

Response to Cairngorms National Park fire management consultation

15 April 2024

1. Do you think a fire management byelaw is part of the solution for the Cairngorms National Park Authority to tackle wildfire risk?

No.

Why do you say that?

Wildfire risk and its management is a national matter, going beyond the Park boundaries. We believe that the approach used to communicate wildfire hazards, and responsible behaviour to limit the risk of it, would be best conducted across Scotland, and to all types of people who would be doing activities that are potential causes of wildfire.

Creating a byelaw is a management tool, but it is an expensive management tool and we believe it to be a measure of last resort. A byelaw needs resources to raise awareness of it and its implications, communicating the reasons why, and also to enforce it. It is our opinion that this is an issue that needs behaviour change, not just regulation, or it could result in displacement of the activity by recreational users into other areas adjacent to the Park boundary like Aboyne and the Forest of Birse, the lower Spey, Loch Tummel or Glen Isla. These areas would not have the resources to deal with increased camping activity.

We raise the question with you on the role of Park Rangers in this matter: is the introduction of a byelaw likely to divide the Cairngorms family of Countryside Rangers, with CNPA staff able to implement and enforce a byelaw but private and charitable services unable to? An inability to enforce a byelaw would lead to less compliance and be ineffectual in the long term.

The other part of the question is whether Rangers in the Park are for communicating awareness of the natural environment and responsible behaviour, or do they become enforcement wardens? The perception in the public consciousness of that role would be significant and potentially confusing.

2. Which of the three options do you think the Park Authority should take forward

Option 1 – enhanced communication and education approach.

Why do you say that?

Awareness of the potential impact and consequences of wildfires needs to be communicated, whatever method is finally agreed upon, so it seems sensible and sustainable to start with enhancing communications and education.

We would be supportive of the Park Authority leading a national conversation on this by engaging with visitors and workers in the National Park, as an example of what could be done across Scotland, outwith the Park boundaries.

Our opinion is that if any messaging is to make a difference it needs to be concise and consistent across Scotland; that there needs to be positive reinforcement of the message leading to a national culture change in use of recreational open fires and of burning vegetation in times of high risk of wildfire.

It is maybe not enough to point out the dangers and asking for restraint in behaviour, but also to direct visitors to where they can safely have a campfire. This can include messaging about cooking with camping stoves, and promoting where visitors can safely have an open fire such as campsites and picnic facilities that can allow for barbecues, and also on soil-free places with shingle or gravel like loch shores or riversides, except of course in times of high fire risk.

Sitting by a campfire has high cultural value with many people, and communication and directing people to where it is environmentally acceptable is part of climate change awareness and behaviour change.

This aspect of positive direction to suitable places and times is not well developed in Scotland and the Park Authority could lead the way in encouraging this, as well as continuing minimal impact messaging on burnt areas and litter.

Creating an awareness that there is a time and specific place for a fire is a big change from our cultural norm, and one worth pursuing to change the culture, tending toward it being socially unacceptable to have a campfire in naturally vegetated areas.

It is our opinion that understanding of how grouse moor management fits with a visitor management approach is essential. Restricting recreational fires while there are plumes of smoke across hillsides is a difficult concept to sell and could have a negative impact on visitor management measures.

3. Do you think that prescribed burning should be included in a byelaw?

Yes.

Why do you say that?

Any byelaw needs to be inclusive of all potential causes of wildlife risk otherwise there could be a public perception of differential treatment for different groups when the potential effect of wildfire is the same for all.

Table 5.6 of the consultation document indicates a level of parity between out-of-control intentional burns for management purposes, such as muirburn, with others resulting from apparently recreational causes. In times of high fire risk it is the effect of the fire that matters, not its source and all potential wild-fire situations need to be treated equally.

Visitors having a recreational fire and landowners undertaking muirburn both need to understand the potential consequences of their activity and manage it in a way that is effective in limiting the risk. It is our opinion that this could be an important part of an enhanced communication and education approach.

Equality of compliance is more likely to encourage better compliance with any byelaw.

4. Is there a different option that you think the Park Authority should consider?

Yes

Why do you say that?

The consultation document indicates that there is existing legislation that covers this topic yet is difficult to use. We think it could be helpful for the Park Authority as part of this exercise to itemise the reasons why existing regulation is difficult to use, and to indicate how it may be improved, such as amendments to the law and what resources would be required to implement it, to allow it to be applied effectively across Scotland, rather than create a new regulatory stick in a byelaw limited to only the Cairngorms National Park.

5. Do you have any further comments?

We support this public engagement by the Park Authority, in initiating what is really a national conversation on culture and behaviour regarding fires in light of climate change and what should be responsible behaviour looking forward, changing traditional perceptions and activities.

