

Regional Parks - Recreation and Conservation

Countryside Parks – Country Parks are relatively small areas, readily accessible to the public at large, which are actively managed to provide opportunities for people to enjoy the countryside and informal open air recreation. Since 1969, 36 Country Parks, covering a total area of 6,481 ha, have been established by Local Authorities under Section 48 of the Countryside (Scotland) Act 1967, and included in the Register established by the Countryside Commission for Scotland.

Muirshiel Country Park established 1971. Castle Semple Country Park - 1972
Culzean was established in 1969 and Almondell and Calderwood, West Lothian, in 1971.

Regional Parks

Scottish Natural Heritage - creation of Regional Parks – developed in response to a need for the careful management of countryside recreation in an attractive rural setting within easy reach of the major urban areas of Scotland. Originated from the Countryside (Scotland) Act 1981 which stated that a Regional Park is an extensive area of land part of which is devoted to the recreational need of the public.

One of three Regional Parks. Clyde Muirshiel Regional Park (CMRP) was established in 1990.

Park Designation, non statutory and has no planning role, but it is generally consulted on planning issues such as turbine developments, housing and forestry developments.

Regional Park's have developed to encompass a role of integrating farming, forestry and other developments with recreational interests.

Covers three council areas – Inverclyde, North Ayrshire and Renfrewshire.

Managed by a joint committee (Appendix 1).

Importance of CMRP is noted in Structure Plans and Local Plans

Legislation

Birds Directives (1979) and Habitats Directives (1992)

Rio Earth Summit (1992), sustainable development

Biodiversity: the UK Action Plan 1994 and Local Biodiversity Action Plans

Special Protection Area (Birds) and Special Areas of Conservation (Habitats)

Natura 2000 network

Wildlife & Countryside Act 1981, devolution has led to changes to the 1981 Act through the Nature Conservation (Scotland) Act 2004)

Site of Special Scientific Interest and Site of Interest for Nature Conservation

Main conservation interest in Clyde Muirshiel Regional Park for habitats are active blanket bog, unimproved grassland, standing water and for species hen harrier, juniper and black grouse.

The Land Reform (Scotland) Act 2003

The Land Reform (Scotland) Act 2003 establishes statutory rights of access to land and inland water for outdoor recreation. The Statutory right of responsible access commenced on 9 February 2005.

Park aims are:

To conserve and enhance the natural beauty, heritage and natural history resources of Clyde Muirshiel Regional Park.

To promote the enjoyment of Clyde Muirshiel Regional Park by both residents and visitors

To promote the social and economic well-being of the people and communities within the Clyde Muirshiel Regional Park area

Effects of population on the environment

Peter Smith's (1975) '*The Politics of Physical Resources*' assertion that '*Designation creates popularity and exerts a pressure on the environment*'.

Discussion points

Visitor Centre - From 1 April 2006, there have been significant changes to the control of sewage discharges following the introduction of the Controlled Activity Regulations 2005 (or CAR). Under these regulations, all new sewage discharges from domestic properties serving less than or equal to a population equivalent of 15 (one house of three or less bedrooms is taken to be five population equivalent) will require to be authorised by registering with SEPA. This includes all sewage discharges to soakaway. For population equivalents of greater than 15 a license is required.

Sitka Spruce – Often planted in regular blocks and poor for wildlife once canopy closes. Little vegetation on the ground due to low light conditions and acidic conditions created by the needles from the tree. Felling of sitka spruce over 25 years to reduce impact on species locally and for migrant species such as crossbills Replacing with native woodland to improve diversity and as an educational resource.

Archaeological - Stone Age cairns, Bronze Age settlements, copper mined at (Kaim and West Tandlemuir).

Rhododendron clearance – Removal of six hectares of invasive alien species and replaced with native broadleaf to increase diversity.

Woodland fringe – open ground for Black Grouse, Green Hairstreak Butterfly (both Local Biodiversity Action Plan species) and Blaeberry.

Juniper – Decline mainly due to muirburn and overgrazing, is a UK Biodiversity Action Plan species and local Biodiversity Action Plan. There were only six juniper within Clyde Muirshiel Regional Park, but restoration scheme now underway on the Cample Burn.

Moorland – Special Protection Area for hen harriers. Following Ice Age the area would have been more wooded with Birch/Hazel covering over half the landscape. Muirburn and grazing has maintained an open landscape. Restrictions on operations within Site of Special Scientific Interest Appendix 3.

Windy Hill path – Use of a helicopter to minimise impact, monies from Renfrewshire Council.

Erosion scars on the Windy Hill path – Multiple paths. How to restore?

Agricultural drainage – Past drainage schemes (funded through agricultural grants) increased water run off that has led to erosion on moorland areas. Now grants from Scottish Rural Development Programme are available to land users to fill in these muirgrips. This will increase the water holding capacity of the moorland and reduce run off in water courses.

Derelict farm buildings – Reduction in numbers of agricultural workers. Conversion of farms to residences. In lowland areas there has been a change from hay to Silage production and an increase cereal production. Lowland farmland provides a habitat for 120 European breeding or wintering species of conservation concern.

Recreational pressure – eg. Karrimor International Mountain Marathon impact on environment. Held after the breeding season. Monitored impact on vegetation - no change.

Controlled Activities Regulations (CAR) for Bridges - Registration activities: Pipe and box culverts used for single-track roads, footpaths and/or cycle routes, where the affected river is not more than 2m wide. See also, Appendix 2.

Moorland - Moorland, peatlands and rough grasslands form a mosaic of semi-natural habitats, little of which can be considered truly natural, having been substantially altered through sustained woodland clearance, grazing, fire and forestry. Taken as a whole, the uplands cover almost two thirds of Scotland's land surface. Most moorland is managed for sheep and cattle, deer and grouse shooting, forestry, renewable energy, water provision, recreation, nature conservation and a wide range of amenity interests. The landscape is largely open and dominated by dry and wet heath, blanket bog and rough grassland vegetation. The soils are predominantly acidic and heavily podsolised, and the climate is cool, wet and windy. Much of the active management involves muirburn, sheep and deer grazing, tree planting, and predator control to benefit game species. Historically, drainage was

widespread, and over large tracts commercial forestry has replaced sheep walk and grouse moors. More recently, wind farms have become prominent over substantial moorland tracts, and there has been substantial investment in peatland restoration to rectify centuries of blanket bog drainage for agricultural purposes.

There is evidence of long-term detrimental impact of muirburn in blanket bogs and wet heaths on deeper peat soils where it appears that burning is associated with degradation of peat-forming processes and habitat condition, with symptoms including lowered water tables, greater peat temperature extremes, nutrient impoverishment, increased acidity and dissolved and particulate organic carbon (DOC/POC), reduced macro-invertebrate diversity in moorland streams, and difficulties in Sphagnum re-establishment

Upland Heathland

Heathland vegetation occurs widely on mineral soils and thin peats (<0.5 m deep) throughout the uplands and moorlands of the UK. It is characterised by the presence of dwarf shrubs at a cover of at least 25%. Blanket bog vegetation may also contain substantial amounts of dwarf shrubs, but is distinguished from heathland by its occurrence on deep peat (>0.5 m).

Upland Birchwoods

Upland Birchwoods in Scotland are dominated by a series of stands of downy and/or silver birch with constituents such as rowan, willow, juniper and aspen. Woodland boundaries are often variable and may change as woodlands expand and contract in response to fires and changes in grazing pressure.

Bracken management – Change in vegetation cover leading to loss of valuable grazing for farmer, but does provide some habitat benefits for Pearl Bordered Fritillary butterflies, Common Violets, Bluebells, Hen Harriers and Whinchat. Park estate team and some rangers are qualified to use herbicides.

Windfarms – Are they compatible with recreational activity? Park's view is that they are visually detrimental to the upland areas of the Regional Park, that moorland birds may be susceptible to turbine impact and that the integrity of the active blanket bog may be compromised through drainage and subsequent erosion with the result that the peat areas no longer capture carbon but releases it instead.

SEPA

Regional Park is consulted on applications for pesticide use – non statutory.

Consent is required for aerial bracken spraying where it is adjacent to or within 250 metres of the application. Knapsack spraying should not take place within 2m of a watercourse or site of ecological importance.

Consent is required where the land within 1.5km of a Statutory Site, e.g. Site of Special Scientific Interest, Special Area of Conservation, Special Protection Area or National Nature Reserve.

Landowners using herbicide for the control of bracken in Scotland should notify the following bodies prior to application

- Water Authorities - (public water supplies);
- Environmental Health Departments of local authorities - (private water supplies);
- The Scottish Office Agriculture Environment and Fisheries Department (SOAEFD) - (where grant aid is being sought);
- Scottish Natural Heritage - (where adjacent to or within a SSSI or in an ESA);
- Scottish Environment Protection Agency.

The use of pesticides is regulated by the legislation listed below. During all operations involving pesticide use the regulations governing supply, storage and use of pesticides should be complied with. These include:

- The Food and Environment Protection Act (FEPA) 1985;
- The Control of Pesticides Regulations 1986;
- The Control of Substances Hazardous to Health (COSHH) 1988.

Since January 1989 a Certificate of Competence in the Use of Pesticides is required by all users of agrochemicals.

Can conservation be promoted and outdoor access encouraged?

Eg.'s Harrier televiewing, SRANI, windfarms vrs access, SPA, grouse shooting vrs birds of prey, pollution vrs recreation, woodland plans at Hardridge, Parkhill and Muirshiel

Does legislation protect the environment?

Does Clyde Muirshiel Regional Park promote outdoor recreation at the environment's expense?

Biodiversity legislation notes

The 'Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora' was adopted in 1992 and is commonly known as the Habitats Directive. It complements and amends the 1979 'Council Directive 79/409/EEC on the conservation of wild birds', commonly known as the Birds Directive.

The Birds Directive protects all wild birds, their nests, eggs and habitats within the European Community. It gives EU member states the power and responsibility to classify Special Protection Areas (SPAs) to protect birds which are rare or vulnerable in Europe as well as all migratory birds which are regular visitors.

The Habitats Directive builds on the Birds Directive by protecting natural habitats and other species of wild plants and animals. Together with the Birds Directive, it underpins a European network of protected areas known as Natura 2000. This network includes SPAs classified under the Birds Directive and a new set of international nature conservation areas introduced by the Habitats Directive, Special Areas of Conservation (SACs).

The Habitats Directive is a major contribution by the European Community to implementing the Biodiversity Convention agreed by more than 150 countries at the 1992 Rio Earth Summit. As well as establishing Natura 2000 areas, the Directive has a number of wider implications, such as those relating to European Protected Species. The Birds Directive also makes certain provisions for protection of wild birds in the wider countryside outwith protected areas.

What are Natura 2000 sites?

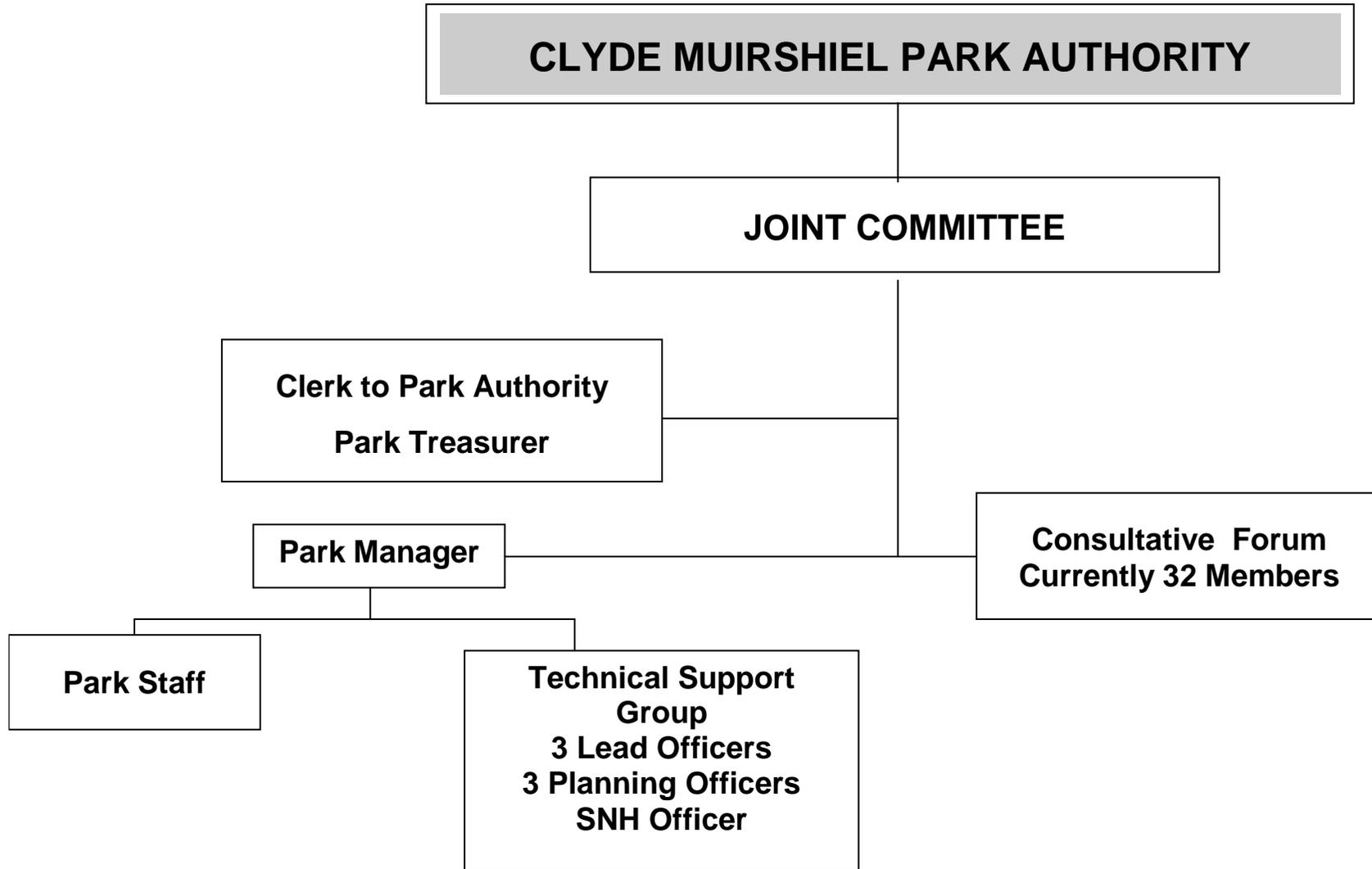
Natura 2000 is a European network of protected sites which represent areas of the highest value for natural habitats and species of plants and animals which are rare, endangered or vulnerable in the European Community. The term Natura 2000 comes from the 1992 EC Habitats Directive; it symbolises the conservation of precious natural resources for the year 2000 and beyond into the 21st century. Scotland's Natura 2000 sites will help to protect these important areas now and for generations to come.

The Natura 2000 network will include two types of area. Areas may be designated as Special Areas of Conservation (SAC) where they support rare, endangered or vulnerable natural habitats and species of plants or animals (other than birds). Where areas support significant numbers of wild birds and their habitats, they may become Special Protection Areas (SPA). SACs are designated under the Habitats Directive and SPAs are classified under the Birds Directive. Some very important areas may become both SAC and SPA.

Establishing the Natura 2000 network is the primary purpose of the Directives, but they also make other provisions, including measures for the protection of habitats and species outwith the site network.

Legislation and site protection

The 1992 Habitats Directive complements and amends the 1979 Birds Directive. It was transposed into GB law by the 'Conservation (Natural Habitats &c.) Regulations 1994' which came into force on 30 October 1994. Generally known as the Habitats Regulations, they apply to both SACs and SPAs.



Appendix 2 The Water Environment (Controlled Activities) (Scotland) Regulations 2005

General Binding Rules (GBRs) represent the simplest level of control. They cover specified activities and define conditions that provide the necessary level of environmental protection. So long as the activities are undertaken in compliance with the specified conditions, then the GBR provides the authorisation. The operator will not have to contact SEPA because these activities are considered to be very low risk. GBR's provide statutory controls over the following low risk activities:

- weirs less than 1metre high
- abstractions of less than 10m³/d
- construction of boreholes
- dredging of rivers less than 1 metre wide
- construction of minor bridges
- laying of pipeline or cable
- control of bank erosion covering less than 10m
- operating plan or machinery in the vicinity of water
- charge of surface water runoff which does not cause pollution of the water environment
- prohibition against the discharge of specified substances into a surface water drainage system.

Registration

Registration is intended to cover low risk activities which cumulatively pose a risk to the water environment. SEPA can impose conditions associated with a registration but the policy intention is that these should only describe the activity. A registration authorises an activity and any person can then carry out that activity. A registration is an activity-specific authorisation comparable with a COPA consent.

Licence If site-specific controls are required and in particular if constraints upon the activity are to be imposed then the activity should be authorised using a licence. A licence requires the identification of a "responsible person" who is responsible for ensuring compliance with the conditions of the licence. A licence is therefore a person-specific authorisation comparable to PPC permits. A responsible person can be a "natural" person or a body corporate. In most cases SEPA would expect a company to be named (e.g. Scottish Water). <http://www.sepa.org.uk/wfd/regimes/index.htm>

**RENFREWSHIRE HEIGHTS SITE OF SPECIAL SCIENTIFIC INTEREST
OPERATIONS REQUIRING CONSENT**

If you propose to carry out, or permit to be carried out, one of the operations listed below, you must first obtain consent from SNH unless a local authority has granted you planning permission (under Part III of the Town and Country Planning (Scotland) Act 1997) or a designated regulatory authority has given you written permission (under s.15 of the Nature Conservation (Scotland) Act 2004). If you have such a permission you may proceed without obtaining consent from SNH for the same operation.

*Standard. Type of Operation
Ref. No*

- | | |
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| 1 | Cultivation, including ploughing, rotovating, harrowing, and re-seeding. |
| 2 | Grazing, the introduction of grazing and changes in the grazing regime (including type of stock or intensity or seasonal pattern of grazing). |
| 3 | Stock feeding, the introduction of stock feeding and changes in stock feeding practice. |
| 5 | Application of manure, fertiliser and lime. |
| 6 | Application of pesticides, including herbicides (weedkillers). |
| 8 | Burning, except muirburn in accordance with "The Muirburn Code" (SEERAD 2001 or later edition). |
| 9 | The release into the site of any wild, feral or domestic animal*, plant or seed except for pheasants, partridges and ducks for sporting purposes. |
| 10 | The killing or removal of any wild animal*, except for: <ul style="list-style-type: none"> i) Brown rat, deer (all species), feral cat, feral ferret, fox, mink, mole, rabbit, stoat and weasel. ii) Bird species covered by the General Licence (Scottish Executive Environment and Rural Affairs Department; Wildlife and Countryside Act 1981 as amended). iii) Fish (all species). iv) Other species under a specific licence issued by Scottish Executive Environment and Rural Affairs Department. |
| 11 | The destruction, displacement, removal or cutting of plant or plant remains, including tree, shrub, herb or moss, except for the cutting of vegetation in accordance with "The Muirburn Code" (SEERAD 2001 or later version). |
| 13a | Drainage (including moor-gripping and the use of mole, tile, tunnel or other artificial drains) except the maintenance of existing trackside drains. |

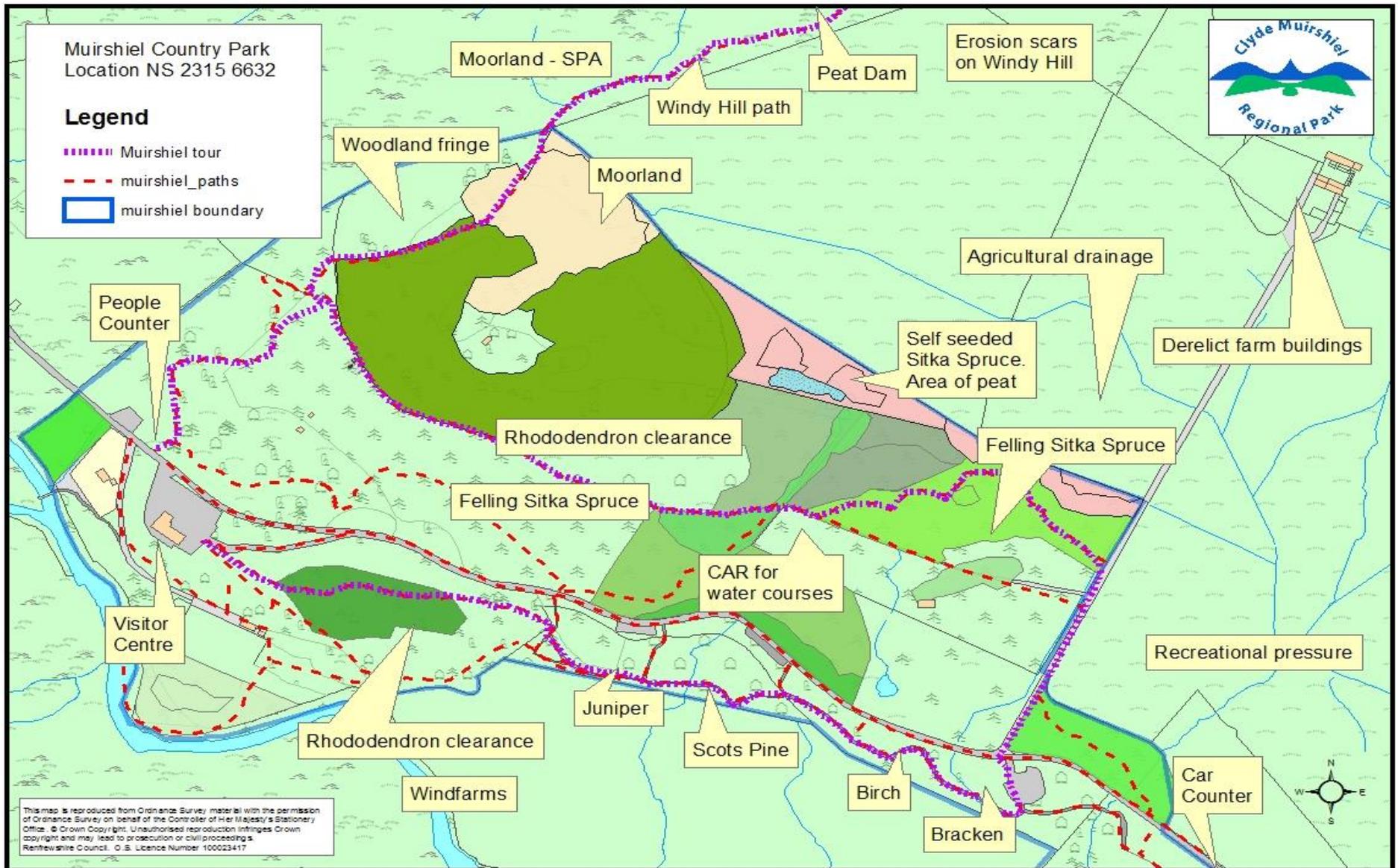
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| 20 | Extraction of minerals, including peat, shingle, sand, gravel, topsoil and bing material (spoil). |
| 21 | Construction removal or destruction of roads, tracks, walls, fences, hardstands, banks, ditches or other earthworks, or the laying, maintenance or removal of pipelines and cables, above or below ground. |
| 23 | Erection of permanent or temporary structures, or the undertaking of engineering works including drilling. |
| 26 | Use of vehicles off recognised tracks. |
| 27 | Recreational, research, educational or other activities likely to damage peat surface/vegetation and/or disturb upland breeding and roosting birds, except for those which are carried out under a licence issued by SNH. |
| 28 | Game and waterfowl management and hunting practices, except for: <ul style="list-style-type: none"> i) Deer stalking (all species). ii) The shooting of hares, rabbits, ducks, geese, partridges, pigeons, pheasants, red grouse, snipe and woodcock. |

* "animal" includes any mammal, reptile, amphibian, bird, fish or invertebrate.

Muirshiel Country Park
Location NS 2315 6632

Legend

- Muirshiel tour
- muirshiel_paths
- muirshiel boundary



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