

**South Ayrshire Council**

**Report by Director of Communities and Transformation  
to Cabinet  
of 21 January 2024**

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**Subject: Consultation Response on National Park for Galloway**

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**1. Purpose**

- 1.1 The purpose of this report is to seek approval from the Cabinet for the basis upon which to respond to the Public Consultation on the proposed National Park in Galloway currently being carried out by NatureScot on behalf of the Scottish Government.

**2. Recommendation**

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

- 2.1.1 agrees that the proposed Galloway National Park is a positive step which could support the visitor economy in South Ayrshire, address climate and nature emergencies, and enhance public services and community wellbeing, while also enhancing the area's existing UNESCO Biosphere status (depending on the final designated boundary); and responds to the consultation on that basis;**
- 2.1.2 supports the potential to develop a regional development strategy or plan in partnership with the other local authorities of a National Park. The development strategy should support the aims of recommendation 2.1.1 above and should align with the local development plans of the local authorities, but would not comprise any part of the Development Plan as defined in statutory planning provisions;**
- 2.1.3 agrees that functions and governance arrangements associated with a National Park Authority should not remove or dilute existing powers of South Ayrshire Council as a Planning Authority; and responds to the consultation on that basis;**
- 2.1.4 agrees that there is an opportunity for South Ayrshire Council to set out its long-term vision for nature and recreation with potential to attract funding, and responds to the consultation on that basis;**
- 2.1.5 agrees in the creation of the National Park Authority that there should be minimal direct, indirect or recurring financial implication for South Ayrshire Council as a result of a new National Park Authority; and responds to the consultation on that basis; and**

**2.1.6 agrees that the name for the National Park should be meaningful for all communities within the footprint of the Park boundary; and responds to the consultation on that basis.**

### **3. Background**

- 3.1 The Programme for Government 2021-22 included a commitment to designate at least one new National Park in Scotland by Spring 2026, provided legal conditions could be met, and to make funding available to support this ambition.
- 3.2 In October 2023, the Scottish Government invited communities and organisations across Scotland to explore, develop and submit nominations for their area to be considered as Scotland's next National Park, on the basis it could support economic growth and tourism, address the climate emergency and improve public services and community wellbeing.
- 3.3 The Galloway National Park Association (GNPA) and the Galloway and Southern Ayrshire UNESCO Biosphere jointly developed and submitted a [nomination](#) for a new National Park in Galloway. The boundary of the GNPA is currently unclear. Whilst SAC is supportive in principle, more information is required through the Review process. Appendix 1 presents SAC suggested North boundary relating to the proposed National Park.
- 3.4 On 14 February 2024, SAC Cabinet agreed to support in principle the proposed National Park nomination for Galloway.
- 3.5 On 22 July 2024, following an [appraisal process](#) where five nominations were considered, the Scottish Government made a statutory proposal for a new National Park in Galloway. The Government appointed NatureScot to be the Reporter for this Proposal and provide advice on it to Scottish Ministers by the end of April 2025.
- 3.6 Following this, Scottish Ministers will consider NatureScot's report and determine whether to designate the proposed area as a National Park, with or without modifications. If the Scottish Ministers decide to proceed, they must then consult on the Draft Designation Order.
- 3.7 NatureScot developed a [Reporter Plan](#) to investigate the suitability of the area as a National Park and the options for its size, powers, functions and governance arrangements, and also to gauge public opinion on it. They undertook an Engagement Phase between July – October 2024, to raise awareness of the proposal and work with local interests and other stakeholders to design an effective consultation strategy and to develop the draft proposals for consultation.
- 3.8 NatureScot began a consultation process on 7 November 2024, which will run until 14 February 2025. As per the consultation requirements, South Ayrshire Council has engaged and been consulted with. An East Ayrshire Council and South Ayrshire Council Elected Members briefing by NatureScot took place on 18 November 2024 and a subsequent SAC Elected Members seminar took place on 9 December where fiscal, planning, regulatory implications, management, governance and naming of the proposed park themes were presented. Through the presentations it became clear that a bespoke approach to the proposed Galloway National Park could be developed which should be light touch regarding planning matters but effective with minimal financial or substantial planning/regulatory requirements (see Appendix 2 for SAC planning aspects). It was noted

that National Parks are funded 100% by Scottish Government, however, that there could be greater resource requirements for Planning Services within the Local Authorities to ensure a coordinated approach across the National Park/local authority areas. These potential costs were not discussed in detail and cannot be planned for at this time. It was noted that other designated Parks have attracted external funding to support climate and nature projects. There were also discussions around the name of the park and the need for it to represent the whole geographical area.

- 3.9 As part of the Consultation Phase, a series of public events are being promoted and are taking place across the area where attendees can share their thoughts and opinions in a safe environment. Facilitated by independent consultants on behalf of NatureScot, the events in South Ayrshire include the following (as well as opportunities for online engagement):

Date	Location	Venue	Time
08 Jan	Lendalfoot	Village Hall	13:00 - 15:00
08 Jan	Girvan	Wave Hub	18:00 - 20:00
09 Jan	Girvan	Community Garden	10:30 - 12:30
09 Jan	Pinwherry	The Auld School Community Centre	16:00 - 18:00
15 Jan	Ballantrae	Craigiemains Garden Centre	13:30 - 15:30

- 3.10 NatureScot will analyse all responses and finalise their advice for Scottish Government Ministers between February 2025 and end of April 2025, at which time Scottish Government Ministers will decide whether to proceed by issuing a Draft Designation Order for further consultation before National Park status for the area is approved by the Scottish Parliament.
- 3.11 Internal discussions have taken place with the key SAC Service areas including; Planning, Sustainability, Destination South Ayrshire and Economy and Regeneration to form the recommendations of this report. As indicated in Appendix 3, it is considered that there are positive opportunities for South Ayrshire in the formation of a National Park provided appropriate mitigation measures and safeguards are put in place to protect businesses and residents within South Ayrshire.

## 4. Proposals

- 4.1 The Cabinet is asked to agree in principle that:

- 4.1.1 that the proposed National Park is a positive step which could support the visitor economy in South Ayrshire, support addressing climate and nature emergencies, and enhance public services and community wellbeing, while also enhancing the area's existing UNESCO Biosphere status (depending on the final designated boundary ; and responds to the consultation on that basis;
- 4.1.2 that there is an opportunity for South Ayrshire Council to set out its long-term vision for nature and recreation with potential to attract funding; and responds to the consultation on that basis;

- 4.1.3 that there is an opportunity to set out the long-term vision for South Ayrshire gateway points to the proposed National Park to enhance tourism and economic impacts (depending on the final designated boundary); and responds to the consultation on that basis;
- 4.1.4 that, in order to plan, coordinate and deliver the above aspirations it is considered important that a strategic development plan is developed to promote and deliver priorities and projects for the National Park. In the interests of cohesive wider local authority planning and retaining existing levels of local democracy and accountability, a separate Local Development Plan, developed by the National Park Authority, would not be supported. The National Park Plan could be promotional and contain proposals and non-planning policy that is both subject/theme specific and spatial. This Plan would support and guide partnership working within the National Park Area. The National Park Plan should be influenced and aligned with LDP preparation and visa versa, but its policies should not have planning statutory powers. It would be important that the development of the National Park Plan and any resulting planning coordination is fully undertaken within and funded by the National Park;
- 4.1.5 that the National Park Authority will require governance arrangements to support the plans, work and delivery of priority and projects. Governance arrangements will require to be developed. However, it is recommended at this time that the set of arrangements that are developed seek to contain costs (legal, secretariate etc) to within the National Park. Inevitably governance arrangements will require elected member and officer support from each of the Councils and this will involve some cost to the Council. Significantly, it is considered that the functions and governance arrangements associated with the National Park Authority should not remove the statutory powers of South Ayrshire Council as a Planning Authority;
- 4.1.6 that, in the creation of the National Park, there should be minimal indirect or recurring financial implication for South Ayrshire Council as a result of a new National Park Authority; and responds to the consultation on that basis; and
- 4.1.7 that the name for the National Park should be meaningful for all communities within the footprint of the Park boundary; and responds to the consultation on that basis.

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

- 5.1 There are no legal implications arising from the recommendations contained in this report. Any further conversations with the Scottish Government following the consultation will be considered for any potential legal impacts.
- 5.2 There are no procurement implications arising from this report.

## **6. Financial Implications**

- 6.1 No financial implications directly arising from this report. However, should a National Park be designated, although the National Park Authority would be 100% funded by the Scottish Government, depending on the form, powers and governance of the National Park as an authority there will have varying degrees of

financial implication for the Council. As a minimal this could involve existing elected member and officer resources being partially diverted to work programmes and governance to support the National Park.

## **7. Human Resources Implications**

7.1 Not applicable.

## **8. Risk**

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

8.1.1 There is a risk that supporting a National Park without additional financial support could lead to existing resources requiring to be diverted to support the work of the National Park, for example in preparation of National Park Plan and governance of the National Park as a partnership.

8.1.2 There is a risk that not supporting the forming of a National Park Planning Authority could dilute the benefit and impact that designation of a National Park could provide.

8.1.3 There is a risk that a National Park could result in duplication of economic development and planning related work undertaken already by each of the Councils. This risk is reduced with the development of business and strategic plans and adequate governance, secretariate and monitoring arrangements within the National Park.

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

8.2.1 Rejecting the recommendations and not supporting the designation of a National Park could result in opportunity to promote and develop the area to meet tourism and environmental objectives

8.2.2 Rejecting the recommendation to support the designation of a National Park, but to include Planning Authority powers could result in a diminution of the ability to deliver the spatial planning vision for South Ayrshire.

## **9. Equalities**

9.1 NatureScot is the body appointed by Scottish Government to conduct the consultation Review of the proposed new National Park. NatureScot will assess the likely impact of the proposal against the needs of the equality duty, taking into account relevant evidence relating to equality groups to ensure that they prevent, or limit as far as possible, any negative effects or barriers that a proposal could have and take full advantage of any opportunities to promote equality and foster good relations between people.

## **10. Sustainable Development Implications**

10.1 ***Considering Strategic Environmental Assessment (SEA)*** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

## 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 contribute to Priority One, Two and Three of the Council Plan:

1. Spaces and Places;
2. Live, Work, Learn; and
3. Civic and Community Pride.

## 13. Results of Consultation

13.1 Public consultation on the proposed National Park is currently live.

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

13.3 Two seminars by NatureScot have invited SAC Elected Members to engage in the Review process. The first took place on 18 November 2024 with EAC Elected Members and the second was on 9 December 2024 in County Buildings and available for online attendance. The presentation slides were circulated to Elected Members following the most recent event.

## 14. Next Steps for Decision Tracking Purposes

14.1 If the recommendations above are approved by Members, the Director of Communities and Transformation 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 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 by</i></b>
SAC to formally respond to GNP consultation	Before deadline of 14 February 2025	Assistant Director - Communities
Report on the findings of the consultation and potential next steps	May 2025 (date tbc subject to Government decisions following consultation)	Assistant Director - Communities

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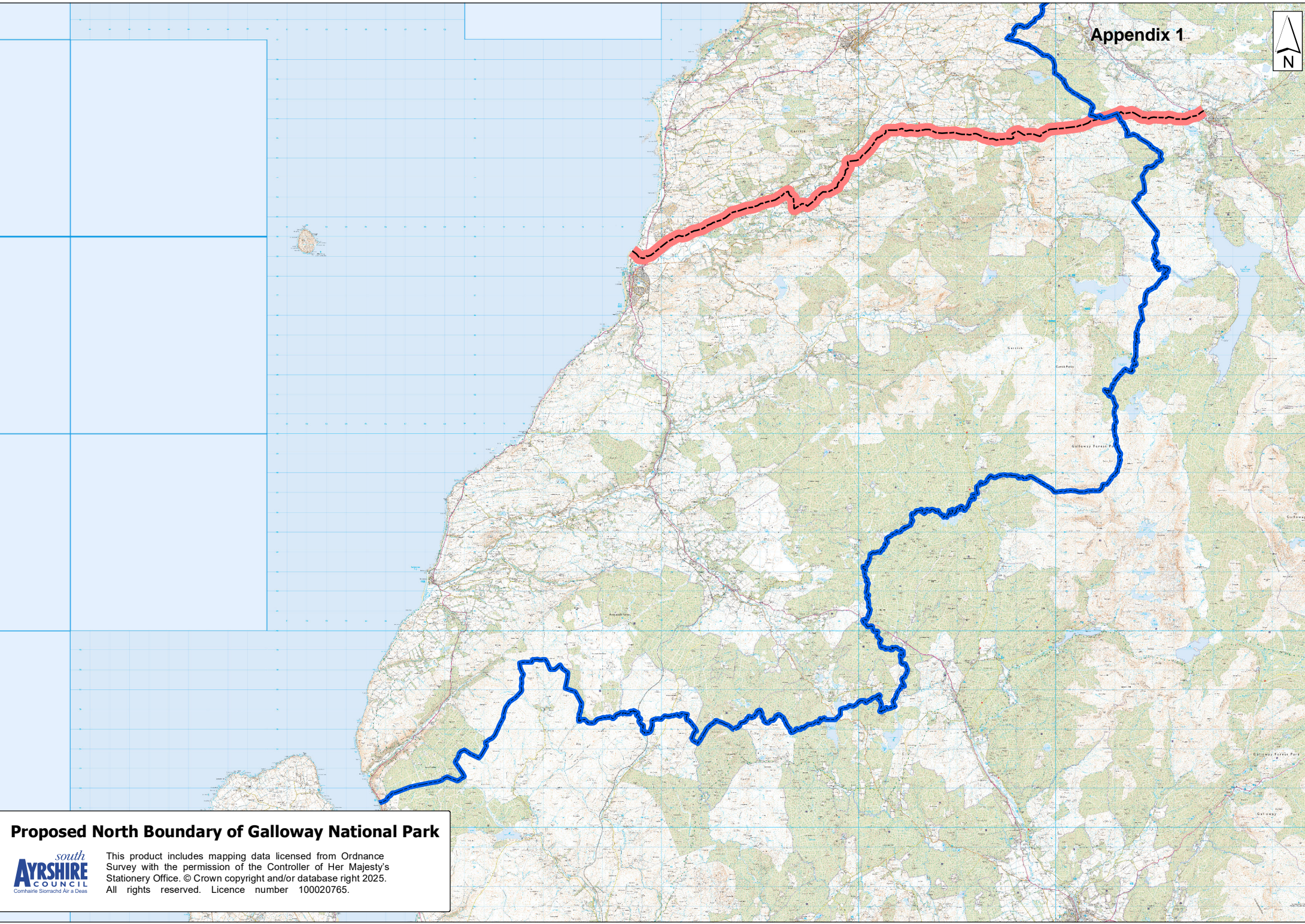
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**Date: 14 January 2025**



**Proposed North Boundary of Galloway National Park**



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## **Appendix 2 - Planning Aspects**

### **Potential National Park Boundary**

With regards to the potential boundary of the National Park. South Ayrshire Planning Service would support Option 3, with clarification on the boundary. This option incorporates a sizable area of South Ayrshire within the National Park and incorporates Girvan as the main northern focal point of the Park.

Option 3 also proposes a northern boundary for the park running from Girvan to Straiton. The Plan attached at Appendix 2 demonstrates where SAC would prefer the boundary line to follow. It is noted that this proposed boundary would take the route south of the Grants Distillery and thereafter approximately following the line of the B741.

### **Planning Applications**

Since 2019, South Ayrshire Council has considered 7 Section 36,10 Major Planning Applications and 628 Local and other Planning applications, within the proposed National Park boundary area.

### **Regulatory Planning powers within the National Park**

Following a review of the regulatory proposals, set out in the consultation, which are available to the National Park it is considered important that to ensure that the strategic aims and planning outcomes for the South Ayrshire Local Development Plan covering this area are not diminished. It is also considered important not to dilute the interests local democratic accountability that could arise from a National Park Authority with planning powers. For both these reasons preferred planning regime would be to utilise the existing Planning Authority to implement Planning Legislation within the SAC /National Park area. ie. South Ayrshire Council remains the Planning Authority within its boundaries.

### **Development Planning**

In order to plan, coordinate and deliver the aspirations for the National Park it is important that a strategic development plan is developed for the National Park. The plan would identify priorities, projects and high-level policies to support the aspirations for the National Park. However, in the interests of cohesive wider local authority planning and retaining local democracy and accountability, a separate Local Development Plan for the National Park would not be supported. The National Park Plan could be promotional and have non-planning policy which is both theme/subject specific and spatial. This Plan would support and guide National Park and partnership working within the National Park Area. The National Park Plan should be influenced and aligned with LDP preparation and visa versa, but its policies should not have statutory planning powers. It would be important that the proposed Park Authority would prepare, in partnership consultation with the 3 Planning authorities, the National Park Plan. The National Park Plan would not form the Development Plan for SAC.

The creation of the new Development Plan for the National Park would require to be developed by the National Park Authority in consultation with the three existing Authorities, in a similar manner to collaborative work on the Regional Spatial Strategies, but with a dedicated National Park resource leading preparation. The workload generated by this task would require additional staffing resource within the National Park, but would also add duties to the planning staff within each of the 3 Councils that requires resource consideration.

### **Development Management**

Following a review of the regulatory proposals, set out in the consultation, which are available to the National Park it is considered that in the interests delivering on the strategic intention of the Local Development Plan and also maintaining current levels of local democratic accountability, that the regulatory powers are retained to South Ayrshire Council as the Planning Authority. Under this regime SAC Planning Authority (Councillors and officials through the current Scheme of Delegation) should continue to be the determining authority for planning applications within SAC boundary. However applications within the National Park boundary could also require to be considered against the National Park Plan, as a material planning consideration. As part further support, this planning application process our preferred option would be that the National Park Authority could become a consultee, with a similar referral process ("call in") to the Scottish Government, as SEPA and HES if objections to planning applications are not adhered to.

### **Financing and Resourcing of the National Park Planning process**

As members will be aware SAC Planning Authority faces fiscal and staffing challenges. The team is unable to provide any financial support for the staffing of the National Park Authority or to undertake preparation of a National Park Plan. Effective partnership consultation in preparation of a Park Plan could be quite significant, together with ongoing support in the implementation of the Park Plan and supporting governance arrangements. Without Scottish Government funding support this would mean the diversion of resources from existing statutory duties with SAC.

### **Conclusion**

The Planning and Building Standards Service supports the creation of a national park for Galloway on the basis that: the proposed northern boundary closely aligns with the plan set out in appendix 2, the Development Plan is prepared by the new National Park Authority in collaboration with the three Planning Authorities, all other Planning functions are administered by SAC and that the proposals will have no financial impact on SAC.

## **Appendix 3**

### **SAC Officers Internal Consultation**

#### **Sustainability**

The Sustainability Team, whose remit covers sustainability, climate change and nature both corporately and within the South Ayrshire Community Planning Partnership, are in support of the proposed national park. The Sustainability Strategic Development Partnership has been kept up to date with developments. The team believes that developed appropriately the national park has the potential to drive important action to tackle the climate and nature emergency in our area. The team have worked closely with the Galloway and Southern Ayrshire Biosphere on a range of projects and see the creation of a national park as an opportunity to further and extend that collaboration and such projects. Key areas which have been addressed have included climate change adaptation, tree planting, green health and most recently blue health. In other national parks funding has been made available from the Scottish Government and other major funders to support work through the funding of ongoing long term projects. One such example is Cairngorms 2030 which specifically tackles the climate and nature crisis through a range of projects which empower communities, transform transport, change landscapes, and improve people's health and wellbeing. The Sustainability Team would be keen to see this sort of transformative focus and investment being made through a new national park in our area, allowing us to build on and further the collaborations already in place and gain better outcomes in our area that we would not otherwise realise. This is supportive of both the LOIP (Local Outcome Improvement Plan) and the Council Plan. The team would be keen to see the Council reflect this desire in its response to the consultation and integrate into the design of the national park in our area.

#### **Planning**

The Planning and Building Standards Service supports the creation of a national park on the basis that: the proposed northern boundary closely aligns with the plan set out in appendix 2, the Development Plan is prepared by the new National Park Authority in collaboration with the three Planning Authorities, all other Planning functions are administered by SAC and that the proposals will have no financial impact on SAC.

#### **Economy and Regeneration**

The Economy and Regeneration Service, has a focus on supporting growth sectors, attracting inward investment, developing local enterprises / social enterprises in South Ayrshire. The Economy and Regeneration team believe that if appropriately established, supported and promoted that the national park has potential to stimulate and diversify economic activity for the towns and villages on the approaches to the National Park and the wider region through increased visitor spend. The team has attended NatureScot Seminars and researched the potential economic impacts by looking at how other National Parks have developed.

#### **Destination South Ayrshire**

National parks play a vital role in promoting tourism by offering rich biodiversity, and recreational opportunities that attract visitors from around the world. These protected areas allow tourists to explore breathtaking scenery, engage in outdoor activities such as hiking, cycling, camping, and wildlife observation, and immerse themselves in the natural environment. These outdoor activities promote visitor spend in the region and support the creation of jobs within the hospitality and service sectors. This national park could also help to foster cultural appreciation and preserve historical and cultural landmarks. We would also see the benefit to gateway towns in Girvan, Maybole and Ayr due to their location as access points for visitors. These towns support accommodation, dining, and other essential services, which attract tourists who plan their trips to the park. The Scottish Tourism

Economic and Activity Monitor (STEAM) produced figure in 2019 to show that the overall value of the visitor economy within the Cairngorms National Park was £308.5 Million. Whilst the Galloway national park offers a different proposition, and may not generate this level of impact, it is anticipated to have a positive effect on the visitor economy.