

EXECUTIVE NOTE
DRAFT SSI: THE CAIRNGORMS NATIONAL PARK ELECTIONS
(SCOTLAND) AMENDMENT ORDER 2010

Introduction

The above instrument will, if approved, be made by the Scottish Ministers in exercise of the powers conferred by paragraph 4 of Schedule 1 to the National Parks (Scotland) Act 2000 (the Act). The instrument is subject to draft affirmative procedure.

Policy objectives

The policy context for this instrument is “The Cairngorms National Park Designation, Transitional and Consequential Provisions (Scotland) Order 2003 Modification Order 2010” which extends the boundary of the National Park into Perth and Kinross. During the 2006 Parliamentary Session the Environment and Rural Development Committee concluded that there was a strong case to be made for extending the National Park boundary to include Blair Atholl and part of Eastern and Highland Perthshire. The Scottish Ministers announced, in 2008, their intention to extend the boundary and appointed Scottish Natural Heritage to report on a recommended boundary. Their report was laid in Parliament in January 2009.

The purpose of this instrument is to allocate the extended area of the National Park between the 5 existing electoral wards. These wards are used for the election of directly elected members of the National Park Authority.

Public consultation

There is no statutory requirement for consultation in relation to this draft Order. However consultation has taken place as follows:

In 2009-10, the Scottish Government undertook a statutory consultation on a National Park Proposal; this proposed the allocation of the extended area of the National Park to electoral ward 1. Subsequently, Perth and Kinross Council proposed that the western section of the new area, including Blair Atholl, should be allocated to ward 1, and the eastern section of the new area, including Glenshee, should be allocated to ward 5. This suggestion has been taken on board.

Financial effects

Elections to the National Park Authority are administered by the Returning Officer of Highland Council. It is estimated that the inclusion of the Perth and Kinross electorate within the extended area of the National Park will lead to only marginal costs (c £650) at the time of the next election of members to the National Park Authority.

A Business and Regulatory Impact Assessment (BRIA) has been completed in relation to this Order and is attached with this Executive Note.

Scottish Government
Victoria Quay
Leith
EH6 6QQ

18 June 2010

Business and Regulatory Impact Assessment

The Cairngorms National Park Elections (Scotland) Amendment Order 2010

Purpose and intended effect

Objectives

The objective of the Order is deal with the electoral consequences of a proposed extension of the boundary of the Cairngorms National Park into Perth and Kinross. It allocates the electorate in the extended area to electoral wards for the purpose of future elections to the National Park Authority

Background

This order is needed to complement an extension to the National Park Boundary as proposed in Cairngorms National Park Designation, Transitional and Consequential Provisions (Scotland) Order 2003 Modification Order 2010.

Consultation

Public Consultation

The Scottish Government has consulted on a National Park Proposal. The consultation report is available on the Scottish Government website <http://www.scotland.gov.uk/Publications/2010/02/19115042/0>

Business

This will have no effect on businesses.

Options

An order is the only option for ensuring that the electorate in the extended area of the National Park is entitled to vote in future elections to the National Park Authority.

Costs and Benefits

Elections to the National Park Authority are administered by the Returning Officer of Highland Council. It is estimated that the inclusion of the Perth and Kinross electorate within the extended area of the National Park will lead to only marginal costs (c £650) at the time of the next election of members to the National Park Authority.

Scottish Firms Impact Test

The proposals have no effect whatsoever on business. There is, therefore, no requirement to complete a Scottish firms impact test.

Competition Assessment

The proposals have no effect on business competition. There is, therefore, no requirement to complete a competition assessment.

Test Run of Business Forms

The proposals introduce no new forms. There is, therefore, no requirement to complete a test run.

Legal Aid Impact Test

This will not give rise to the increased use of legal processes or create new rights or responsibilities and will have no impact on the legal aid fund.

Enforcement, Sanctions and Monitoring

The proposals do not require enforcement, sanctions and monitoring.

Implementation and Delivery Plan

The proposed changes to electoral wards will be implemented once the modifying Orders come into effect on 2 October 2010.

Post-implementation Review

A review will be conducted within 10 years.

Summary and Recommendation

This order is needed to complement the Cairngorms National Park Designation, Transitional and Consequential Provisions (Scotland) Order 2003 Modification Order 2010 and to allocate the extension of the National Park to electoral wards for the purposes of elections to the National Park Authority.

Declaration and Publication

I have read the impact assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) that the benefits justify the costs.

Signed.....

Date.....

Roseanna Cunningham, Minister for Environment

Contact – Helen Jones

The Scottish Government – Rural and Environment Directorate
Natural Resources Division – National Parks and Outdoor Recreation
1D-North
Victoria Quay
Edinburgh
EH6 6QQ
0131 244 6516

helen.e.jones@scotland.gsi.gov.uk