

IUCN protected area management categories

Statement of Compliance for Scotland's National Scenic Areas

Introduction to Statements of Compliance

Statements of Compliance are an innovation of the IUCN National Committee for the United Kingdom's *Putting Nature on the Map* project. The project has developed guidance on the use of the IUCN definition of a protected area and the assignment of the associated management categories and governance types¹. The guidance suggests that short but authoritative Statements of Compliance are produced for a conservation site or group of sites.

¹ Dudley, N (Editor) (2008) Guidelines for Applying Protected Area Management Categories. Gland, Switzerland: IUCN. X + 86pp. <http://data.iucn.org/dbtw-wpd/edocs/PAPS-016.pdf>

and

IUCN NCUK (2012); *Putting nature on the map - identifying protected areas in the UK: A handbook to help identify protected areas in the UK and assign the IUCN management categories and governance types to them*, IUCN National Committee for the United Kingdom, UK <http://www.iucn-uk.org/Portals/0/PNOTM%20handbook%20small.pdf>

For groups of sites designated for conservation under one overriding piece of legislation or public policy the statements should concentrate on whether the sites meets the IUCN definition of a protected area.

For statutory designations the Statements of Compliance should review all relevant legislation, focussing on the priority given to nature conservation in the long-term. For sites not covered by legislation the statements should review the significance for nature conservation of all relevant public policy positions that specifically affect the area.

In addition to reviewing legislation or policy in relation to the IUCN definition of a protected area, individual sites can also review in their Statement of Compliance which IUCN management category and governance type should be assigned to the site. In this case the statements should also provide an overview of current management objectives in particular in relation to prioritising nature conservation and summarize examples of current management practice that demonstrate the priority given to nature conservation and the ambition and vision for nature conservation in the future.

Note Statements of Compliance should be prepared with full reference to the 2008 Guidelines for Applying Protected Area Management Categories (see footnote for details).

The Statement of Compliance below has been prepared for a group of sites defined in legislation.

Background

National Scenic Areas (NSAs) are the most outstanding landscapes of Scotland. The Countryside Commission for Scotland identified them in 1978; and 44 were formally designated by Order in 1984 under planning legislation. In 2007, new legislation was enacted for NSAs which confirmed their statutory basis and set out clear aims for the designation of such areas.

NSAs are a statutory designation with specific obligations in relation to planning and EIA. They are supported by national planning policy tests which are akin to those for SSSIs, NNRs and National Parks. Unlike AONBs or National Parks in the rest of the UK, there are no bespoke management authorities, nor obligations to prepare or implement management strategies for these areas. Local authorities and others may choose to develop and implement NSA strategies, as has been done for the three NSAs in Dumfries and Galloway and the Ben Nevis/Glen Coe NSA. SNH is also preparing simple management statements for other NSAs to help guide future landscape change in these areas.

Legal and Policy Framework

The NSA is statutorily defined as “*an area is of outstanding scenic value in a national context*”. Once designated, “*special attention is to be paid to the desirability of safeguarding or enhancing its character or appearance in the exercise, with respect to any land in that area, of any powers under this Act*”. In deciding whether to designate an area as a National Scenic Area, Scottish Ministers are to take account of

“(a) *whether the area is of outstanding natural beauty,*

(b) the amenity of the area, including

(i) whether it is of historical, cultural or environmental importance; and (ii) the nature of any buildings or other structures within it, and

(c) any flora, fauna or physiographical features of the area, whether or not to any extent the product of human intervention in the landscape. “

The Government's **Scottish Planning Policy** provides a policy framework for planning matters. The relevant policy guideline for National Scenic Areas (at paragraph 137) states:

"A National Scenic Area (NSA) is an area which is nationally important for its scenic quality... Development that affects an NSA... should only be permitted where:

- *it will not adversely affect the integrity of the area or the qualities for which it has been designated, or*
- *any such adverse effects are clearly outweighed by social, environmental or economic benefits of national importance."*

The NSA designation is also recognised in all relevant development plans, in EIA regulations, the Scottish Rural Development Plan and the forthcoming National Marine Plan.

In summary, NSAs are:

- established in legislation and are designated
- designated for their outstanding scenery
- established in planning and land-use policy terms
- unrelated to ownership - though many such areas are in whole or part conservation ownership.

Positive Management

SNH has identified the [special qualities](#) of each NSA. These special qualities relate strongly to the species, habitats and geology of the area and provide the basis for the development of planning policy and the development of wider management strategies, such as has been developed for the three NSAs in Dumfries and Galloway. They can also inform the management plans for NSAs wholly or mainly included within NNRs.

Positive management for biodiversity - East Stewartry Coast National Scenic Area
<p>Examples of special qualities</p> <ul style="list-style-type: none"> • A coastline of endless variety • A landscape of woods, fields, dykes and hedges • The sound and sight of many birds • The use of locally distinctive stone
<p>Examples of relevant management Objectives</p> <ul style="list-style-type: none"> • Raise awareness, understanding, appreciation, support and responsibility for the East Stewartry Coast NSA amongst local communities. • Guide change arising from all forms of development (housing, servicing, business, retailing and tourism) to maintain the scenic quality of the National Scenic Area. • Assist land managers in safeguarding and enhancing scenic qualities through guidance, and by influencing the formulation of land management policy and its implementation. • Identify, conserve and where appropriate strengthen locally distinctive landscape features to reinforce the character of the landscape.

The policy intention is to put in place positive management for all NSAs. However, at present, only 3 NSA management strategies have been implemented (East Stewartry Coast, Fleet Valley, Nith Valley) and one is at early stages of preparation (Ben Nevis/Glen Coe). Four are also covered by existing National Park Plans (Deeside and Lochnagar, Cairngorms, Loch Lomond, Trossachs) and three by NNR management plans (St Kilda, Fair Isle, Glen Affric).

Assessment

Considered against the elements of the IUCN definition, the following assessment is proposed.

Main elements of IUCN definition	Discussion of element in relation to SWT wildlife reserves
Are the sites in clearly defined geographical areas?	Yes. Each NSA is mapped, its boundaries plotted and available on the SNH website
Are they recognised, dedicated and managed to achieve the long-term conservation of nature? NB 'nature' includes all levels of biodiversity as well as geodiversity, landforms and broader natural values.	No. The main objective relates to the management of the special qualities of the areas' landscape, including conservation of its landscape and scenic qualities and promotion of its enjoyment by the public. Many of these special landscape qualities depend on the species, habitats and geology of the area but they do not have to be explicitly taken into account. To manage these qualities, means taking into account the management of nature but they are not recognised and dedicated to long term conservation of nature as that is at best only a by-product of the conservation of scenic beauty and landscape amenity. The NSA designation is recognised in all relevant development plans, in EIA regulations and the Scottish Rural Development programme.
Is the main management objective nature conservation? Other objectives of equal standing may be present but they do not cause conflict, i.e. nature conservation is the priority	No. The main objective relates to the management of the special qualities of the landscape and scenery of the areas, including their conservation and promotion of their enjoyment by the public. Many of these special landscape qualities depend on the species, habitats and geology of the area, but there is no explicit requirement to manage for nature conservation. NSA land is owned largely independently of the relevant authorities and decisions on conflicting objectives are made through local and national planning processes, giving due weight to the merits of proposals and conservation of scenery – and therefore distinctively different to other protected area designations in UK which pass the IUCN definitional test.

Main elements of IUCN definition	Discussion of element in relation to SWT wildlife reserves
Does the designation of the site prevent, or eliminate where necessary, any exploitation or management practice that will be harmful to the objectives of designation?	No. This will depend on planning policies and sympathetic ownership and land management and so cannot be assured. Designation will encourage the protection of these areas, but it can only be assured through other means.
Does the designation of the site aim to maintain, or ideally, increase the degree of naturalness of the ecosystem being protected?	No. Positive management for conservation of scenery and landscape has always been an important part of the aims of NSAs, but ecosystem management has never been an objective. However, delivery in many cases will depend upon the development and implementation of management strategies and/or sympathetic ownership.
Is the long-term nature conservation ensured through legal or other effective means? E.g. national or international statutory law/ agreement/convention, traditional rules or NGO policy.	No. NSAs are established by statute for the long-term conservation of scenery and amenity and there is no explicit requirement for long-term nature conservation. Appropriate management is effected through various means including planning legislation and policy, recognition as 'sensitive areas' in EIA regulations for development, agriculture and forestry etc or given due consideration in National Park Plans and NNR management plans.

The conclusion is that NSAs fail the IUCN protected area test because they are established to conserve scenery and amenity rather than long-term conservation of nature which is not an explicit or even implied requirement in the statute or in the management arrangements between SNH and local councils.