

NNR DE-DECLARATION

Summary

1. Following NNR Review 2, nine sites have been selected for de-declaration as NNRs. Agreement is being sought from the Board for the Chief Executive to de-declare these nine sites.

Action

2. **The Board is asked:**

- **To agree to the proposed de-declaration of the nine NNRs listed in section 7 below;**

Preparation of Paper

3. The paper was drafted by Nigel Smith and John Kerr with comments from Stewart Pritchard, Phil Gaskell and Nick Halfhide. Andrew Bachell is the sponsoring Director.

Background

4. In 1996 the SNH Board approved a new policy direction for National Nature Reserves. This stemmed from a need to re-evaluate a designation that dates from the National Parks and Access to the Countryside Act 1949 in the light of changing legislation. Following on from this, in 1999 the Board agreed the set of attributes (national importance, primacy of nature, surety of tenure and best practice management) and purposes (national awareness, specialised management and research) that NNRs must demonstrate.
5. SNH staff subsequently carried out a full review of all NNRs in Scotland. In assessing each NNR, the purposes were scored, and weighted 50:30:20 (national awareness: specialised management: research). This scoring, and the initial assessments of each reserve were also agreed by the Board in February and September 2000.
6. Following the NNR Review 1 we have made significant investment in improving NNRs through the 'Raising Standards' Programme (2005 – 2011). There were, however, questions over how well some of the continuing NNRs met the national criteria. The current NNR policy statement (03/02) notes the need to de-declare some NNRs that do not meet at least one of the purposes of an NNR. This rationalisation of the NNR series is reflected in this year's grant-in-aid letter which stated "We [SG] support SNH's efforts to rationalise the NNR suite in order to better focus resources."
7. NNR Review 2 therefore identified those reserves that continue to fail to meet purposes of an NNR with a view to deciding whether these should be retained or de-declared as National Nature Reserves. These are:
 - Braehead Moss *
 - Claish Moss *
 - Cragbank Woods **
 - Glencripesdale *
 - Keen of Hamar *

- Loch a' Mhuilinn
- Loch Druidibeg *
- Rassal Ashwood
- Rannoch Moor *

* Wholly owned by SNH

** Partly owned by SNH

8. Staff have prepared exit strategies for these 9 NNRs including options for disposal and not renewing reserve agreements. Further details of ownership and existing agreements are contained in Annex 1.
9. NNR Review 2 also identified that a review of SNH's NNR policy was required before making recommendations on a further eleven NNRs or considering proposals for any new ones.

NNRs proposed for de-declaration

10. The nine NNR 2 reserves are summarised:

- Braehead Moss. This site does not meet any of the three NNR purposes and would take considerable expense to make it suitable for raising national awareness. It is currently in unfavourable condition and is not the best example of this type. At present only 4 of the 15 applicable minimum standards have been achieved. The site will retain its SAC and SSSI status.
- Claish Moss. This site does not meet any of the three NNR purposes. It is remote, has very limited access potential and its delicate habitat makes it unsuitable for raising awareness. At present only 8 of the 15 applicable minimum standards have been achieved. The NNR is in favourable condition and the site will retain its SAC, Ramsar and SSSI status.
- Cragbank Woods consists of two small steep sided gullies and does not and can not fulfil any of the NNR purposes sufficiently well to justify its continued status as an NNR. At present 12 of the 15 applicable minimum standards have been achieved. The NNR is in favourable condition and the notified section will retain its SSSI status.
- Glencripesdale does not fulfil the NNR purposes and its remoteness and access limitation make it unsuitable for raising awareness. It is not used for research and does not require specialised management. At present only 8 of the 15 applicable minimum standards have been achieved. The woodland habitats are in favourable condition or unfavourable recovering and the site will retain its SAC and SSSI status.
- Keen of Hamar is not considered to be suitable for large scale promotion and does not require specialist management. Some research has been carried out but this is not dependent on its NNR status. At present 11 of the 15 applicable minimum standards have been achieved. The NNR is in favourable condition and the site will retain its SAC and SSSI status.
- Loch a' Mhuilinn does not meet the purposes of an NNR. The main recorded purpose is specialised management but this is mainly minimal intervention. At present only 8 of the 15 applicable minimum standards have been achieved. The NNR is currently in favourable condition and the site will retain its SAC and SSSI status. The wider area has no underpinning designation.

- Loch Druidibeg was originally established in 1958 to protect the breeding greylag geese. Greylag geese are no longer a conservation priority in the Western Isles and were removed as a qualifying feature of the SSSI in 2009. In recent years the focus is on the machair but this is not judged to be of sufficient quality to merit its promotion as an NNR and better examples exist in other locations. At present 3 of the 16 applicable minimum standards have been achieved. Most of the NNR features are currently in favourable condition and the site will retain its SAC, SPA and SSSI status.
- Rassal Ashwood's main purpose as an NNR is specialised management although it has had little input as an NNR for the last 5-10 years. Even though specialised management is the main purpose the management of the site is part of the collaborative upland habitat management plan for the larger SSSI and SAC. NNR status is therefore not necessary for the continued management of the site. At present 10 of the 16 applicable minimum standards have been achieved. Just half of the NNR features are currently in favourable condition and the site will retain its SAC and SSSI status.
- Rannoch Moor does not meet the purposes of an NNR and is very difficult to access. Little progress has been made with minimum standards due to the continued uncertainty over the future of this site. All of the monitored NNR features are in favourable or favourable recovering condition and the site will retain its SAC, Ramsar and SSSI status.

Resource Implications

11. The total cost for declaration is estimated to be £25,120. Annual saving amount to £13, 636 and therefore the outlay in carrying out this work will be covered by the savings in just under two years. The de-declaration of the NNR review 2 sites is contained in this year's business plan.
12. The total annual cost of the existing Nature Reserve Agreements is £5,110. Where continuing support is necessary, these will be replaced with Rural Development Contracts or section 15 agreements.
13. De-declaration of these sites will enable SNH to focus resources on the remaining suite of NNRs to ensure that they are fit for purpose and developed and managed appropriately.

Risk Management Implications

14. Financial. Although there is a cost as outlined above the outlay in carrying out this work will be covered by the savings in less than two years.
15. Adverse Publicity. We are not aware of any national concerns over the de-declaration and disposal of these NNRs. The exit strategies have picked up some potential issues relating to the disposal of SNH owned NNRs at the local level and most of these appear to depend on future ownership rather than the principle of disposal. Of course this can become an issue if not handled sensitively. The view of the Areas is that most of the issues are manageable if dealt with sympathetically. Some individual owners may not wish to see their land de-declared and there is a risk of legal challenge if SNH seek to terminate National Reserve Agreements without their agreement.
16. To manage this risk a Communications Project Team will be set which will prepare a communications plan for the review as a whole, including liaison with the NNR Approved Bodies. The communication plan will ensure that all stakeholders including MSPs, Scottish Government, Local Authorities, Approved Bodies and those with a direct involvement with the NNRs are aware of what we are proposing to do and why.

17. Delivery. A small team of staff will oversee delivery to ensure that de-declaration is delivered within a reasonable timescale, bearing in mind that the termination of most Nature Reserve Agreements requires 12 months notice.
18. Local economic and social impacts. None of the NNRs are well visited and even Rannoch Moor, which perhaps benefits from the iconic name, is difficult to reach. Some minor changes will be needed to existing promotional material but these are considered to be manageable. Existing Nature Reserve Agreements will be converted to Rural Development Contracts or, where necessary, to Management Agreements.
19. Natural heritage impacts. There is no perceived risk to the natural heritage interests as most of the sites will still be protected by one or more of the following: SAC, SPA, Ramsar or SSSI. The only exceptions to this are parts of Cragbank Woods and Loch a' Mhuilinn NNRs which have no statutory underpinning and whose protection will be considered through individual exit strategies. .
20. Reputation. It will be very apparent to some owners and tenants as well as others in the wider public that a number of our NNRs have been in limbo for several years. There is now an expectation that we will take action. There is therefore a reputational risk if we do not take steps to move forward with the de-declaration of these NNRs.

Conclusions and Recommendations

21. The Board are recommended to agree the de-declaration of these 9 NNRs.

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NNRs proposed for de-declaration

Annex I

NNR	Tenure	Agreement	Agreement End date	Timescale for de-declaration
		Braehead Moss	SNH owned land 87.6 ha	n/a
Claish Moss	SNH owned land 563.3 ha	n/a	n/a	Proposed de-declaration in Q1 2012
Cragbank Woods	Part owned by SNH 8.8 ha Part owned by two other parties 20.42 ha & 9.7 ha	s.16 NRA	31 March 2030	12 months notice needed to terminate both NRAs, de-declaration can follow from this.
		s.16 NRA	12 May 2043	
Glencripesdale	SNH owned land 609.3 ha	n/a	n/a	Proposed de-declaration in Q1 2012
Keen of Hamar	SNH owned land. 41.03 ha Parking and access agreement with neighbour	s.49	30 June 2014	4 months to complete, to be done in 2012/13
Loch a' Mhuilinn	Privately owned NNR 63.1 ha NRA 338 ha (includes the NNR)	s.16 NRA	30 June 2026	If the NRA can be terminated successfully, SNH must give 12-18 months notice, de-declaration can follow from this.
Loch Druidibeg	Part owned by SNH 1042.9 ha Privately owned 634.5 ha	s.16 NRA	27 September 2010 continuing under rolling renewal	12 month notice to Storas Uibhist, de-declaration on 26 September 2012

NNR	Tenure	Agreement	Agreement End date	Timescale for de-declaration
		Rannoch Moor	SNH owned land 1511.11 ha	n/a
Rassal Ashwood	Privately owned 84.6 ha	s.16 NRA	30 April 2088	12 months notice to terminate the NRA. De-declaration can follow from this.