencies cooperating in fully integrated management. Such cooperation has already increased and does not necessarily depend on designations, but designations raise an area's status and the likelihood of integrated management and extra funding."

This scientific value is recognised in the range of protective designations covering all or part of Glenmore including a National Scenic Area, four SSSIs including the Northern Corries SSSI, the Cairngorms Special Area of Conservation and the Cairngorms Special Protection Area.

2.2.2 Value for Landscape

Watson (1), in his report on the Glenmore Forest Park pointed out that the areas jointly were

“bounded on three sides by the Cairngorms and the Kincardine hills, and within these geographically strong boundaries, there is a high degree of intervisibility between most of the different areas of the Park, making it essentially one landscape unit.”

Within this compact unit of land, is contained a remarkable range of Highland landscapes including dramatic corries and ridges, summits, lochs, lowland forest, hills, hill passes, and mountain burns.

Furthermore, the higher ground forms a large part of the northern face of the range, highly visible from both the lower area around Loch Morlich and the surrounding forest, and from the main roads and developments of the strath. It thus constitutes an important part of the scenic experience of visitors to Badenoch and Strathspey and major or poorly handled developments upon it will impact negatively on that experience. This has already begun to happen.

2.2.3 Value for Recreation and General Leisure

Due to the accessibility and diverse landforms and landscapes within Glenmore,, people participate in a wider diversity of outdoor recreations than in any other comparable area of land in Scotland. As examples, quite apart from the downhill skiing in Coire Cas, the Northern Corries are the scene of cross country skiing, rock and ice climbing, and hillwalking. Loch Morlich has sailing, canoeing and other activities, while the general public walks and rambles in the forest, corries and other areas. Moreover, the intensity of activity in all these recreations is high.

For general outdoor leisure, the area remains a key resource in the local tourist industry with Loch Morlich beach the most visited site by tourists to Badenoch and Strathspey.

When participating in many of these recreations, such as walking or cross country skiing, the public ranges freely over the upper and lower landholdings of both the HIE and FCS without regard to ownership boundaries, moving up and down the altitudinal zones in response to varying weather conditions.

Lastly, developments in the upper half of the area currently constituting HIE's Cairngorm Estate, have major implications for the lower half in terms of traffic flows through these areas, total number of visitors, and other factors.

Hence, recreationally, the upper and lower landholdings function as a single land unit and, even where a recreation may be largely confined to the upper half such as downhill skiing, its impacts on the rest require integrated management over the whole area.

2.2.4 Educational Value of the Area

The area is important in education and training in outdoor recreation and, more widely, in the appreciation of the natural environment. It contains Glenmore Lodge, the national centre for training in outdoor recreation and the Glenmore Youth Hostel. Other outdoor training centres in Badenoch and Strathspey also use the area.

2.2.5 General Conclusion

The HIE Estate plus the FCS Estate collectively have high inherent scientific, conservation, recreational, educational and landscape values. As long ago as 1981, the reporter to the Lurcher's Gully Public Enquiry(3) found the area proven to be

“of outstanding scientific, scenic, and recreational importance.”

In these capacities, the two landholdings function as a single land unit. It follows that they should be managed as such.

3.0 Historical Development of the Situation

Here, only some major events of the history of the area are mentioned. A more detailed history of the development of the present situation, at least up till 1995, is provided by Watson (1).

The then Forestry Commission purchased Glenmore in 1923 and designated it a Forest Park in 1947, declaring:-

“At all these Forest Parks, attention is given to the conservation of natural resources of all kinds. Good land utilisation is practised, and throughout the area wildlife is protected. Careful regard is paid to amenities and scenic effects both in the arrangement of plantations and the design and siting of buildings.” (4)

It was declared part of a National Parks Direction Area in 1949. In response to growing pressures from tourist development, the then Nature Conservancy declared the Cairngorms National Nature Reserve, but limited the southern boundaries to the summit of Cairn Gorm, believing the policies announced for Forest Parks would provide adequate protection.

In 1971, the Secretary of State for Scotland transferred ownership of the upper half of the Forest Park to the then Highlands and Islands Development Board (now HIE) but clause 12 of the Feu Charter granted laid down the condition that the estate would continue to be designated as part of the Glenmore Forest Park. The Highlands and Islands Development Board had a development remit but no conservation remit. Nor had it knowledge or skills in development in mountains. It was strongly committed to maximising development of the Estate.

Due to this approach, and the lack of skills in developing within a fragile mountain environment by the then Cairngorm Chairlift Company, both before and after the land transfer, the area has a history of more acute and prolonged conflict than any other area in Scotland.

These conflicts have been sufficiently serious to encroach onto the national political stage. There remains considerable potential scope for further major conflict. Watson *et al* (2), for example, demonstrated that the boundaries of the present protective designations under the Habitats Directive, did not align well with the distribution of Annex 1 species on the ground and that boundary changes should be made. There is, at present, growing pressure to reopen the top station of the funicular railway to permit people to walk to the summit of Cairn Gorm, a move that would undoubtedly cause

major controversy. Environmental protective legislation is becoming much stronger and more restrictive. Development pressures within Badenoch and Strathspey are also increasing, accelerated by the “commoditisation” of the Cairngorms National Park through marketing strategies. The increasing participation in, and diversity of, “high tech” outdoor recreations such as mountain biking exerts further pressures for development.

If follows that any new owner would have to be able to deal with current and future conflicting interests. Therefore the terms on which the land is held by a future owner regarding the balance between conservation of the resource and its development, would be of key importance.

4.0 Recommendations and Conclusions

4.1 The status a of the whole of Glenmore, including the Cairngorm Estate, as A KEY LAND UNIT in the conservation of the Cairngorms and sustainable management of the Badenoch and Strathspey tourist industry must be recognised.

The functions of the area as a buffer zone are described in section 2.1. Any new land owner must recognise this dominant function and have both the remit and skills to manage development within the Cairngorm Estate and wider Glenmore accordingly.

4.2 Any new landowner must also recognise the high inherent values of the area at both national and international levels and manage it accordingly.

These values are outlined in section 2.2.

4.3 The terms on which the land is held must include a STRONG CONSERVATION REMIT.

Extensive research and global experience have repeatedly confirmed the tendency for tourism to overdevelop and damage the environmental resources, such as landscape and wildlife, on which it is based to an extent that harms the industry itself.

It has been widely found that, unless the managing and controlling body of such an area has a *predominantly conservation remit*, over-development occurs with damage to both the tourist industry and the natural heritage of the area. Therefore the Cairngorm Estate, under whatever new owner, must be held under such a remit.

4.4 The whole of Glenmore must be MANAGED AS A SINGLE ENTITY

The land encompassed by the HIE Estate and the current Forest Commission Estate below it functions ecologically, recreationally, educationally, and in landscape terms, as a single functional land unit.

To this end, it is logical that the area should be brought back within a single ownership and the full entity of the old Glenmore National Forest Park re-established!

4.5 This integration of planning should extend BEYOND GLENMORE

The area is bounded on two sides by land owned by the Royal Society for the Protection of Birds (RSPB) in Abernethy and at one point by land owned by the National Trust for Scotland (NTS) - Mar Lodge Estate. These are two landowners with a strong conservation remit. On the northern boundary lies Rothiemurchus Estate with high

protective designations and itself a major recreational resource. The scope and need for integrated management over a wider area is considerable.

It is therefore important that both SNH, with its remits in conservation and recreation, and the Cairngorms National Park Authority with its integrating role, are fully involved in the choice of landowner of the HIE Estate and the integrated management of Glenmore as a single entity .

4.6 The FULL RANGE OF STAKEHOLDERS in the area should have an involvement in management.

If a management board of stakeholders is established, then conservation interests should have a strong representation on it. The past history of the area provides examples where only the intervention of such interests prevented “developments” which it was later realised would have been damaging to conservation, development and recreational interests. The fringe of ancient Caledonian pine around the Loch Morlich beach, for example, was saved from clear felling by the intervention of Tom Weir, while the stand of ancient pine in Ryvoan was saved from clear felling by the intervention of the Moray Mountaineers. In particular, unworkable downhill ski developments into the Northern Corries and Lurcher’s Gully were prevented by major interventions by environmental and recreational groups and agencies.

4.7 Resourcing and staffing of future landowner

As recorded in the Baseline Survey of the estate by Bidwells, the income to the Estate is £100,000 per year from rent paid by Cairngorm Mountain Ltd (CML) and costs of the landowner are £115,000. On the surface, this appears workable but the financial burden of running the estate faces two problems.

The first is that there is no guarantee that CML will continue to operate in the face of loss of income from downhill skiing due to climate change and possibly other factors, and in face of the Company’s considerable accumulated debts. The cost of removing the funicular in that situation, under present arrangements, would fall to HIE. No future landowner could be expected to take over that burden. If CML ceased to operate, then not only would the rental income cease and the major revenue stream be lost, but there would be the added burden of removing uplift and other structures other than the funicular railway from Coire Casl.

Further, there are considerable structures on the land, such as the downhill skiing uplift and accommodation in Coire na Ciste, which will need removal in the foreseeable future at considerable cost. If CML ceased to operate, the burden of doing so would not be covered by any current commitment by HIE. It would therefore fall upon the landowner at that time.

A second consideration is the fact that such things as major weather events can create problems through erosion or landslip that require major funds to be spent on path restoration or other damage.

Under any transfer of ownership therefore:-

- 1) Current obligations on HIE to remove the funicular railway and associated structures must continue to rest with HIE.
- 2) The question of the burden of removal of other structures owned by HIE on the site must remain with HIE.
- 3) Potential costs for the removal of other structures must rest with CML if such costs are due to the redundancy of the structures or equipment or, if CML ceases trading, be underwritten by HIE.
- 4) Any landowner taking over the area must be able to finance fully the running costs of the Estate and the burden of any intermittent large costs due to damage precipitated by major weather events.
- 5) The landowner should also be able to provide effective staffing of the area.
- 6) This staffing should include a unified ranger service covering the whole of Glenmore, paid and working independently of CML.

4.8 The choice of landowner and the terms of the remit SHOULD BE DECIDED UNDER MINISTERIAL OVERVIEW!

The transfer of the land from the Forestry Commission to the then HIDB in 1971 was done by the act of the Secretary of State for Scotland. This was against the wishes of the Forestry Commission at that time and much of the conflict that then ensued was due to the in appropriate actions of the new landowner.

The evidence presented in this paper shows that the decision of selection of landowner, skills range, financing and terms of remit given will have implications for the avoidance of future conflict, for the wider Cairngorms National Park, for areas geographically outwith the HIE area, and for areas designated at the European Union and international level.

This decision should therefore be taken under ministerial overview in Scotland.

References

- (1) The history and development of the Glenmore National Forest Park Watson RD 1993
– A critique commissioned by Save the Cairngorms Campaign
- (2) A provisional scientific assessment of the boundaries of proposed nature conservation sites at Cairn Gorm and Glen More. A report to WWF by Adam Watson, Stuart Rae & Alexander D. Walker
- (3) Conclusions of the Lurcher's Gully Public Inquiry 1982
- (4) Annual Report of the Forestry Commission 1947 page 14