

Natural Retreats hill track planning application and the management of Cairngorm

Description



The “spruced up” unlawful Shieling hill track
Mackay

Photo Credit Alan

Thanks to Alan Mackay for this photo, taken on Monday 4th September, which shows the new hill track by the shieling rope tow. Its doesn't look too bad does it unless you appreciate that the track has been spruced up to impress the planners – if you look carefully you can see the right line of the track is eroding, the third time this has happened since the track was put in.

I am delighted that a number of well reasoned objectives to the retrospective planning application have been submitted including from local people, the Mountaineering Council of Scotland and the North East Mountain Trust among others. Rather confusingly they are not included under the comments section of the planning application but under “documents” ([see here](#)) but are worth reading. I particularly liked this one, which happens to be from furth of Scotland, because the respondent does not mince her words:

A company who flagrantly ignores original planning laws should not be able to apply in retrospect when the damage has already been done. They need to be stopped (not just fined, as a fine is peanuts to a large company and acts as no deterrent to them or any other company/organisation in the future). The only way to stop such environmental damage is to ignore their planning application as being too late, insist that the damage is put right (by very harsh fines or even enforced closure of the company at a time that will hit their purse and profits). Finally this way some of the companies who flout planning laws and the environment will start to listen. If you fail to act, then expect the destruction of the very countryside which draws in money and tourism to the area (kill the golden goose and you will kill the golden eggs it lays for your economy).

As I have said [elsewhere](#), the failure of the CNPA to use its planning enforcement powers is bringing the whole planning system in the Park into disrepute. The key long-term issue is that if the CNPA accept this planning application, rather than requiring the track to be removed, this sets a precedent for new tracks being created alongside every ski lift within the ski area. The CNPA will have no grounds then to refuse any further planning applications that follow, whether retrospective or not. I have asked Highlands and Islands Enterprise, the owners of the land, for all the information they hold about the need or plans to cover Cairngorm with more tracks. If they don't hold information on the need for hill tracks, this will help demonstrate the current application is unjustifiable but if they do, this will indicate they have a secret agenda at Cairngorm.

The wider problem is there appears to be NO proper plan to manage the Cairngorm ski area from a recreational and environmental perspective. This is illustrated by both the evidence on the ground and paperwork.

The latest evidence on the ground



Cas Gantry 5th September

Photo Credit Alan Mackay



Cas Gantry 5th September Photo Credit Alan Mackay



Photo credit Alan Mackay

While Natural Retreats has been busy sprucing up the shieling ski track for the planners, they have done nothing about the bulldozed stones and soil at the Cas Gantry which sits just above the top of this slope and been there for months. The reason why? Highland Council stated that this did not need planning permission because it was part of emergency works last year to make the gantry safe. The Cairngorms National Park Authority Planners appear to have accepted this BUT if so they have their head in the sand. The CNPA is also responsible for the conservation of the area, whether particular earthworks are deemed to require planning permission or not. And unless the CNPA can force Natural Retreats to abide by planning requirements its going to have NO ability to prevent any of the other destruction that is going on at Cairngorm.

The remains of the old gantry that Natural Retreats has simply cut off rather than removing properly – everywhere you look there is evidence to disprove Natural Retreats claims to be undertaking high quality re-instatement work. Photo Credit Alan Mackay 5th September

The paperwork

There are a number of mechanisms in place or being developed that in theory should have been able to prevent the destruction that is going on at Cairngorm. The problem is that all so far are deficient. This is a major problem for the National Park and a key reason why ownership of the land at Cairngorm needs to be transferred from Highlands and Islands Enterprise to Forestry Commission Scotland.

Earlier this year the Cairngorms National Park Authority consulted on a plan for Cairngorm and Glenmore which said nothing meaningful about future plans for the Cairngorm ski area because Natural Retreats had not supplied them with the necessary information. There is still as far as I know NO plan for Cairngorm. This plan would be the right place to set out an overall vision for the ski area which included both upgrades to the ski infrastructure but also how the adverse landscape impacts from the past could be mitigated (from removal of all the abandoned rubbish to planting of montane scrub to screen some of the infrastructure and improve the recreational experience).

The other documentation which relates to the care of the natural environment at Cairngorm consists of the [lease](#) between HIE and Natural Retreats and Natural Retreats' [Environment Management System](#). The current lease includes the Visitor Management Plan which was developed to enable the funicular to go ahead but that is about the only environmental provision. While all the land in the Cairngorm ski area is included in the definition of the "Premises", almost all the clauses about the premises are about buildings and infrastructure and how this will be paid for. There are no specific clauses about protecting or restoring ground vegetation or wildlife and while there are some very general clauses its hard to see how HIE might invoke them to stop the destruction at Cairngorm. To put it another way, HIE's contractual relationship with Natural Retreats has allowed this destruction to happen and HIE bear responsibility for this. The fact they have done nothing to remedy this deficiency – their negligence – is evidence that they are not fit to manage Cairngorm.

Natural Retreats' Environmental Management system is one of the those bits of paperwork that enables boxes to be ticked but avoids the main issue. There is nothing in it about how the land at Cairngorm will be managed. Nothing to indicate if their management of the ground and external environment was better or worse than what has gone before. Instead, like the lease, it is buildings focussed (a necessary but minor part of the issue at Cairngorm).

Their Environment Policy demonstrates this clearly:

*To minimise environmental impacts concerning our activities, products and services, we shall:
? Comply with applicable legal requirements and other requirements to which the Company subscribes which relate to its environmental aspects*

- ? *Prevent pollution, reduce waste and minimise the consumption of resources*
- ? *Educate, train and motivate employees to carry out tasks in an environmentally responsible manner*
- ? *Apply the principles of continuous improvement in respect of air, water, noise and light pollution from our premises and reduce any impacts from our operations on the environment and local community*
- ? *Encourage environmental protection among suppliers and subcontractors*
- ? *As far as possible purchase products and services that do the least damage to the environment and encourage others to do the same*
- ? *Assess the environmental impact of any new processes or products we intend to introduce in advance.*

About the only part of this they have breached in relation to all the destruction of the external environment is the requirement to educate employees to undertaken tasks in an environmentally responsible manner.

What needs to happen

I believe the evidence and paperwork shows neither HIE nor Natural Retreats are fit to manage Cairngorm. What needs to happen is the CNPA needs to use all the powers available to it to stop the destruction at Cairngorm and develop a proper plan but I doubt this can be effective until Scottish Ministers transfer the land from HIE to FCS and the lease with Natural Retreats is terminated. Instead I would like to see a community led business appointed to run the Cairngorm Ski Area.

Category

1. Cairngorms

Tags

1. CNPA
2. conservation
3. Forestry Commission Scotland
4. HIE
5. hill tracks
6. Minister Environment
7. natural retreats
8. restoration

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