BRIBERY, SHAMING, THREAT AND VIRTUE:
A COMPARISON OF HISTORIC AND CURRENT INFLUENCES ON RESOURCE ALLOCATION AND POLICY DEVELOPMENT IN PROTECTED AREAS IN CANADA AND SCOTLAND

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Declaration of Author's Rights

Preamble

The spelling in this thesis is British, as is most of the terminology. The difficulty in maintaining constant terminology arises primarily when commenting on governmental structure. Generally, unless the section is directed at a particular country, the terms federal and central, provincial and regional and municipal and local should be used interchangeably. As well, Minister and Secretary of State may be interchangeable when discussing the governmental officer responsible for a particular portfolio.

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List of Abbreviations

The country of origin is listed in brackets behind the full name if it is not readily apparent within the name or by association with the location.

BBVS	Banff Bow Valley Study
BMP	Banff Management Plan
BNP	Banff National Park
CCS	Countryside Commission for Scotland
CG	Cairngorms
CGWP	Cairngorms Working Party
CGWPR	Cairngorms Working Party Report
CPR	Canadian Pacific Railway
CPAWS	Canadian Parks and Wilderness Association
DIAND	Department of Northern Development to the Department of Indian & Northern Affairs (Canada)
DOE	Environment Canada
LLT	Loch Lomond and the Trossachs
LLTWP	Loch Lomond and Trossachs Working Party
LLTWPR	Loch Lomond and Trossachs Working Party Report
NCC	Nature Conservancy Council for Scotland
NGO's	Non Governmental Organisations
NHA	Natural Heritage Areas (Scotland)
NPA	National Parks Act (Canada)
NPB	National Park Body (Scotland)
NPC	National Parks Committee (Scotland)
NPP	National Park Plan (Scotland)
NPPAC	National and Provincial Parks Association (Canada)
PC	Parks Canada
QUANGO	Quasi Autonomous Non-government Organisation
RPP	Report on Plans and Priorities (Parks Canada Agency)
RSPB	Royal Society for the Protection of Birds (Scotland)
SCNP	Scottish Council for National Parks
SNH	Scottish Natural Heritage
SOEnD	Scottish Office Environment Department
SOSSc	Secretary of State for Scotland
SSSI	Sites of Special Scientific Interest (Scotland)

The letters IC, IS, C (Canada) and S (Scotland) followed by a number immediately subsequent to a quote is a code assigned to that particular informant. IC and IS indicate initial interviews with C and S representing the main interviews.

Acknowledgements

I am particularly grateful to my supervisor Mr. Brian Parnell for his kind and patient support and advice throughout my research. The gentle prodding and long distance support was invaluable. The advice I received from Keith Hayton and the support from Kenneth Brine and Anne Lockhart must also be recognised. Your behind the scene activities helped more than I can possibly say.

Thank you to all those who supported and inspired me in this venture. There are so many that provided kind words, a piece of advice or a bit of moral support to help motivate and guide me. Barbara Parnell for being my Scottish "home away from home" and long distance cheering section. Jenny, Larry, Lorraine and the numerous colleagues at the University of Calgary who provided valuable guidance and support.

The biggest thank you must go to my family - grandparents long since gone for instilling curiosity, my parents for encouraging me to face challenges and, along with my sisters, always lending their support. Thank you to Norma and Norman, for keeping me "grounded in reality" and focussed on the important. To my husband thank you for your support and putting up with just one more project, one more trip, one more chapter, one more draft...and lastly thank you to my son Jonathan, who has patiently waited for me to finish.

Abstract

This study seeks to understand how agencies with strict land use requirements and plan formulate and translate land use objectives into budgets and spending priorities. Characteristics such as legislation, policy and management body structure were examined alongside various influences to determine the extent to which these decision processes are impacted and provide insight into how such influences may be usefully levered and potentially transferred to other situations.

In particular, the research was focussed on some of the "drivers" to the budgeting and land use prioritising processes. It is often argued that objectives are established in the annual business or corporate plan for the area and the budget follows this. However the intention of the research is to show that finances do indeed affect achieving the objectives but not in a direct cost manner. The research is primarily qualitative given the nature of what was being evaluated; the discrepancy between the official view of what should be, and what is taking place from the decision makers view was brought to light through a study of the intervening processes.

This study strongly suggests that, although the organisational structures and administrative processes have substantially changed and evolved over the past twenty years resulting in today's Parks Canada and Scottish Natural Heritage, the tools used by these agencies to translate land use objectives into budgets and spending priorities have not. As a result, external influences that could be anticipated and planned for are excluded along with recognition of any potential benefits these influences could bring. Further, efforts to facilitate collaborative management have had only limited successes due on the most part to the constituent authorities using these antiquated tools and the lack of a meaningful evaluation process to measure the success of collaborative management efforts. That is budgeting and planning/resource allocation processes do not reward or encourage collaboration and may, in fact, inhibit such efforts at a management level.

1 Introduction

Relationships help, and money talks. S4

How do organisations and individuals decide on which priorities will be addressed and in which order? What happens if other individuals and organisations impact on those plans and priorities, are these acknowledged, ignored or completely missed? Theories and opinions abound.

This thesis examines some of these influences in a very narrow context that is, how do various factors impact on land use decisions made by land use managers in areas which have strict land use requirements and plans. The title, "Bribery, Shaming, Threat and Virtue[1]" relates, in a fanciful way, to tools used by the various land use management agencies to direct land use decisions.[2]

In order for the analysis to be manageable and meaningful, three areas were chosen for study; Banff National Park (BNP) which is in Canada,[3] and in Scotland the Cairngorms (CG) and Loch Lomond and the Trossachs (LLT).[4] In short, these areas were chosen specifically due to their long histories of land use conflict and that they had specific management structures in place that used some type of annual planning scheme which included preparation of a management or business plan and budget. A full explanation of the rationale for choosing these three areas is in section 1.5.1.[5]

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[1] The title was kindly provided by an informant, the context in which the author of this thesis has used this comment does not necessarily reflect the view of the informant or their organisation.
[2] The tools, rewards and incentives (bribery), persuasion and/or peer group pressure (shaming) and regulation (threat), along with the altruistic motives of various land owners/occupiers (virtue), are discussed in the context of the study objectives.
[3] Banff National Park is but one of thirty-eight national parks and national park reserves in Canada. It distinguishes itself from the others in that it was the first Canadian national park.
[4] Study area maps are located in Appendix A1.
[5] It should be noted that at the time of writing, Scotland had completed their consultation process for National Parks and the Secretary of State for Scotland announced draft legislation for National Parks on February 2, 1999. This draft legislation will likely stand until the issue is raised in the new Scottish Parliament which convened in Summer, 1999. As the legislation is proposed but not yet law, the study will be concentrating on the existing systems in Scotland and the management structures presently in place in the study areas.

How the various management bodies respond to the often bipolar land use issues and how such problems and responses ultimately affect the financial allocation processes is the main thrust of this thesis. In other words, do these areas share the same problems and issues today despite the different management structures and processes in place or more simply, have the different policies resulted in similar outcomes? The study is somewhat different to others in that traditional decision processes and tools (such as cost benefit analysis) are not directly considered. Rather, the study examines the way in which budgets and priorities are defined and whether these processes reflect the perceived land use problems or simply other priorities and influences.

At first glance, one might be tempted to dismiss such comparison between Scotland and Canada's protected areas because of the different land tenure in each of these areas. However, the influence that land tenure has on resource allocation decisions is important in understanding how management structures and policies have evolved and providing some insight into how policy formulation and decision making processes can be made more effective.[6]

1.1 Problems of management

In recent years, there has been a growing recognition that certain geographical areas are of significant importance for their historical, cultural, landscape or ecological value. Along with this recognition has come a desire to protect or preserve these areas, usually by not only local but national and international interests. These efforts to protect or preserve often are formalised in legislation or policy with a resultant increase in restrictions on land use within these areas. Such restrictions are often the foci for conflicts between various levels of government, land owners/occupiers, interest groups and the general public.

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[6] The term will be defined later but for now, "effective" should be considered in the context of "best value." Even in this context, various stakeholders may have different interpretations of what "best value" is, particularly when applied to policies, not projects.

Often these areas are given a special status and in the case of the study areas, they have been or potentially will be designated a "park" which has a wide connotation and even wider interpretation. Regardless of the term used, these areas have unique problems to deal with including a definition of - what it is that must be protected or preserved, what the area should provide to residents and "outsiders", and how the area might be managed in concert with surrounding jurisdictions. Thus today's challenge for the managers of these protected areas is no longer simply keeping the area "protected" from a wildlife or scenery point of view, but it is "protecting" it from both inside and outside influences that could threaten its very existence.[7] The biologist manager must now be a "facilitator" and recognise that all decisions will have an impact and that many of these decisions will have a cost, whether or not it appears in their budget lines.

The areas chosen for this study each provide good examples of these challenges and all have been under a "media microscope" for some time. Thus even though a decision may have been made in other areas without controversy or notice, any decision whether policy related or within a discretionary administrative action, is examined by the public in great detail in these three areas. Why? As Nichols (1981:17) found, conflict and controversy in US National Parks were often far out of proportion to the land area involved and literally no resource decision was so insignificant that it escaped public scrutiny and possible opposition. If this is indeed the case, land managers need to understand what the impact of those decisions may be, in terms of resource allocation and the impact on the overall budget for the area.

1.2 Researching the problem

Initially, the study was launched to examine wilderness park development in Canada and Scotland. The scope was to include an examination of how environmental concerns were addressed, a discussion of the government policies and political

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[7] Dearden and Berg (1993:195) describes this increased penetration of external influences on administrative decision making in national parks in Canada using a boundary-model. Using this

pressures that were brought to bear on the creation of a wilderness park and a review of the economic viability and sustainability from government and private sector points of view. After preliminary fact finding interviews (referred to as the "initial interviews") in both Canada and Scotland in 1994 and 1995, it became apparent that the scope of the project would need to be focussed more narrowly. Firstly, it would be difficult to create a wilderness park in Scotland given so few wilderness areas remained and, although it might be possible to examine the creation of a park in Canada, there would be very little process wise to compare. Furthermore, it became obvious that detailed budget information (for example, what was spent on manpower, projects and so forth) would be impossible to obtain due to a variety of factors including a general lack of detail, inconsistency in reporting requirements, different land management agencies involved and different land management objectives.

It was interesting to note that, through these interviews, managers stated that they needed more information on some common questions and areas. Some of the initial interviewees asked questions and made comments such as:

> Does a budget make a difference to the operation of a park?
>
> Why is money spent in one area and not another – is it due to management structure, pressure groups or a need to meet objectives?
>
> Are policies [ecosystem management, collaborative management] an obstacle to improvement?
>
> Park policy is the ideal, but not the reality. Social, political and environmental issues must be integrated into a systems context, and not dealt with as individual issues.
>
> Land ownership is not the big issue - it has more to do with the management.
>
> The money is there - it is just how it is split up. Existing legislation means that there are many agencies working hard to spend lots of money.
>
> None of us [governments, stakeholder groups] are very good at setting goals and objectives.

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approach, they argue that not only have parks become increasingly penetrated over time by external biophysical changes but they have been affected through administrative influences.

In considering these responses along with an early review of documents that analysed management in the study areas it was repeatedly emphasised that the current problems in these areas were often tied to decision making. Reasons cited included an absence of a consistent process and a predictable outcome, no formal means to appeal decisions except to the minister, political/ministerial interference in local decisions and lack of criteria and policy to guide land managers in the use of their discretionary powers. After contemplating these issues and criticisms, it became apparent that there were conflicting views in terms of:

1. Are the responsible management agencies supplied with sufficient funding to manage the protected areas according to their legislated mandates?
2. Does land ownership really affect the ability to manage a landscape or an area?
3. Are policies an obstacle to improvement?

Thus it was decided to focus the study more towards an examination of the existing management and decision making systems and some factors that could impact the achievement of desired legislated objectives for the chosen areas. In particular, the lens would be focussed on some of the "drivers" to the budgeting and land use prioritising processes. Stated differently, it would examine how different agencies decided which objectives to address[8] and how management was influenced to see if any particular budgeting and priority setting process was "better" at deploying resources.

[8] It could be argued that objectives are established in the annual business or corporate plan for the area and the budget follows this. However the intention of the research is to show that finances do indeed affect achieving the objectives but not in a direct cost manner (i.e. not having sufficient funds to achieve the desired objectives). That is, the conflicts or influences themselves have a bigger impact on the budgets and as a result prevent more from being done.

1.3 Research objectives and questions to be answered

Study Objectives

This study seeks to understand how agencies formulate and translate land use objectives into budgets and spending priorities. Characteristics such as legislation, policy and management body structure will be examined alongside various influences to determine the extent to which these decision processes are impacted and provide insight into how such influences may be usefully levered and potentially transferred to other situations.

Questions to be answered:

The following questions will be addressed in the context of the three study areas which are, or are proposed to be, protected areas:

Policy making and implementation

1. To what extent are resource implications considered when land use objectives are formulated and land use policies evolved?
   a. To what extent are resource allocation or priority setting processes linked to the budgetary processes and legislated mandates (actual or proposed) for the area?
   b. Are there evaluation and feedback processes in place that evaluate the linkage and outcomes?
2. To what extent does land ownership [property rights] impact have on the formulation and implementation of land use objectives?

Resource allocation

1. To what extent does the management body influence land use and land use policies? In what way are they able to accomplish this?

2. To what extent do various stakeholder groups impact on resource allocation decisions?
3. To what extent do the processes and procedures recognise the extent to which external and internal stakeholder group activities impact on resource allocation decisions?

1.4 Importance of study and contribution to be made

The Scottish and Canadian governments recognised respectively, that there were many management problems in their existing (or proposed) protected areas. Each government, in recognising the problem, commissioned extensive studies into the problems and potential management of the areas – the Cairngorms Working Party (CGWP), the Loch Lomond and Trossachs Working Party (LLTWP) and the Banff Bow Valley Study (BBVS).

Interestingly, in all three studies, there were suggestions that solutions to the governance issues in the respective areas were not to be found abroad or in other areas, but would have to be developed to meet the specific challenges and conditions of the area. In each case, there was a recommendation to restructure these institutions. Others, outside of the three task force or working party studies, have suggested that rather than restructuring existing agencies, there should be development of a new high level policy formulation facility which can identify and analyse environmental policies cutting across jurisdictional lines of existing agencies (for example Rees, 1993).

Regardless of which route is taken for management, each area is under stress for conservation and development and the management structures seen today reflect the difficulties of reconciling these stresses over time. Even with increased public consultation and the influence of interest groups, Parliaments can establish regulations and policies to govern national parks or protected areas but the forming of the policies and subsequent amendments continue to be influenced frequently by private interests. Thus if the financial criteria for achieving policies or the

interpretation of these policies contribute to the stresses, each area may have "coping strategies" which may help reduce the conflict. Lessons may be learned from the others that may help in future policy setting, interpretation, prioritisation or legislation. Can management structures lever these forces in order to become more effective?

As Giest (1995:14) pointed out, "History is a vaccine against bad ideas. Unfortunately, current problems arise largely from a recycling of bad ideas from the past." Bishop et al. (1997:104) provide perhaps a good explanation when they say "there is a reluctance on the part of parliamentary draftsmen to start afresh and legislative changes, even those resulting in new protected areas, are often modelled on existing provisions." Thus the study is seeking new and innovative ways of addressing these old and common problems.

1.5 Scope of the study

1.5.1 Why were these three areas chosen?

Over the past 100 years, these areas have received not only media attention but they have also been the subjects of numerous studies. These studies have shown that each area has many interested stakeholders and complex management problems that stem from internal and external forces but little has been done to examine management structures and administrative processes that impact on the ability to meet land use objectives. In the mid-1990s, each of the three areas was subjected to a rather comprehensive study[9] into management problems and potential solutions. These somewhat dated studies continue to be used as a basis for discussion by Scottish Natural Heritage (SNH) and Parks Canada (PC), the two agencies with conservation interests in their respective countries, and interested stakeholders for changes to governance in the areas. Appendix A2 provides a more detailed description of the study areas with a general description provided below.

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[9] Cairngorms Working Party Report (CGWP) - 1992, Loch Lomond and Trossachs Working Party Report (LLTWP) - 1993 and Banff Bow Valley Study (BBVS) – 1996.

Loch Lomond and Trossachs (LLT) area was chosen due to its close proximity to Glasgow, a major metropolitan area. Glasgow historically considered the LLT area to be their "playground"; as well, the area experiences heavy international and national tourism, even though much of it is a "passing view". "Passing view" means that many tourists use facilities in the area but do not provide significant economic return for the resources used. There are many small landowners in the area, but there are also large landowners, some of which are public bodies.

The Cairngorms (CG) area was chosen due to its remote nature and unique problem of being somewhat more "wild."[10] Certain areas of BNP are subjected to the same pressures for access as in the CG area and the same vulnerable ecosystems exist. In some ways, the large land ownership base seen in the Cairngorms is not unlike some of the large land owners which are immediately adjacent to BNP. These land owners and lessees can and do influence how land managers are able to achieve their objectives and, given there is no overriding legislation for interagency co-operation in this regard, management of the area requires a voluntary approach if the mutual objectives are to be met.

The reader is reminded that at the time of writing, neither Scottish study area is considered a statutory national park.[11] Besides the characteristics noted above, it has been recognised that there is a need to manage the "park aspect" of these areas. As a result, there have been various management bodies put in place to attempt to manage these areas. Given the interjurisdictional[12] nature of both areas and the fact that these local governments must also deal with other issues including health, education and transportation, provision of services for non-economic leisure or environmental enhancement are understandably given a lower priority.

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[10] For the Canadian reader, the terms remote and wild are fairly imprecise. The CGA is within a one hour drive of two major urban centers. As for wild, when compared to LLT, it is wild but compared to BNP, the landscape characteristics are almost all a result of human manipulation.

[11] This will be discussed further in Chapter 4. The term national park will also be used in a connotative sense, as the Scottish areas, if designated would technically qualify under IUCN guidelines as a Category V, protected landscape. In contrast Banff National Park is considered a Category II national park, the differences between the categories are highlighted in Appendix A3.

[12] Loch Lomond area is shared, unequally in land mass and visitor pressure by three local authorities, the Cairngorm area is shared by five local authorities.

Banff National Park was chosen for many of the same reasons as LLT (population nearby and an international tourist trade) and for the fact that it has the national transportation corridor passing through it. Like the CG, there are areas close to major population bases and other areas that are fairly remote and look to traditional land uses for sustenance. Although the land base is federally owned, a complex mosaic of jurisdictional interests exists with two provinces adjoining the park and many municipalities being affected by the management of the area.[13]

Lastly, these areas were specifically chosen as they either had or were proposed to have a protective designation of some sort imposed upon them, whether ICUN or otherwise. The fact that they had very different types of ownership structures was also important as part of the study was considering the impact of different types of property rights on the policy outcomes or developments for a protected area. This, along with a set budget for management was important in order to examine how the resource allocation process was affected. The fact that Canada (and Calgary) has a lower population density than Scotland (UK and Glasgow conurbation) was not considered important as a low population density provides no guarantee against environmental change due to development pressures.

1.5.2 What park or land use management structures will be studied?

In terms of management structures or agencies, the study was limited to two government agencies (specifically Parks Canada and Scottish Natural Heritage) and three management bodies.[14] Although Scottish Natural Heritage is not specifically a land manager, it is one of the major funding agencies. Parks Canada is slightly different in that it acts as both a government agency and a management body. Management structures for Non Governmental Organisations (NGOs) was not examined in detail as, although many are well organised and are major land owners/managers in the UK, they do not have comparable counterparts in Canada (with regard to land base or management structures).

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[13] This will be expanded on later but within the park there are many small leaseholders, a few large lessees and some freehold interests.
[14] Parks Canada (PC), Loch Lomond Park Authority (LLPA) and the Cairngorms Partnership (CGP).

From a comparison view point, all four agencies are managing areas that are subject to high visitation rates which keeps the problems for each of the study areas highly visible to the public and at the ministerial level of the federal governments. These factors, among others, contribute to making the superintendent[15] position one of the most politically sensitive ones in the park system.

The basic characteristics of each agency are summarised in Appendix A4.

1.6 Other limitations and key assumptions

There are many organisations that promote nature conservation and recreation interest on private lands in Scotland. It is not practicable in this study to examine in depth all of these private and semi public organisations. Nor is it even possible to definitively discuss all national government conservation initiatives and designations. In order to keep the focus of the analysis manageable it was decided to concentrate on areas which had restricted land use legislation already in place or proposed to be in place and on those management agencies which were already in place. It is recognised that in both countries changes are being made or have been proposed and will likely be debated and implemented during the writing of this thesis. These will be commented on as an aside to the study.

As this study will look at some factors affecting the achievement of land use objectives within the areas and on the boundaries, there will be no analysis of specific environmental considerations (ie. afforestation of moorland) nor will the appropriateness of a protected area management strategy in achieving individual desired goals be examined (ie. preventative measures for bear and elk attacks). The study will consider the overall management strategy and overall effectiveness in achieving desired goals.

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[15] The term superintendent does not technically apply to LLPA and CGP; however the chief park officer and chief executive would be roughly the equivalent. However, it should be further noted that a superintendent is essentially in charge, whereas the LLPA park officer and the CGP chief executive acts on the policies and instructions of their respective Committees/Boards.

In order to make sense of the management approaches, this study has essentially been divided into two distinct sections. Firstly, the study deals with the evolution of the protected area legislation and policies together with the management systems for the chosen areas. This historical overview provides a basis from which to examine how each country has dealt with somewhat common issues[16] and how various factors have influenced policy development and policy outcome. The second thrust of the study deals with the issues of budgeting and priority setting in the three areas.[17] Chapter 5 is a link between Chapters 3, 4 (which deal with structure) and 6 (which deals with process). The purpose of Chapter 5 is to provide a reflexive introduction to some aspects of budgeting and priority setting. How these historical and contemporary factors have influenced the distribution of decision making power and authority as it relates to land use issues will be treated in the later chapters. Diagrammatically,

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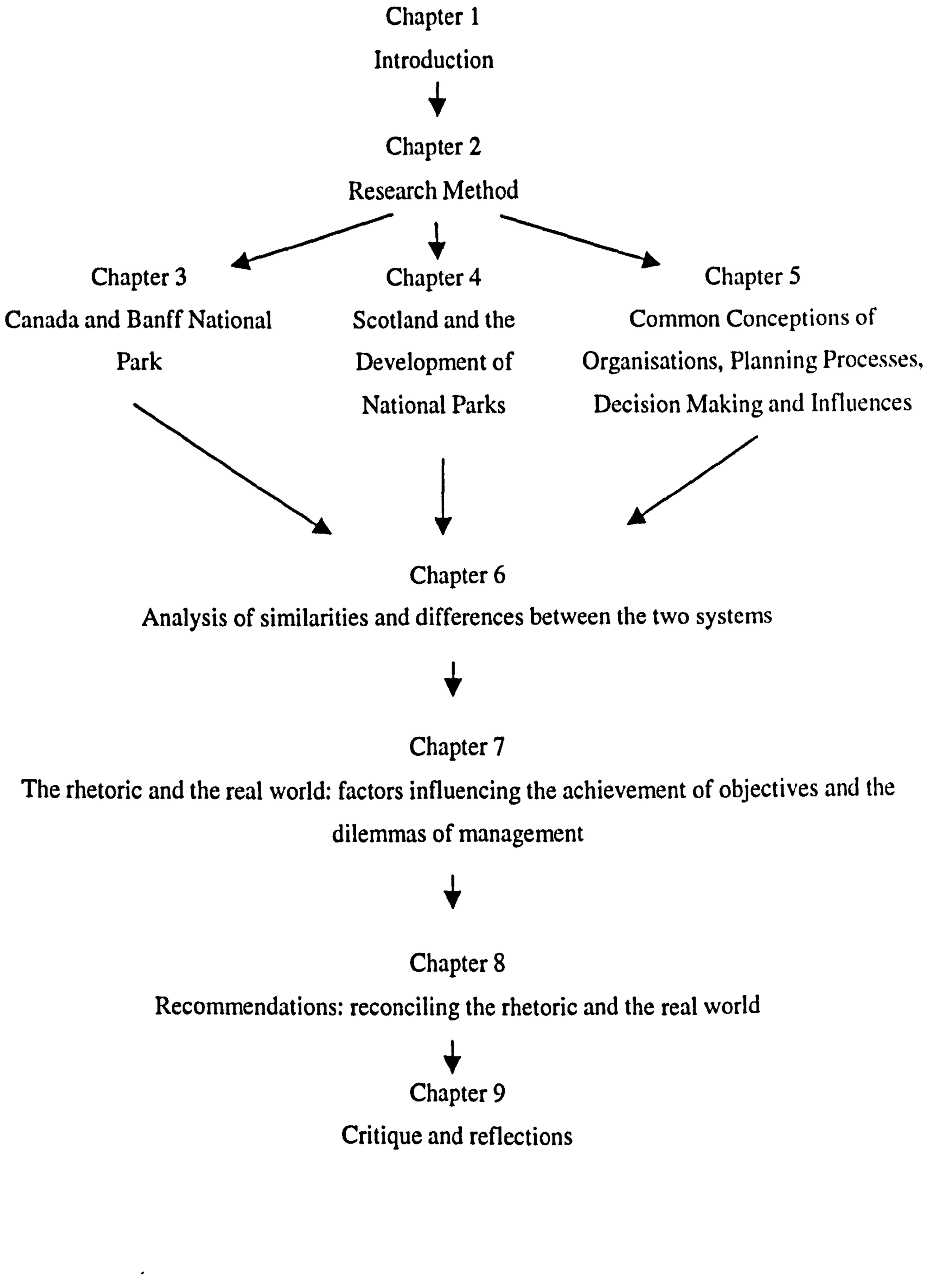
[16] Issues such as conservation, social equity.....

[17] The reader is reminded that the analysis is not concerned with the actual budgeting process (i.e. preparation and defence of the budget) but rather on how managers may be influenced in the setting and allocation of their given budgets.

Figure 1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2 Research method

This chapter reviews the methodology adopted to address the broad research objectives and questions identified in Chapter 1. Ontological and epistemological considerations are discussed in Section 2.1. A brief overview of the data gathering, analysis, theme and concept identification is provided in the second section along with a discussion of the challenges of applying qualitative approaches to piece together the interpretative story. The last section discusses some difficulties of cross cultural comparisons.

The initial guide for the research followed the general process discussed by Vogel and Kun (1987:148) in their review of environmental policy literature. That is, many researchers rely on some combination of fieldwork, review of documents, and interviews with responsible officials. The process was as follows:

1) Summarise existing documentation.
2) Test broad conclusions through selected interviews and/or surveys with key informants and selected analysis of archival data and other primary records.
3) Produce a synthesis of all the evidence and insights gained in the interviews and analysis.

Reviewing existing documentation and archives is beneficial as it is stable, unobtrusive and offers the ability to span time, events and settings according to Yin (1994:80). However, there can be low retrievability, biased selectivity and access problems. In order to address the downside, early in the project the researcher chose not to access archival information requiring use of "Freedom of Information Acts".[1] It was felt that if this type of information was included, the study focus would necessarily have to become quite narrow and that information gathered may cause

[1] Properly named the Access to Information Act, this Act extends present Canadian laws that provide access to any information under the control of the Government of Canada. In general, the Act allows Canadian residents access to any documentary materials, regardless of physical form or characteristics subject to various restrictions. For readers interested in this rather lengthy document, a copy is available on the Government of Canada, Department of Justice website http://canada.justice.gc.ca

(intentional or otherwise) biases in the interviews or the responses. This may have been particularly true if the informant had processed the request or if the researcher, having prior knowledge of an event or decision, inadvertently biased an informant's response. As well, given the plethora of documents available, it was decided to limit the review of decision making to management plans, business plans, legislation and regulations. This did not preclude the use of other documents and reports written in support or criticism of these documents including media reports. Such documents are used to corroborate, or contradict, the interview findings.

As the research unfolded, it became quite apparent that detail would necessarily have to be sacrificed for generalisability. What emerged from the process and analysis thus are arguments that seek strong plausibility across a range of management settings.

2.1 Methodological theory

2.1.1 Why the decision to use qualitative rather than quantitative?

The decision to use a qualitative approach to the research emerged after the early reviews of the literature and the initial interviews. Although it might be relatively straightforward to determine how much money had been spent on any one initiative, the underlying rationale, motivation and influences on the decision would not be so readily apparent in official external documents. This fact was confirmed in earlier studies by Nichols (1981), Aaron (as quoted in Libby, 1994) and others, who conclude that analysing policy decisions should not be confined to the conventional definition of rational behaviour. Furthermore, yet another cost-benefit analysis or quantitative study would likely be of little interest or practicality to the practitioner. As Mackay (1995:12) notes:

> The drive towards placing objective value on environmental choice and achievement has made progress in recent years....By and large it proceeds by way of surrogate market techniques of assessing aesthetic worth, by manipulating the discounting of market value to give greater weight to more distant futures, and by playing various 'What if?' games to arrive at the public's estimate of.....This sort of calculus forms the stock in trade of the

> environmental manager.....But techniques of this kind scarcely get beyond the appraisal of specific *projects*: they have, so far, had little relevance to *policies* (italics in original).

Thus in contemplating the focus of the research and its potential usefulness, the peevish retort "So what?" was applied to help pinpoint what was important. What emerged was an interest in the financial aspects of protected areas, but from a decision making point of view or motive – what influenced the resource allocation processes and how did finance influence objectives. To this end, the decision was to agree with Libby (1994:1004) - the "definition of economic theory had to be broadened to include theories of individual and group behaviour" and that "economics, as a behavioural science, is not prepared to acknowledge what seems to be common sense" - "people have complex motives". Thus the research could not be "pure" economics nor could it be "pure" planning but an interdisciplinary approach was required. In fact, as confirmed in the main interviews, there were many complex individual and institutional motives that likely would not be reflected in the internal documents.[2,3]

From the initial research proposal through to conducting the main interviews, an effort was made to avoid making any precise hypotheses. Although a somewhat risky approach in that there is a temptation to "make the data fit", this approach allowed the researcher the flexibility to explore and generate hypotheses in the general area of the research problem. Such flexibility was necessary given the differences between the study areas but the similarities in terms of real world issues that must be addressed.[4] Robson (1993:19) called this an "interpretative approach" or

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[2] One informant noted that with the increased use of the "Freedom of Information Act" (Canada), by both individuals and media who were interested in the facts or were simply "fact fishing". They and their counterparts had become very careful in terms of what they put in writing in a file. Other informants had relayed very much the same concerns and added that they were becoming increasingly wary of making any comment, whether written or "off the cuff," as it was often later taken out of context and used as a weapon against the agency or individual.

[3] Glaser (1992:12) points out that "qualitative research and analysis gives the most intricate, most relevant, and problematic details of the phenomenon which can be used to formulate the questionnaires of qualitative research."

[4] Marshall and Rossman (1995) advocate such flexibility when it appears the subject matter is quite disparate.

allowing theories and concepts to arise from the enquiry. These come after the data collection rather than before it and therefore are "hypothesis generating."

The study began by analysing initial interviews and various documents collected in order to determine what further data should be collected and from whom. It became apparent after conducting the initial interviews that the study would be a mosaic of exploratory, explanatory, descriptive,[5] and evaluative[6] techniques or, as described by Robson (1993:180) it would essentially be a process evaluation concerned with answering a "how" or "what is going on?" question.

It is the examining of "how and what is going on" that is a critical part of this study. Without such a review, the nature of what is being evaluated may be obscure or misunderstood. That is, the discrepancy between the 'official' view of what should be going on, and what is actually taking place, may be brought to light through a study of the intervening processes. This may help shed light on what affects policy outcomes as well provide a better basis for the evaluation of outcomes.

2.2 Study procedure adopted

2.2.1 Description of research protocol and techniques

As mentioned, examination of documentation is appropriate and straightforward for the recording of policy; however the analysis of various factors that influence policy implementation is not. For example, each of the following factors could alone, or in

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[5] Using the descriptions given by Marshall and Rossman (1995:41) - exploratory is discovering what is happening, asking questions and seeking new insights. Descriptive usually portrays an accurate profile of events or situations, and requires the researcher to have extensive previous knowledge so that they know appropriate aspects on which to gather information. Explanatory seeks an explanation of a situation or problem usually in the form of causal relationships.

[6] Robson (1993:171) describes an evaluation as generally being concerned with defining real world problems, or exploring alternative approaches, policies or programmes that might be implemented in order to seek solutions to such problems. This study is not a full evaluation but rather a formative one, intended to assist in the development of policy and resource allocation decisions in protected areas.

combination, affect how and why certain resource allocation decisions have been or are made:

- personal views of politicians or various levels of civil servants
- the interest of major developers and economic interests in the area
- economic and political problems facing the country or region and
- historical and contemporary attitudes of the public

Thus the process chosen to examine these factors was to use broad case studies and history, with the main units of analysis being the management structures used in the study areas. According to Yin (1994:6):

> ... "how" and "why" questions are more *explanatory* and likely to lead to the use of case studies, histories, and experiments as the preferred research strategies. This is because such questions deal with operational links needing to be traced over time, rather than mere frequencies or incidence.

Furthermore, a case study approach was chosen in order to explain the causal links in real life interventions that are too complex for survey or experimental strategies. The case study approach, according to O'Riordan (1982), Robson (1993) and Yin (1994) is appropriate when the researcher wants to explore situations where influences being evaluated have no clear, single set of outcomes and there is a desire to study the case in its context. O'Riordan suggests that the institutional framework be outlined and, if possible, to study the process from the perspective of an inside actor. Although the researcher was not an "inside actor," many of the interviews were with "inside actors." Yin, Robson and others agree that the case information should be collected through a range of data collection techniques including observation, interview and documentary analysis.

2.2.1.1 Documents

The documents examined were published by the relevant management bodies and some of the major influencers.[7] These documents included results of working groups or larger studies, annual reports and business or management plans and consultancy reports. Many were obtained through accessing publication lists or web-site information sources for the management groups being examined. Additional documents were obtained through suggestions provided by informants during both the initial and main interviews. Media releases were also examined to help identify potential sources of information and to keep apprised of the issues and the potential influencers.

As mentioned, the documents were required to provide an outline of the decision making process and evaluation of outcomes. They provide an unobtrusive measure (Robson 1993:269) and are useful when combined with other methods to describe a process. As well, they were used to provide and explain how the processes evolved and some of the present policy outcomes and issues.

Budgets themselves were not examined. Although many scholars have shown that budgets are a useful source of information, they do not themselves explain anything. As Clarke and McCool (1996:180) observe "their interpretation depends on a familiarity with the political, social and economic contexts in which budgets are made" and, on a related note "...the increasing complexity of spending processes, the greater the complexity to the point of obfuscation (ibid:181)."

2.2.1.2 Interviews

The interviews were an important part of the data gathering for the project. As the focus was on factors that impact on resource allocation decisions, concentrating on

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[7] In the context of this study, the term influencer is used to indicate an organisation or individual which may have or does have the power to influence decisions made by a management body or responsible decision maker.

documented information was insufficient, as it would not provide insight into the institutional and personal values that are an integral part of decision making.

The sample interviewed was small as is common with qualitative research. The main focus was to explain the interests of the key actors and institutions, how they develop and pursue their strategies, identify their driving forces and how policy interacts with these agents, and influences their activities.

An explanation of the process used to interpret the interviews is in Appendix A5.5.

2.2.1.2.1 Choice of informant

From the initial 1994 and 1995 interviews, a list of potential informants was developed for the main data collection (called the main interviews) in 1998. The informants were decision makers or influencers.[8] Comments made by the informants during the main interviews confirmed that most of the relevant decision makers and influencers had already been selected although these informants directed the researcher to a further seven individuals who were considered important to the study.[9]

A total of 20 main interviews were conducted in Scotland and 24 in Canada. An attempt was made to keep the groupings, in terms of the type of decision maker and influencer, relatively constant in both countries. There was some difficulty in

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[8] In general, the decision makers were those in a position of authority to make land use decisions, either at the strategic or field level. An influencer was generally an individual or organisation which through various means would try or was able to influence the decisions being made with regard to land use. Depending on the context in which the individual or organisation was acting, the informant could be considered both an influencer and a decision maker.

[9] Marshall and Rossman (1995:83) provide a good description of an elite interview (or specially choosing the individual to be interviewed). The elite interview was appropriate for this study as the individuals were chosen on the basis of their expertise relevant to the research, they were considered to be influential and well informed people either within an organisation or community or affecting that organisation or community. The benefits of using this selective process is that the informant usually provided an overall view of the organisation or its relationship to other organisations, and were likely to be familiar with the legal and financial structures of the organisation. In many cases they were able to put a perspective on the organisations' policies, past histories, and future plans. By the same token, it must be recognised that the researcher must be prepared to adapt the interview based on the wishes and predilections of the person interviewed and that these individuals are typically quite savvy and often want an active interplay with the interviewer.

making exact matches given the sometimes disparate systems. Further details on the interviews, interview structure, observations and confidentiality issues may be found in Appendix A5.

2.2.1.3 Emergent design and theory

The approach taken to collect and interpret the data did not fit neatly into the processes advocated by Glaser and Strauss (1967), Glaser (1978), Lincoln and Guba (1985), Marshall and Rossman (1995) and others. Rather, a variety of approaches was required. Thus it was necessary to borrow theoretical perspectives from each in order to make sense of the data. In some ways, the early process followed the "naturalistic enquiry," as described by Lincoln and Guba (1985). This approach is advocated as being particularly appropriate in real world research, and shares many characteristics with case studies as discussed earlier. They, along with others, note that in order to ground the theory in data, the data must be collected and then analysed inductively. As the precise form of the data to be collected was not known prior to collection, the flexibility and adaptability of the researcher and the process was important.

As the data was being collected, it was difficult to see how the various theories would or would not apply to this particular line of inquiry. As discussed earlier, the use of a structured survey or highly structured data gathering methods was determined to be inappropriate as it might filter out the very essence of what was to be studied. This consideration, combined with time and fiscal constraints, meant a balance had to be struck between efficiency and design flexibility. This meant that the analysis would not proceed in a linear fashion and that the analysis would have to be grounded; that is, the data analysis would search for general statements about relationships among categories of data.

As agreed by most "grounded theory" practitioners, the fundamental operation in the analysis of qualitative data is that of discovering significant classes of things, persons, events and the properties which characterise them. The analysis eventually

reveals the analysts own "is's" and "because's" as the researcher identifies classes and links one with another. This process at first uses simple statements that express the linkages, and continues this process until the propositions fall into sets, in an ever increasing density of linkages (Marshall and Rossman, 1995:112).

Initially, the interview outline and related literature reviewed earlier provided a guide for the coding of the data for subsequent analysis. As related concepts emerged from the analysis, new questions were asked and further coding led to further refinements and analysis that served to strengthen theory. As the process continued, there were fewer major modifications in categories as concepts fell into established categories. The last, and most challenging step, was then to determine the relationships between the critical categories and integrate them into a theory.

Testing the research questions against the emergent data requires the researcher to search through the data to challenge those questions, look for negative instances in the data, and incorporate these into larger constructs, if necessary. According to Marshall and Rossman (1995:113), part of this phase assists researchers in evaluating their data for informational adequacy, credibility, usefulness and centrality and guides them in illuminating the questions being explored and whether or not the questions are central to the story that is unfolding.

In the writing of the analysis chapters, it was recognised that the data could not be separated from the analytic process and that the data was central to that process. The choice of codes and themes used to summarise and reflect the complexity of the data, is part of the researcher's contribution. That is, through interpretation, the researcher lends shape, form, and meaning to massive amounts of raw data.

Sample themes, coding and theoretical notes that are the focus of Chapters 6 through 8 are listed in Appendix A6.

2.3 Merits and difficulties of cross national comparisons

Antal et al. (1987:14) argue that an important role of comparative research is to contribute to the development of a relevant knowledge base for both domestic and foreign policy. Its value lies in potentially filling "important gaps in knowledge about how other countries deal with similar situations, about the background and effects of alternate strategies for solving common problems (or avoiding their emergence in the first place)." They note that structured comparisons provide a framework for determining which aspects of a situation are due to unique circumstances, and which aspects are more generally applicable, and thus potentially appropriate, to transfer to other contexts.

Another reason for conducting comparative research results from the increasing interdependence that characterises the world today. However, increased interdependence comes with increased complexity. As Lisle (1987:476) notes: "Even the study of economic policy cannot dispense with resorting to psychology, political science, law and sociology." Thus, taking a multidisciplinary approach to a problem is difficult as, within the academic community, researchers are trained, peer reviewed and rewarded in their careers largely within an academic discipline. So how is the researcher to solve the dilemma between a disciplinary approach and a problem solving approach? Antal et al. and Lisle both agree that the various disciplines examine usually only one aspect of human activity and do so in a manner which lends itself more or less readily to cross-national comparisons. Or, as Antal et al. (1987:15) describe it "a hybrid between academic inquiry and policy-making information."

Vogel and Kun (1987:150) though are not quite so optimistic. They point out that the foreigner has two important disadvantages. Firstly, they have an insufficient grounding in the history, politics, and economics of a country other than their own, and secondly, they may simply view policies of another country in terms of their own nation's political traditions. However, Antal et al. (1987:14) have observed that

researchers conducting comparative investigations often not only find new policy options in other countries, but they also find latent policy constraints and opportunities within their own systems. The challenge then is for the researcher to be aware of the potential pitfalls and take advantage of being an "outsider" who should not be bound by parochial prejudices.

2.4 Limitations

It is recognised that given time and financial constraints, the interview base and the types of documents examined were limited and thus the analysis cannot delve deeply into individual decisions. Although Glaser (1992:19) demands interviews and field notes be entirely transcribed for coding and analysis, this was not possible given the confidentiality restrictions and the restrictions on time and money. Using partial transcription did economise on the cost and amount of data yielding what is already known or is irrelevant. How potential biases were addressed is discussed in Chapter 9.

3 Canada and Banff National Park

This chapter and the next are highly descriptive in nature and are meant to provide the reader with a historical overview of the basic background issues to be compared. As Lisle (1987:475) observes "the case for the historical perspective in cross-national comparison should be stressed as a means to better enable us to understand better the differences observed at a point in time between contemporary situations." Neither chapter should be considered comprehensive as only the most important features are described in summary form. A detailed accounting of the history of national park system development in Canada may be found by consulting the more extensive reviews by Lothian (1976), Bella (1987), McNamee (1993), Hildebrant (1995) and Hodgins (1996).

3.1 A brief history of national parks and their management systems

> *The National Parks of Canada are hereby dedicated to the people of Canada for their benefit, education and enjoyment, subject to this act and the regulations, and the National Parks shall be maintained and made use of so as to leave them unimpaired for the enjoyment of future generations.*
> (National Parks Act, 1930, 1988, 1998)

At the surface the dedication, which has been in all the NPAs since 1930, appears to have preservation as its goal and aspiration for the national parks in Canada. However, even the most cursory overview of the early history of the Canadian national park system, and in particular BNP, shows a strong link between park establishment and early economic development of Canada. The overview, as well, shows the early roles played by the Canadian Pacific Railway (CPR) and federal/provincial governments in setting the stage for many of the issues seen today in BNP.[1]

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[1] Many of the early actions by the CPR and federal government created conflicts which have impacted on national park development. For example, the federal government established four large national parks in the western mountain region prior to the affected provincial governments acquiring control over their lands (Henderson 1991:22). These conflicts persist and continue to effect park development and management.

3.1.1 Evolution of the park system and Banff National Park

The Canadian national park story begins in 1870 when the new Dominion of Canada assumed control over Ruperts land[2] from the Hudson Bay Company. Acquisition of this area was important in development of the relatively unpopulated north-west[3] as it provided the federal government of the day with an opportunity to set aside large tracts of land for parks, set aside lands for railways, and encourage early settlement (Martin, 1938).

In 1878, the Dominion government established a national policy focused on strengthening the national economy. Part of this policy was to be accomplished by completing the pacific railway that would in turn assist in organising the north-west and developing and exploiting natural resources. To help finance the railway, the federal government granted the CPR extensive lands and other privileges[4] along their right of way. Given the sparse population in the west at the time the railway was being built, the CPR was aware that maintaining the rail connection through the mountains would be highly uneconomical unless passenger traffic could be encouraged. Officials from the CPR saw the western mountains as a valuable economic asset capable of exploitation. By building hotels, the scenery would attract tourists and would inspire those visiting the mountains to "spread abroad the gospel of the new alpine paradise" (Gibbon 1937:304). The result would be even more tourists, more settlers, and invariably more money. The increase in revenue would make the investment worthwhile. It is well documented that, from the beginning, the CPR and the federal government sought to attract wealthy visitors. This meant the mineral springs would need to be developed into a world class destination that could compete with the elite European spas and resorts.

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[2] Rupert's land included all the area draining into the Hudson's Bay, or essentially all lands west of what is now Ontario (presently four provinces – Manitoba, Saskatchewan, Alberta and British Columbia).

[3] MacBeth (1924:12) maintained that early western colonisation was of little interest to the four eastern provinces of Canada until trade exploitation and gold rushes showed promise of increased wealth if a Dominion was formed. There are various arguments as to why the west was not brought into federation earlier; however these are outside the main scope of this study.

[4] Including timber and mining rights and a monopoly on development in certain areas.

An attempt to lay claim to the Cave and Basin mineral hot springs by two employees of the CPR[5] triggered the actual birth of the national park system in Canada. The Dominion Government denied the claim in 1885 and established a 10 square mile (26 square kilometres) reserve[6] around the Cave and Basin with the intent of exploiting the springs, in partnership with the CPR. In 1886, the Deputy Minister of the Interior called for a plan "to commence the construction of roads and bridges and other operations necessary to make of the reserve a creditable National Park" thus confirming wilderness preservation had little to do with the establishment of the park (Lothian 1976, 1:23).

A few politicians at the time argued that the reserve benefited the CPR and hence the company should pay for its development but Prime Minister Sir John A. MacDonald insisted the park not be given to the CPR. He argued that the park needed to be made attractive to all Canadians, not just CPR clients, and thus the federal government needed to retain development control. The result of the deliberations was the Rocky Mountain Park Act (1887). This Act expanded the reserve and allowed the federal government to make rules for "preservation and protection of game and fish or of wild birds," to preserve some of the park's natural features and to control the cutting of timber (Lothian 1976, 4:16).[7] A few MPs debated this legislation, noting that resource extraction and preservation of wildlife seemed to be contradictory, however the Act passed, thus bringing the Rocky Mountain park into operation as a useful contributor to the national economy.[8]

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[5] Although claiming they "discovered" the hot springs, the area was well known to earlier travellers including First Nations. As an aside, it was Van Horne's influence that resulted in the main trans-Canada rail line being built through the difficult Kicking Horse Pass (an area of Banff National Park) rather than a more northerly and easier Yellowhead pass. Again, the rationale for choice of the route is outside the scope of the study but is explained in both the MacBeth and Gibbon books.

[6] The reserve, which evolved into Banff National Park, was originally named Rocky Mountain Park.

[7] Borders have changed eight times since the park was formed, the most recent change occurred in 1930.

[8] At that time national policy encouraged development and extraction of natural resources and, in the federal government's view, it was appropriate for a national park to produce profits from resource development or tourism (McNamee 1993:20). The CPR was a major beneficiary of this policy as it ensured a local source of coal in the mountain area. The CPR's ability to economically move trains across the mountains, as well as attract and retain the tourist trade, was further enhanced when the federal government established Glacier and Yoho national parks in 1886.

The Rocky Mountain Parks Act was replaced in 1911 by the Dominion Forest Reserves and Parks Act. The main purpose of the new Act was to rationalise parks and forest reserves and to define more clearly the federal government's role in regulating and administering land acquired since 1887. The new regulations under the Act applied to any land use privileges but prior rights granted were not to be affected (Hildebrant 1995:13). This Act also marked the establishment of the Dominion Parks Branch, the precursor to Parks Canada.

By 1926, Canada and Alberta[9] had negotiated an agreement for the transfer of control of natural resources to the province. James B. Harkin, the first commissioner of the Dominion Parks Branch, was concerned with this agreement. In 1927, he convinced the Minister of the Interior to introduce legislation that established the principle of absolute sanctity of national parks. With this legislation in place, the federal government, in 1930, transferred remaining crown lands in Alberta, Saskatchewan and Manitoba to provincial control (Martin, 1938).[10] However, as part of the transfer agreement, the boundaries of Rocky Mountain Park were redrawn to exclude the Kananaskis and Spray Lakes watershed and the communities now known as Canmore and Exshaw.[11]

The first National Parks Act (NPA) was passed in 1930. Under the Act no new parks could be established, no existing parks could be eliminated, or their boundaries changed without Parliament's approval. As well, further permits for mineral exploration and development and commercial timber harvesting were prohibited, but existing leases would be respected until they expired (Hildebrant 1995:14). For the next thirty years, the parks were managed under the NPA; but, given that the Act provided little policy direction, the Minister in charge of national parks generally had

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[9] Alberta became a province in 1905, the transfer of resources occurred later.
[10] Hackman (1995:34) estimates that the "Crown" owns roughly 95% of Canadian territory. Even though what happens to these areas is determined by politicians and their officials, the use and disposition of private lands is heavily influenced by planning controls, taxation and other federal, provincial and municipal policies.
[11] According to Doern and Conway (1994:169), the negotiated pact was a compromise that gave the provincial jurisdictions the right to develop crown lands but appeased (to an extent) the conservation interests by prohibiting mining, hydro electric dams and forestry development within the national park boundaries.

to make decisions on commercial uses within the parks on an ad hoc basis (McNamee 1993:29).[12]

Whether it was a lack of clear policy direction or simply the wrong policy altogether, it was frustrating for any Minister to be in charge of national parks. By 1960, the Minister of the Department of Northern Development[13] made a plea to the House of Commons for help in defending national park values. At roughly the same time, the public was becoming more aware of and concerned with park problems, as evidenced by media reports and conferences (see Henderson 1968, Nelson and Scace 1968). In 1963 a non-governmental organisation, the National and Provincial Parks Association of Canada (NPPAC)[14] was formed with its purpose to 'perform a watchdog role over those areas now reserved for park purpose' and promote park values and expansion of the parks network (Henderson 1969:331).

By 1964, Parks Canada (PC) issued its first policy document which attempted to define how it would implement legislation that appeared to have a dual mandate in its dedication (as quoted earlier). In contrast to the exploitative practices of the 1800's, the 1964 policy document discouraged resource extraction and inappropriate development and encouraged recreation that recognised conservation of natural values. However, as Henderson (1968:893) noted "Many readings of park policy end with...but if essential, should be developed so as to leave the least possible impact" or "accepted only if it is justified by increased, improved or broadened use of the park in accordance with the park purposes." Such statements could allow development to progress in incremental stages which, if taken alone, would fall within the guidelines but taken together might negate the purpose of the park. Nevertheless, PC continued to reform their policy framework. By 1978, each national park had a five-year management plan that had a process for public participation built in.[15] Parks Canada then issued a new policy statement[16] in 1979

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[12] Others felt that the official policy was one of controlled development within the national park system, within various provincial park systems and on non-park crown lands (Henderson 1991:22).
[13] The portfolio which housed Parks Canada at that time.
[14] Now called Canadian Parks and Wilderness Association (CPAWS).
[15] This helped alleviate some of the criticism from the public and local governments that PC had been deficient in integrating parks with their neighbouring economies and cultures (Doern and Conway 1994:170).

which, as an underlying philosophy, emphasised common themes of natural inheritance and public ownership in the administration of historic and natural parks under a single program (Parks Canada 1979). Under this, there were general policy statements made which have been further expanded upon in subsequent documents and are of interest to this study. In particular were the following:

- PC stated its commitment to working with the private sector and on government groups to develop programs that encouraged appropriate use.
- PC recognised that land management within national parks was different than lands outwith. It thus cautioned that preference be given to allow natural processes to function unless they had been clearly altered or made inoperative by man induced changes, before any active manipulation of park resources was undertaken.[17]
- Lastly PC recognised that cooperation was essential with other land management agencies given that land uses outside a national park could be both detrimental and beneficial in their effects on the park.

As will be discussed later, although these have been stated as policy, PC has been unable to deliver for a variety of reasons.[18]

Following the 1988 revision of the NPA, a new policy statement was issued in 1994, "Parks Canada: Guiding Principles and Operational Policies." This policy document, which is still in use at the time of writing, was the first time PC publicly articulated its guiding principles and introduced the concept of an "ecosystem approach."[19,20] The guiding principles that are of note to this study include:

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[16] Called the "Beaver Book" – due to the Parks Canada beaver logo on the front.
[17] In this regard, fire management in BNP is a clear violation of this policy although later in the policy such manipulation is justified if public safety or major park facilities are at risk.
[18] For example, Hildebrant (1995) outlined seven major events that influenced development in BNP from 1968 – 1985. He considered the 1984 Canada-Alberta Tourism Agreement, which encouraged businesses to expand and create jobs in order to combat the effects of the 1981 – 1985 recession, to be the most influential. The political and economic pressures to create jobs made it increasingly difficult to enforce policies that discouraged more development in the park.
[19] Parks Canada advocated an ecosystem approach in three earlier internal documents (Environment Canada, Parks Service 1990a, 1990b and 1992). These documents were, in essence, the early policy framework for the 1994 public policy statement.

- Leadership and Stewardship
- Public Involvement
- Collaboration and Cooperation
- Accountability

The emphasis on partnerships and cooperation with outside agencies was undoubtedly due to the budget cutbacks of the early 1990s. The document also portrays a precautionary theme: national parks should not be expected to sustain all activities and developments that a visitor may want. Access and services directly related to the national park objectives will be provided within the parks, with the surrounding regions to provide for a broader range of needs.

Summary of the evolution of the park system

Revisions of the NPA in 1988 and 1998 reflected growing concerns for ecosystems and wildlife management, however the general purpose has remained much the same as the one stated in 1930. The net effect of the 1979 National Park Policy and the 1988 NPA amendments was "to further reduce the amount of discretion that politicians and park bureaucrats would have in decision making, and make them more accountable to the public (Dearden and Berg 1993:199)."[21]

3.1.2 Evolution of the management systems

By 1911, there were five national parks,[22] each being run by a superintendent under the direction of the Minister of the Interior. However, at that time there was no

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[20] Generally described as a holistic approach to understanding and anticipating ecological change, assessing the full range of consequences and developing appropriate responses. It recognises that humans are an integral part of the ecosystem and that human social and economic systems constantly interact with the physical and biological parts of the system thus, within the context of sustainability, all interactions must be considered in an integrated fashion (BBVS,1996:423)

[21] For example, since the 1988 revision, the Minister in charge of national parks must table in Parliament a five year management plan for any new park within five years of that park being established, update the management plans every five years and provide a biannual state of the parks report.

[22] One established by law and four created by Order in Council.

national park system nor was there any real policy direction. It was becoming clear that with both the number of parks increasing and annual visitation growing, there was a need for a separate arm of the federal government to administer national parks. As mentioned, this was accomplished with the passing of the Dominion Forest Reserves and Parks Act in 1911 and appointment of James B. Harkin as the first commissioner of the Dominion Parks Branch (from 1911 to 1936). Harkin believed development or activities that impaired the natural beauty of a park or its peaceful tranquillity should be excluded but he also recognised that the economic value of the parks needed to be emphasised in order to garner political support and government money. To support the tourism value of parks, he encouraged improved visitor accommodation, introduction of the automobile, and construction of roads and trails. Although promoting the recreation potential in national parks was initially important in winning support for establishment of additional national parks, it was not until decades later that the effects of this work began to cause environmental deterioration in these national parks (McNamee 1993:24).

In the 1960s, the Glassco Royal Commission drew attention to the inconsistency between tourism and nature conservation in PC's mandate and called for decentralisation of park management. In 1966, PC was transferred from the Department of Northern Development to the Department of Indian & Northern Affairs (DIAND). While in DIAND, PC adopted a decentralised structure similar to that of the US National Parks Service. Decentralising management was logical, given the uniqueness of each of the national parks and their regions however, these management structures were susceptible to political influence, given the headquarters in Ottawa retained responsibility for policy, budget, general program planning, and plan review.[23] In fact, throughout the 1970s, political authorities continued to pursue Macdonald's policies of park use, rather than preservation (Hildebrant 1995:28).

Developers were worried and conservationists were hopeful that the conservation

mandate would be followed more closely when PC was transferred to Environment Canada (DOE) in 1979. However, at roughly the same time that PC[24] joined the DOE, the well-funded and large Fisheries department was moved out. The somewhat independent PC, with its well resourced operational and capital structures found that throughout the first half of the 1980s, senior DOE management used PC's resources to cover the many departmental resource shortfalls. During this period PC found a good portion of its capital budget "reallocated" as the reallocation did not immediately impact operations (Doern and Conway 1994:170).

During the 1980s, a task force undertook a major review of public policy and government organisations.[25] Part of the remit of the Task Force was to report directly on national parks and their conclusions affected PC. Firstly, the Task Force recognised and acknowledged that national parks provided tangible, quasi-tangible, and intangible benefits[26] and that these benefits were not evenly distributed across the country. They further recognised that Canada was considered a leader in protecting natural heritage areas and that Canadians in general supported national parks. However, the Task Force also noted that previous practices and continuing (real or perceived) deficiencies hindered PC from achieving their objectives (Hildebrant, 1995:42). While generally finding that the system functioned reasonably well, they noted persistent problems including little flexibility in planning, a centralised management system, excessive power in the regional offices, poor communication with local communities, and a preconception that the world should accept that PC was never wrong. The Task Force conclusions called for shared management to address many of the parks' problems. As quoted in Hildebrant (1995:43) the Task Force proposals focussed on:

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[23] The first decentralisation created three regions that were each responsible for park master planning, engineering and design, policy interpretation, realty and some administration in their assigned areas. The parks were delegated operations, maintenance, warden and programme delivery responsibilities. Further reorganisation in 1989 involved additional decentralisation and transfer of engineering and architecture to the Department of Public Works (Hildebrant 1995:30).

[24] From 1986 – 1993 Parks Canada was called the Canadian Parks Service but for consistency the term Parks Canada will be used throughout the thesis.

[25] Neilsen Task Force on Program Review.

- preserving essential park programs and services during times of fiscal restraint
- cost sharing and working with other levels of government
- unloading the expensive burden of highway construction in parks
- cost recovery methods including user fees
- more effective zoning
- dialogue with tourist stakeholders
- more flexibility in managing parks
- shelving new parks until government finances improve.

Many of the recommendations were implemented such as zoning and cost recovery but others have not yet been addressed.

The latest move, to the Department of Canadian Heritage in 1993, is perhaps the most puzzling in that PC is now in an eclectic department which houses multiculturalism, the Canadian Broadcasting Service (CBC) and the Status of Women. There is little commentary as to why this move took place but it could be surmised that the reorganisation was a deliberate attempt to place the organisation in an area where it no longer must compete with higher profile portfolios and to recognise the unique nature of its assets.

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[26] Broadly they defined tangible benefits as those accruing to businesses and communities due to the location of the park. The benefits of enjoyment, education and environmental enhancement were considered quasi tangible, intangible benefits included biodiversity and preservation of natural heritage.

3.2 Review of existing or proposed administrative structures

3.2.1 The existing management

Along with the changes in departments and the evolution of policy has been a change in management systems and initiatives. At a strategic level, Hildebrant (1995:34) describes a few of the federal government management initiatives including the use of "modular managers"[27] and "Public Service 2000."[28] It is unclear as to whether these programs were used or had an impact on PC although three informants observed that often a manager was "parachuted in" from somewhere, initiated some program and then left. The same informants were doubtful that the program which was implemented had any lasting positive impact given the replacement manager usually would not carry the program forward. Thus, in their view, the net effect was to use resources with the result of retaining or worsening the status quo.

Diagram 1 on the next page represents the model of governance that was in place during the time of this study. The Parks Canada Program was administered through five regional offices under the direction of an Assistant Deputy Minister. The regional offices were considered basically service centres, offering corporate services such as policy direction. As previously noted, theoretically the park superintendent has the ultimate decision making authority within the park and they are answerable to the Minister of Canadian Heritage. However, in examining the diagram, it becomes readily apparent that there were a number of bureaucratic layers between superintendents and the Minister and that the superintendents also took direction from other central agencies and legislation.

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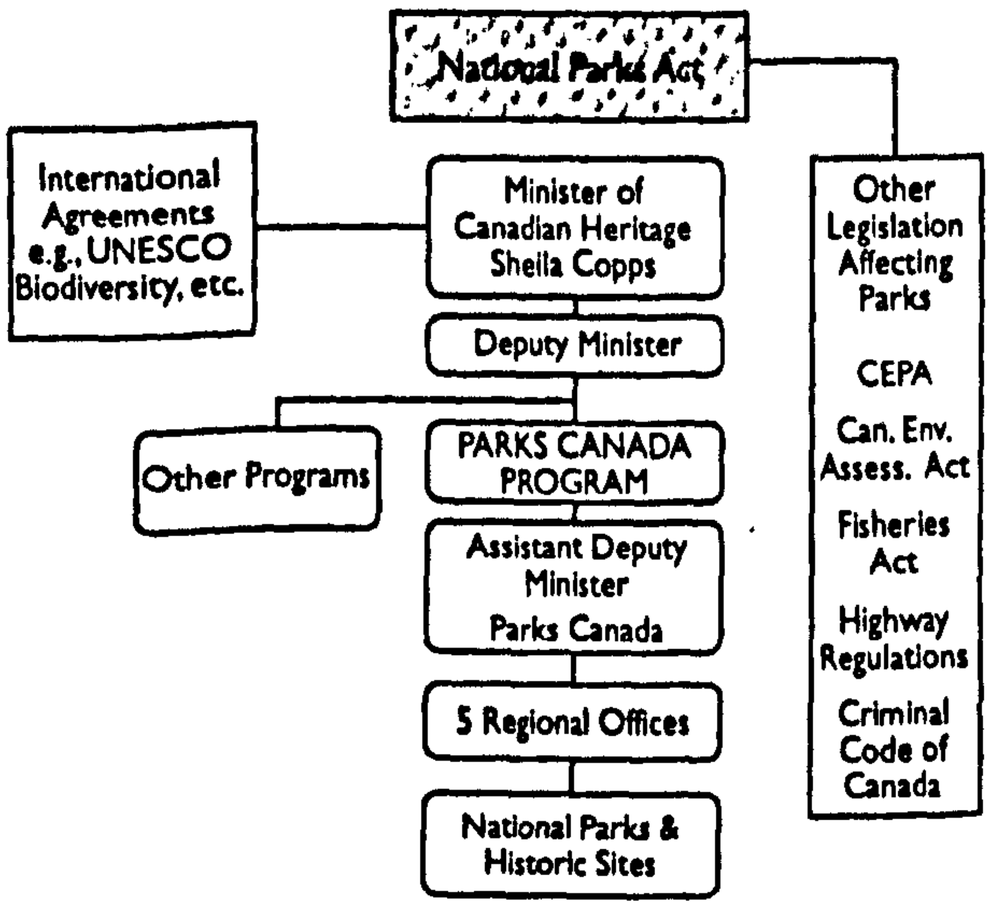
[27] These were described as managers that move from place to place to deal with problems. Once the problem was solved, they moved to the next crisis.

[28] This program promotes organisational development and management by objectives. It includes concepts such as employee empowerment, adaptive behaviour, overcoming constraints and client service.

Diagram 1



Source: BBVS, 1996:294
Figure 6.10.1

As compared to earlier structures, the governance model was relatively streamlined however, the BBVS concluded that PC's organisational focus and effectiveness had been compromised due to the numerous moves and restructuring during the 1980s and 1990s. They also concluded that these moves had hindered the development of a full shared decision making culture within PC even though it had been required in all policy statements since 1979.

Further, the BBVS (1996:16) found that even with the reorganisations which were to presumably make the organisation more responsive and accountable, public cynicism remained about management decision making and the ability of PC at the field level to consistently apply their own policies. Presumably the organisational structure should have enabled more effective and efficient application of policy however, BBVS respondents felt that the most effective manoeuvre for proponents wishing to advance their position was to lobby the Minister directly if local park officials hesitated in approving (or not approving) new facilities.[29] With the Minister allowing direct access, local park officials became reluctant to enforce regulations. Although recent Ministers have indicated opposition to direct lobbying, for the Canadian informants who commented (N = 16), half felt that political lobbying was still the most effective way to influence decision making and of those, they were evenly split between influencers and decision makers.

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[29] This process was termed the $139 solution by some informants – the cost of an airline ticket to Ottawa from Calgary (BBVS 1996:16).

3.2.2 The new Agency

Starting in 1997, PC underwent another massive restructuring to become a Special Operating Agency (Parks Canada, 1996). Given the Agency was proclaimed in legislation in Parliament December 1998, it is difficult to comment specifically on the significance of the change however, there have been many commentaries on what the new organisation may be able to accomplish. According to the "Report on Plans and Priorities" or RPP (Parks Canada Agency, 1999:1), the move to an agency structure means that PC is now a separate legal entity reporting to the Minister of Canadian Heritage. The stated advantage of being an agency within the federal government is that an agency has more control over financial, contracting and real property delegations thus hypothetically reducing administrative processes and paper work.

The organisational structure has basically been reduced to two levels of management (see diagram 2) – the national office[30] and two executive offices.[31] The field unit (i.e. the superintendent) reports to a Director General for Western/Eastern Canada with regard to day to day operations and to the CEO for the annual business plans. As well, each Director General has a number of service centres providing support for the field units. Lastly, there is an executive board, whose main responsibility is to set the long-term strategic direction and priorities of the organisation. The board is comprised of the CEO, the seven Directors/Directors General and the Executive Directors from the Mountain Parks[32] and Quebec field units. This diagram, when compared with the earlier one, shows that one layer has essentially been eliminated (Assistant Deputy Minister and Deputy Minister replaced by the CEO). This may provide somewhat more freedom in administrative policies however, there is no change in the legislative restrictions affecting their operations (as highlighted on diagram 1). It should be noted that the diagram does not show the addition of a layer

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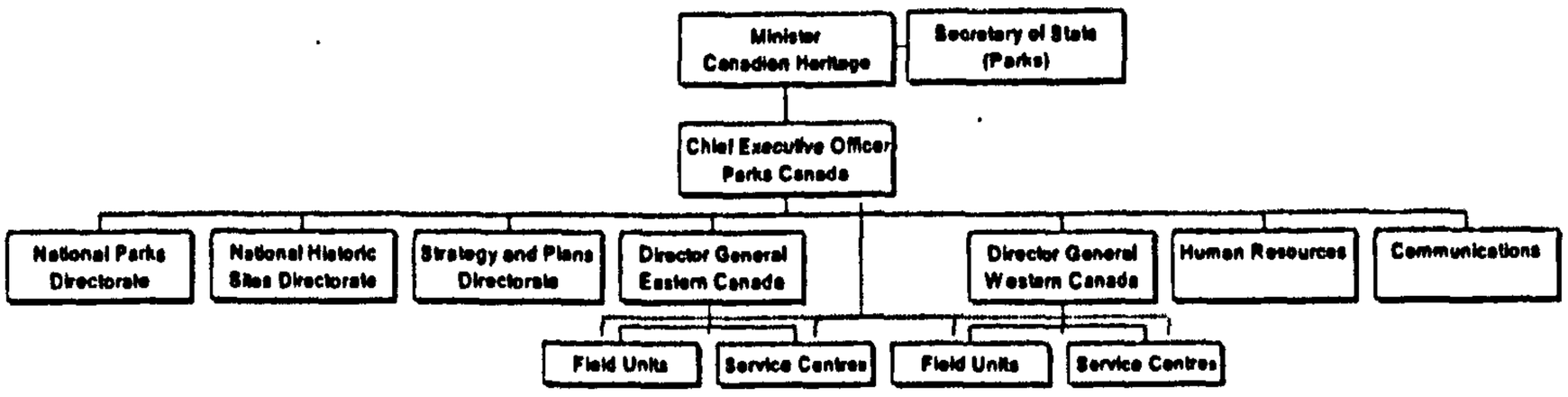
[30] Which houses two directorates; one provides program direction/operational policy and the other provides strategy and plans including business, real property and financial services.
[31] Which are to provide strategic management direction to the two field units.
[32] The role of the Executive Director of the Mountain Park district is to assist in coordination of the four contiguous mountain parks as well as Mount Revelstoke, Glacier and Waterton Lakes national parks.

between the two Director Generals and the field/service centres. For the eastern region, there is a Quebec district and for the western region a Mountain district.

Diagram 2



Source: RRP, 1999:33
Table 2

The BBVS (1996:296) predicted that this particular restructuring would be one of the most significant in the organisations' history. Of the eight informants who commented, three felt that the change was driven by financial constraints rather than operational necessity. By the same token, various media reports agreed with five informants who cited the main advantage to the PC Agency was increased financial responsibility. Informants noted that financial responsibility meant that unspent budget monies could be rolled over into the next fiscal period and that there would be less restraint by federal government policy in areas such as hiring practices. However, the downside noted by all eight informants was that, with reorganisation, key personnel and corporate memory would be further compromised and the cost to recoup this loss would never be fully recognised.[33] Further, from the informants who responded (N = 7), most felt that PC as an Agency would be more important at the strategic level, not so much at the park level. They noted, along with the 1997 "State of the Parks" report, that PC would continue to be financially restrained in its operations even though the Agency was still in a growth mode in terms of completing a national park system.

[33] In general, the informants felt that the many of the middle managers would be lost and it was these people who had built an effective network for "getting the job done". Losing these people meant that the networks had to be rebuilt and before they could become effective, trust had to be established and to establish trust, time was needed.

> Even with the new agency, Parks Canada will still be directly accountable to the Minister rather than through a Deputy Minister. The financial authority will be different but legislation and management plans will still be debated in parliament. The Minister will still be able to delegate authority to the park or retain the authority if they feel it is a sensitive public issue. C24

3.3 Land tenure in national parks

As mentioned in section 3.1.1, the federal government, when establishing Banff National Park, felt compelled to maintain ownership of the property to not only profit from the tourism potential but also to maintain a high degree of control over development. The main instrument chosen for granting rights to use national park land was, and continues to be, a lease.[34] Hodgins (1996:22) notes as a key point of interest that in BNP "the lease is the primary form of land use control."

The lease instrument itself has evolved over the past 132 years,[35] in response to changing conditions and policies. As Hodgins found in his review (1996:4), BNP has six basic classes of leases and potentially as many as 22 different generic lease versions. The end result is that there is little consistency among the 1807 leases. Original leases granted had a "perpetual renewal clause" which meant that they were issued for an initial term of 42 years and could be renewed for an additional 42 years at the end of each term. A total of 563 perpetual renewal leases still exist in BNP although, according to seven informants, even if they are not perpetual, they are treated that way, by both lessees and financial institutions. Hodgins also found 15

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[34] A more restrictive Licence of Occupation is also used, typically for utility rights of way. The primary difference between a lease and a licence is in the rights being granted. Under a licence, the licensee does not receive a proprietary right in the land, the licence is revocable upon notice and it may not be assigned. Tenancy is on a month by month basis upon termination of the licence.

[35] The first lease was issued in 1867. Lothian (1976, Volume 2, Chapter 5) discusses the evolution of the lease instrument in Canadian national parks from 1885 to 1973. Scace (1968) discussed the early issuance of the leases as primarily uncontrolled with the exception of some of the larger lots. The result was speculation in that lessees recognised that the transfer of leases could prove very valuable in the future. Those retaining their leases were able to influence business development and, with the perpetual renewal clause, the land lease no longer resembled a form of land control but rather an instrument which resembled a freehold arrangement. The only stipulation by the government was that leaseholders improve their standard of maintenance to their property before a renewal or consent to assign or sublease would be granted.

other land alienation's in BNP including letters of permission, CPR freehold land[36] and various agreements.

The National Park Lease and Licence of Occupation Regulations govern the management of these instruments and outlines conditions for granting, administering, assignment, use of land, need to reside, public passage, rent, and so on. Generally speaking, lease clauses prevail even if the parks management plans and regulations change. This means that once development rights have been granted, they are immutable. The only opportunity for negotiation occurs when the lessee agrees to re-negotiation or if they are seeking further development and the approval may be tied to a reciprocal concession. In the latter case, Hodgins notes " this 'tactic' apparently has not been employed extensively and usually only with large commercial lessees and then only with limited success (1996:11)." Cancellation of the lease without just cause[37] is seen as expropriation and as a result PC must pay compensation to the lessee; often the amount of compensation is determined through litigation (Hodgins 1996:12).

A further complication to the issue of land tenure within the park has been the Incorporation of Banff as a town in 1990.[38] Under the NPA, the Minister responsible for PC,[39] under the approval of the Governor General in Council, entered into an agreement with the Government of Alberta to establish a local government body for the town of Banff and to entrust local government functions to that body. The agreement clearly spelled out the town boundaries, along with the purposes and objectives for the townsite, including:

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[36] CPR may have freehold (fee simple) land however, the land was granted for specific purposes and is classified as reversionary land. Once the land is no longer required for the purposes for which it was granted, it is to revert to the Crown. Most of the land grants date back to the 1880s.

[37] Section 6 of the NPA deals with granting of leases and licences. The Minister is given authority to issue leases and the Governor in Council may authorise the Minister to purchase, expropriate or otherwise acquire any lands or interest for the purposes of the park (NPA 1998). In the past, leases or licences have been renewed unless the land is needed for public purposes however, this has not included assembly of lands for "ecological purposes".

[38] After the federal government revised its leasing policy in national parks in the early 1960s, the Alberta government began to lobby strongly for a liberalised facilities development program within the park. In 1968, the Alberta legislature supported a resolution to place Banff townsite under provincial jurisdiction, ostensibly to end supposedly "unfair" treatment of the lessees but more likely to facilitate added commercial development (Scace 1968:786).

a. to serve, as its primary function, as a centre for visitors to the Park and to provide such visitors with accommodation and other goods and services,

b. to maintain a community character which is consistent with and reflects the surrounding environment and,

c. to provide a comfortable living community for those persons who need to reside in the townsite in order to achieve its primary function.

Further, the agreement has limited the planning powers of the townsite and reinforced that the Town may exercise its rights under provincial legislation insofar as those rights do not affect or interfere with the rights of Canada as owner and lessor of the land. Section 5 of the agreement is perhaps the most relevant to this study. It sets out the planning powers of the Town and reserves the right of the federal Minister to be the final approval for any statutory plan or land use by law. Although the Minister also may appoint one person to a municipal planning commission and the development appeal board, the fact that the Minister may decide to not approve the plan provides sufficient evidence that the federal Minister is similar to the Scottish feu superior.[40,41]

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[39] When the agreement was drafted, it was the Minister of the Environment. Currently it would be the Minister of Canadian Heritage.

[40] See Section 6.3.1 – "if the Federal Minister is of the opinion that any by-law, resolution or other action of the Town is inconstant with the purposes and objectives of the townsite or is inadequate to protect the Park environment, Canada may a) withdraw or alter any or all of the functions entrusted to the Town under Article 5, whereupon Canada may exercise jurisdiction over planning, development and subdivision in the townsite, in whole or in part, in any manner it deems fit."

[41] According to Callander (1998:9) the essence of the hierarchical Scottish feudal system is that the relationship between the Crown and its vassals need not be direct. Certain rights are reserved by the Crown and may be reserved by anyone who disposes of a piece of land. This means that a vassal of the Crown could become the superior of the new owner, who becomes their vassal. There is no limitation on the number of times feuing can be repeated. In the case of leases in Canadian national parks, there is no limit to the number of times a lease may be subleased. As the Government of Canada controls the lease, lessees who sublease are not allowed to include in the sublease document other restrictions.

3.4 Review of national park land use objectives

3.4.1 The National Parks Act

In terms of actually stating land use objectives, there is no such section nor is there an explicit section dealing with the objectives of a national park other than prohibiting the Minister from authorising activities in a wilderness area which might impair the wilderness characteristic of the area. However, even with such a restriction, the Act contradicts itself by allowing the Minister to carry out activities in wilderness areas for the purposes of safety and the provision of basic user facilities including trails and rudimentary campsites. For example, under section 5.1.2 of the NPA, "maintenance of ecological integrity through the protection of natural resources shall be the first priority when considering park zoning and visitor use in a management plan." As well, under the Act, the Minister shall, when appropriate "provide opportunities for public participation at the national, regional and local levels in the development of parks policy, management plans and other matters as the Minister deems relevant" (section 5.1.4).[42]

3.4.2 Management Plans

The NPA requires all national parks have management plans, that the plans reflect the policies and legislation, and that they are prepared in consultation with Canadians.[43] In the mid 1980s, PC began public consultations to prepare a framework for the management of the four mountain parks[44] and from this framework the management plans for each of the parks were created (Canadian

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[42] As mentioned in footnote 21, preparation and tabling of management plans in Parliament every five years means, in essence, that any changes to zoning in the parks is debated in Parliament.

[43] Under the NPA (5.1.4) "the Minister shall, as appropriate, provide opportunity for public participation at the national, regional and local levels in the development of parks policy, management plans and such other matters as the Minister deems relevant." The word "shall" implies the Minister must provide the opportunities and Ministerial discretion likely limits the method of application. Thus, without a detailed report on the process of consultation it is difficult to determine the extent of national, regional and local interests on the management plans.

[44] After amendments to the NPA in 1988, it was decided that the four contiguous mountain parks were should be administered as a unit, in the spirit of ecosystem based management yet each having their own superintendent, staff and plans.

Heritage, Parks Canada 1994). The management plans are designed to provide direction for 15 years and are updated and tabled every five years. The plans for the Four Mountain Parks are to be examined together in order to coordinate the planning and management (Canadian Heritage, Parks Canada 1994:8).[45]

The first management plan for Banff was tabled in 1988 after eight years of planning (Banff Management Plan, 1997). The planning exercise included an in-depth analysis of the social, economic and environmental condition of the park. This plan was reviewed again in 1993 with a new management plan being completed in 1997.

Round table participants in the BBVS repeatedly emphasised that the current problems in achieving the goals and objectives of the management and business plans were often tied to decision making and governance failure was attributed to a number of shortfalls including:

- no consistent process and a predictable outcome
- no formal means to appeal decisions, except to the Minister
- political or Ministerial interference in local decisions
- discretionary power for superintendents lack criteria and are not well supported by policy (BBVS, 1996:297).

The 1997 BNP management plan tried to address many of these concerns and incorporate a number of the 500 recommendations given in the BBVS. As a result, the new management plan has three sections dealing with land use and decision making. In terms of a management document though, the plan is more conceptual than action oriented. That is, it provides a general overview, strategic goals, objectives and key actions but there are very few references to how these key actions will be implemented and the resource implications. For example, in the introduction there is a section which is entitled "Park Policy and Land Use" (Parks Canada 1997:8), three paragraphs briefly describe that land use in BNP does not follow present policy and efforts to restore some of the damage caused are underway. In a

[45] This may have happened with the first management plans published in 1988, but according to the 1997 "State of the Parks" report, only the BNP plan had been updated. The other three parks were

vision for how this is to be accomplished ("Cornerstones of Success", Parks Canada 1997:9), it simply says that partnerships are essential. In key themes (Parks Canada 1997:10), it says that managing the regional ecosystem (of which BNP is part) requires that all levels of government must cooperate and nurture cooperation with businesses and organisations. The plan promotes an integrated approach to decision making but has no vision on how this is to be accomplished or fostered. This frustration was cited by many informants (N = 17) and in fact, one informant was quite blunt in their condemnation of the plan:

> The superintendents are told go out there and convince the public that you have a great management plan and develop it with all this input, unfortunately for you though you will have to develop budgets which ignore it and we will give you land use systems that ignore it and you are going to apply it – good luck. C15

In a later section of the management plan, a full chapter is dedicated to a discussion of "open management." This chapter is somewhat more proactive in its approach, in regard to action plans however, for those informants who commented (N = 13) there was a general frustration of "lack of transparency" from the influencer group and a "lack of an implementation plan" by the decision maker group. The BBVS commented as well on the lack of transparency and this was addressed as a strategic goal in the 1997 management plan. However informants remained somewhat frustrated. Two of the influencers, who had been involved in the BBVS round tables, felt that the study had started a good process but there was still too much "filtering" of the input received from public involvement and that although public involvement had been increased, the time for comment had decreased. The result was that the public felt "consultation fatigue" and really could not comment in many cases as they were uncertain as to what was being asked or the purpose of the question and how it related to the management plan.

Further, in the open management section of the plan, is a comment on the development review process and the need for it to be a more open process, with one

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still using their 1988 plans. In fact the Auditor General noted in 1996 that the average age of management plans in use at that time was 12 years (Auditor General of Canada, 1996:31-9).

of the action plans being the establishment of a Advisory Development Board to review all development applications and ensure that they conform to the NPA. Unfortunately, the informants who commented on this board (outside of PC employees) panned its effectiveness and commented along the same lines as Coopers and Lybrand (1995:9):

> There is no clearly defined vision of what Banff National Park should look like. As a result there is no screening criteria for proposed activities or developments to determine quickly whether the proposed development is appropriate or acceptable in the park. As a result, all proposals must be reviewed and assessed on their own merit.

With regard to setting a vision and appropriate use guidelines, the BBVS had made good progress and this was to be carried forward into the management plan.[46] There is evidence of this within the open management chapter but again the plan falls short on setting a minimum standard and who should bear the cost of evaluating this minimum standard.[47] The plan also points out (Parks Canada, 1997:69) that BNP has always worked with adjacent jurisdictions on areas of common concern but that the cooperation was often at the operational staff level, and not with managers. As noted earlier (section 3.3), informants were generally frustrated that interagency cooperation had not progressed past good intentions. In fact, although the management plan cites two important advisory groups[48] it should be noted that, at the time of writing, neither one has a formal agreement between the participating agencies and as two informants noted:

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[46] Part of the mandate of the BBVS was to develop a vision, which it did. The frustration that remains is how that vision is to be attained both in planning and administrative terms (commented on by seventeen informants).

[47] A discussion about appropriate use on page 67 of the BMP (Parks Canada, 1997) admits that "use" is not clearly defined under the legislation, policy or management plans and thus authorities must use subjective criteria in decision making. Further, there is a recognition that compromises may be necessary given that public values and perspectives change over time. The BBVS Round Table suggested a list of ten criteria be applied when evaluating the merits of a new use, change in existing use, or intensity of use (Parks Canada 1997:68). These criteria are meant to guide the evaluation process but do not set a minimum guideline. Thus, there is no clearly stated "minimum" from which to measure success or failure.

[48] The purpose of the Central Rockies Ecosystem Interagency Liaison Group (CREILG) is to share information about the ecosystem. The Bow Corridor Ecosystem Advisory Group (BCEAG) has as its' purpose to coordinate planning, wildlife corridors, fire management and monitoring.

...the NRCB review of the Three Sisters Resort[49] determined that there was not enough communication of the issues between provinces, municipalities and the federal government. Their recommendation was for a senior planning advisory committee comprised of deputy ministers, mayors and so on. The governments rejected this as the senior deputies were too busy. The other thing that was recommended was a regional ecosystem advisory group – a lower regional level – where the jurisdictions would be represented and could advise their jurisdiction of the issues. That was the notion that the government followed. There was no money for the advisory group, money was found internally for any travel or meetings. There were no new studies – either existing studies or a biologist's best guess were used. Budgets were reallocated. C2

> In many cases, there are collaborative efforts in managing interjurisdictional problems not because of political will but by the field managers deciding they want to. Many of these coordinating groups do not have the blessing of the ministers and the ministers likely don't care that they exist. There is usually no pressure brought to bear to be part of these groups. C3

Thus, with coordinating groups at the lower level, it is not surprising to find that they have been borne out of necessity and that the lack of funding has limited them to relatively modest projects. Furthermore these informants noted that the management plan processes did not include consideration of the other jurisdictions' management plans. As a result then, by not cross referencing the management plans and by not having upper level management support, an overall vision for the area and an integrated or ecosystem management approach has not been accomplished.

Although the forgoing discussion is critical of the management plan, it should be noted that the BNP management plan must be viewed in conjunction with the BNP business plan. The management plan is to set the general direction for a national park with specific management objectives and guidelines, with the business plan to act as the implementation tool. According to the BBVS (1996:297) the business plan is to place PC on a firm financial base by encouraging an entrepreneurial approach

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[49] This was a proposal for a year around resort in Canmore immediately adjacent to BNP which was of a size sufficient to impact wildlife corridors leading to and from BNP. The Natural Resources Conservation Board or NRCB is a provincial regulatory advisory body. It reviews applications and provides approval for major natural resource development projects in Alberta. In deciding which projects are in the public interest, it must consider social, economic and environmental impacts. The NRCB made its ruling and allowed the resort subject to constraints on size, location of facilities and provision of wildlife corridors (www.gov.ab.ca/nrcb/about the.html).

within its mandated responsibilities. Whether this three pronged purpose is possible is discussed in the next section.

3.4.3 Business Plans

Successive funding cuts and the end of Green Plan[50] funding meant that PC could no longer finance many traditional parks services and, at the same time, honour their commitment to complete a national parks system (BBVS 1996:17). Parks Canada needed a new strategy and that strategy "A National Business Plan for Parks Canada 1995/96 – 1999/2000" was published by the Department of Canadian Heritage in 1995. Within the Business Plan, the philosophy shifted from public service to entrepreneurship[51] but a closer examination reveals that the shift was assumed, not planned for. There is once again no explanation as to how these approaches were to be fostered or supported. This issue was raised by some of the informants, with one observing:

> Over a very short period of time, there was pressure to develop partnerships – to source them out, draw up contracts and manage them. The problem was that you were often assumed to have the skills to do this, most didn't and still don't have the skill. There are a few courses, but not enough. Client Services [in Parks Canada] are supposed to do this, but the emphasis is for employees to still source out the partnerships. C16

The National Business Plan establishes that the overall parks will be managed as business units, each with its own business plan which would include investments and revenue targets. Although this would seem to give the business units better control, it should be noted that the budgeting process really had not been changed to any

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[50] Doern and Conway (1994) provide a thorough review of the Green Plan and the problems it encountered. In short the Green Plan was designed by the DOE but it was essentially a Government of Canada document which had 60% of the program and fiscal content falling under the jurisdiction of departments other than the DOE. The five year program was to provide funding for various initiatives ranging from toxic waste to preservation of ecological resources to reduction of acid rain. As part of the program, the federal government committed to strengthening federal/provincial partnerships and fostering more effective partnerships with business and communities. As Doern and Conway note (1994:78) of the $3 billion in new money promised over the five year life of the plan, two successive budget cuts of $600 million highlighted that Green Plan money was "soft" at best.

great extent, due primarily to the constraints of the Financial Administration Act. That is, the business unit would make a request for the funding they felt was necessary, ensuring their bids were consistent with their plans however, the decision for the allocation rested with the senior management (bottom up, top down). However, the plan does concede that once the allocation had been approved, there would be "maximum financial designation to the delivery level, the business unit, to carry out the plan (Canadian Heritage 1995:41)." Under the business plan for each unit, revenue generation is a key component. However, according to BBVS only 1.8% of the user fees generated by BNP actually go directly to the park thus the control each superintendent has on the revenue generation is actually quite small (1996:316).

A cursory examination of the BNP Field Unit Business Plan[52] shows evidence that funding pressures will continue to hamper management in the area, including the ability for PC to meet management plan expectations. Further examination of the accomplishments toward the management plan makes no comment on interjurisdictional planning or coordination within BNP, other than within a statement on a specific part of the management plan. This statement is the last of twelve accomplishments and cooperation is grouped with five other activities. In reviewing key actions and results, there is no mention of collaborative efforts, coordinated planning for land use. In terms of delivery strategies, there are plans for encouraging partnerships for site specific projects or issues but no overall plan for land use management issues. Thus even at the business plan level, there is a lack of recognition of how the selected management strategy (partnership) will be resourced or evaluated.

In comparing the management and business plans, the link between management plan initiatives and implementation plans are weak at best. This is similar to what the Auditor General found in their earlier review of PC:

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[51] PC's interpretation of "entrepreneurship" would appear to be streamlining of operations, privatising some services, sharing responsibilities with others, forging partnerships, and adopting new and unique methods (BBVS 1996:297).

> "it is difficult to assess how ecological integrity initiatives will be implemented to achieve strategic objectives and whether Parks Canada plans to allocate its resources according to those objectives. Parks Canada also has no formal process for monitoring the implementation of management plans or reviewing previous initiatives." Auditor General 1996:31-9, para. 31.27

It is interesting to note that PC responded directly to the criticism by noting that the annual cycle of business and work plans were capable of addressing implementation issues (Auditor General, 1996:31-11).

3.4.4 Summary of the land use objectives and planning documents

From the foregoing discussion, it is clear that PC, at both the strategic and field unit level, are planning oriented and have long recognised the need for collaboration and cooperation in order to achieve the desired results. The shortfall for PC though remains the inability to foster partnerships to the scale necessary in order to deliver those plans. As will be discussed later, the challenge then is for PC to look within to see where the barriers lie, and how to lever themselves with their strengths in order to overcome these barriers.

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[52] A detailed analysis and comment on the plan was not possible given constraints placed on the researcher to not quote, cite or disclose information contained in the plan. However, the researcher was allowed to make general observations.

3.5 Discussion of how land use objectives are prioritised, financed and evaluated

The following discussion lays out the basic procedures described in the documents published by PC and the perceptions of informants who commented. This, along with a similar discussion of the Scottish agencies (section 4.5) will be analysed in further detail in section 5.2.

As discussed in section 3.4.2, the development process in BNP is not well established nor is it consistent. A review done for the BBVS by Taylor (1996) noted that municipal development officers typically had Land Use Bylaws to provide direction for decision making, but there was no such document within BNP and specifically areas outside the Banff townsite. Thus, park staff relied on a patchwork of master plans, management plans and various guidelines that differed in their degree of detail and direction (Taylor 1996:19). As well, Taylor found that in the past, park administrators were hesitant to look to policy to make decisions. Rather, they often would have the proponent conduct an [environmental] assessment and then would reject the project based on "science", when in fact it could have been rejected based on "policy." An analysis of the underlying rationale of using science rather than policy would be interesting in itself however, it may be surmised that if there had been a number of policy reversals in the past, the administrators were simply using science to help back them up. Nevertheless, the process was costly, both from the proponents' view and from PC who suffered a double edged loss – the cost of reviewing the assessment and the loss of goodwill.

In fact, when pressed to explain the process how land use objectives were prioritised, financed and evaluated, none of the decision maker informants were able to provide a concise description of the process. In fact, most acknowledged that they had never really considered the process of land use planning being connected with the management plan or resource allocation. One informant provided the following synopsis:

> In theory the process [preparation of business plans] was good but in practice it did not significantly create a process to achieve objectives. This was partly because the process and timing changed every year and the objectives changed... furthermore, you typically knew what your budget was year to year, regardless of your objectives...generally the money is determined first, although the rhetoric was that the objectives are set first - so we get the set budget, regardless of the priorities and theoretically, yes – you have a management plan and a park plan to guide the overall direction but there was rarely any economic analysis to support the business plan – there was also little evaluation of the business plan. C22

So the question remains, although the creation of the PC Agency theoretically may allow more control over budgets and manpower, will it allow management at the field level to be better prepared or to be more collaborative? This will be discussed further in Chapters 5 and 6. However, at this time it should be reiterated that although the agency style organisation may improve and enhance accountability by allowing customisation of administrative rules, the RPP does not recommend specific strategies for PC to adopt in order to better deal with influences on the resource allocation and land use systems. The RPP acknowledges that partners within and adjacent to national parks are valuable allies and that there is a potential for public and private collaboration however, there are no plans or insights into how this will be fostered. It would appear then, based on the available information and the views of those informants who commented, the status quo will be held with regard to planning, decision making and budgeting. One informant summed up the general feelings of the Canadian informants by saying:

> At the local level, I think people work well together. It is when you move up to the provincial and federal level that there is so much mistrust. Things get done at a grassroots level as they see the need. When it gets elevated to the next level we run into "our way is the best" and people not wanting to sit down and talk things through. We often would work things through, get agreement and then need some strong support at a senior level but could not get the provincial and federal officials to agree to sit down. C16

3.6 Conclusion

The altruistic motives behind the establishment of BNP have never shown the same strength or attention as the economic motives. Early federal economic policy combined with the offering of monopoly rights to business and a denial of provincial government claims, have all served to contribute to the controversies seen over BNP's short history. A further contributor to controversy has been the reluctance to enforce policy or give forethought to how leaseholder responsibilities should evolve. It could be argued that the problem has been exasperated by the federal government never being adequately compensated for the *de facto* fee simple rights granted to leaseholders and that the federal government must pay compensation for revocation of those rights to lessees affected by enforcement of policy.

In the face of these controversies, land management policies and management structures have developed and changed. Land management policy has evolved to recognise the critical need for cooperation with other land management agencies if national park objectives are to be met. Management structures and processes though have not changed to recognise this need but rather have changed in response to government rationalisation. Thus, although policy and plans promote cooperation and collaboration, the implementation remains thwarted given that business plans and evaluation tools ignore and potentially penalise such efforts.

4 Scotland and the Development of National Parks

The situation in Scotland is somewhat more complex than the one seen in Canada. Parks, park reserves and protected areas are ideas and concepts which have been well accepted in the UK in general however, the concept of "national parks" in Scotland has encountered substantial resistance.[1] Such resistance, at face, is somewhat surprising as some of the early architects of (and influencers on) North American national parks were Scottish and included individuals such as John Muir. The detailed history of the Scottish system, or efforts to develop a Scottish system, have been well documented by Cherry (1975), MacEwan (1982), Smout (1990) and Mackay (1995) and the interested reader should consult any of these sources.

Admittedly this study is concerned with policy development and implementation in Canada and Scotland however, the Scottish discussion cannot be completely divorced from issues and events which have occurred, and continue to occur, in England and Wales. At the same time, the discussion cannot be completely separated from the issue of access and land reform in Scotland. Thus, included in this overview, are brief references to historical and contemporary events in England and attempts in Scotland to provide "access"[2,3] in order to provide some insight into the problems of establishing
national parks in Scotland.

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[1] Cherry (1975:9) notes that during the 1930s there was concern shown for the country's areas of high landscape values. It was suggested that national parks in these areas might be the vehicle needed to both protect and enhance facilities in the wider interests of the community.

[2] Given the land ownership mosaic in Scotland, defining and dealing with "access" to land has been a contentious issue for many years. Even with Scottish Parliament considering national park legislation, the issue of access will continue to be a matter which needs to be addressed. To put the matter into perspective, an Access to Mountains (Scotland) Bill was introduced in 1884 and eight subsequent attempts from 1908 to 1938 were never successful (Cherry 1975:16). In 1939, an Access to Mountains Act was passed which did not apply to Scotland as the Scottish organisations involved were not able to reach agreement over the terms of the legislation.

[3] "Access" in England and Wales continues to be a contentious issue given the current trespass laws. Scotland has no comparable laws and the "Right to Roam" which has been assumed, but not enshrined in law, has been challenged by some land owners in recent years (Parnell, personal comment, September 1999).

It is not practical for this study to consider all the nature designations nor to examine the non-governmental organisations which have entered into the nature conservation business. Discussion will be limited to the new proposed national parks in the Cairngorms and Loch Lomond and Trossachs.

4.1 Brief history of system development

> *National Parks in Scotland are areas of outstanding natural heritage of special importance to the nation where management in perpetuity will:*
> - *safeguard and enrich the biodiversity, natural beauty and amenity, the natural systems which support these qualities, and the cultural heritage of the area;*
> - *promote the sustainable use of its natural resources;*
> - *promote the social well-being and economic prosperity of its local communities; and,*
> - *provide for and enrich the enjoyment and understanding by the public of its natural and cultural values.*
>
> *These purposes should be pursued in ways which are mutually supportive. The resolution in the event of any conflict between them shall be guided by a precautionary approach in favour of the long-term conservation of the natural resources.* (SNH Advice to Government, 1999b:12)

This statement of purpose is proposed by Scottish Natural Heritage, to be enshrined in national park legislation for Scotland. Reaching a consensus on the purpose has been a long time in coming and fraught with debate and difficulties and, given the legislation for Scottish national parks is not yet in place, this statement of purpose may change again. It is interesting to note that although the language has changed, the underlying intents are similar to those first brought forward in 1943,[4] the concepts (in terms of what a national park will be) are substantially different.[5]

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[4] John Dower's 1943 recommendations for English national parks were to:
- strictly preserve characteristic landscape beauty;
- provide ample access and facilities for public open-air enjoyment;
- suitably protect wildlife, building and places of architectural and historic interest;
- maintain established farming use.

As mentioned, there have been numerous attempts at addressing the issue of national parks and access to areas in Scotland. Smout (1990) provides a good overview of some of the problems encountered in the 1800s and the early 1900s. Although the very early history is interesting, it is not until 1929 that the issue of national parks began to take serious form. For the purposes of this study then, the review will begin with the appointment of a Committee of Inquiry by Prime Minister J. Ramsay MacDonald in 1929. The committee remit was to determine if suitable lands should be reserved for national parks, along the lines of those in Canada and the United States. The 1931 committee report [6] found that the North American model for national parks was not practical but it did point to a need for adequate measures for preserving the countryside, in particular a national park was recommended for the Cairngorms. Although no further action was taken at that time, a lobby in favour of national parks was encouraged. By the early 1940s, England and Wales commissioned further study into national parks however, for a variety of reasons Scotland chose to retain some degree of autonomy (Cherry 1975:67 – 69). The approach taken by the Secretary(ies) of State for Scotland was to not participate or to establish small committees to review recommendations contained in the Addison report. In 1942, a Scottish Council for National Parks (SCNP) was formed[7] in part to establish a Standing National Parks Committee for Scotland which would be responsible for formulating a policy for national park provision and administration. In 1943, the standing committee submitted a memo to the Secretary of State which argued for national parks along the same lines used in England and Wales[8] and suggested that a Scottish National Park Commission be formed and given some administrative functions. The Scottish Office apparently received these suggestions

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Dower made his recommendation at the same time the government was contemplating post war planning machinery and powers. Given the uncertainty of what would eventually become law, Dower recommended joint action by national and local authorities to create a specific national authority and that National Park Authorities should not override government departments or central bodies concerned. He felt collaboration was fundamental for success (Cherry, 1975:37-48).

[5] For example, in 1945 it was contemplated that national parks be owned by the nation. As will be discussed shortly, current proposals do not entertain such a vision.

[6] The Report of the National Park Committee, or named the Addison report after the chairman, Christopher Addison.

[7] Due largely to the initiatives of the Association for the Preservation of Rural Scotland.

with little enthusiasm and, by some accounts, the proposed Scottish National Park Commission was viewed simply as another autonomous executive body which could buy, own or use land in Scotland (memo from the Department of Agriculture, as quoted in Cherry, 1975:71). Overall, little was done with the recommendations other than the Secretary of State inviting SCNP members to discuss various issues.

From those discussions, a Scottish National Park Survey Committee[9] was formed in 1944 to advise the Secretary of State on four or five suitable national park areas but the committee remit did not include a review of administration or cost. A total of nine areas were identified and, in their final report, the Committee narrowed their choices to five which included Loch Lomond and the Cairngorms.[10] At this point, it appeared that the national park movements in England and Scotland were on a parallel course. In 1945, England and Wales announced a preparatory National Parks Commission with the Secretary of State recommending a Committee be formed for Scotland. The Secretary's rationale was that a Committee was already in place (the Ramsay Committee) and it would be in a good position to advise him on the administrative and financial requirements of a Scottish National Park system. Ramsay agreed and chaired the newly appointed (1946) National Parks Committee (NPC) which had as its terms of reference (as quoted in Cherry 1975:76-77):

a) to consider and report on the administrative, financial and other measures necessary for the provision, on the lines recommended in the Report of the Scottish National Parks Survey of National Parks in Scotland, and

b) to consider and make recommendations relating to national parks and on the conservation if wildlife as may be referred to the Committee by the Secretary of State for Scotland.

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[8] To encourage physical, mental and moral health, preserving the countryside from alien developments and encouraging enjoyment as a right rather than a privilege.
[9] The report of this committee, Scottish National Parks Survey, was named the Ramsay report after Sir Douglas Ramsay of the SCNP. This paralleled the Dower Report.
[10] Loch Lomond-Trossachs was given first priority with the Cairngorms in fourth place (Cherry, 1975:75).

The NPC agreed to base their work on three assumptions, similar to those of the English Hobhouse Committee.[11] They assumed that 1) there might be national parks, 2) if appropriate there would be a central authority for their administration and 3) there would be a solution for the problem of compensation and betterment. The committee came to relatively easy agreement over the role that a National Parks Commission would take and its relationship with local interests.[12]

The NPC called for submissions on what national parks and the commission should embody. Among the submissions received, Cherry (1975:78) notes that three very powerful groups provided decidedly different views. The Scottish Council for National Parks strongly advocated the abolition of sporting rights and public ownership, with some exceptions for small private owners. The second group, the Scottish Land and Property Federation[13] held that given the demand for national parks was unknown, parks should be created as needed. They also argued that conversion of an area to a national park would affect the local economy by depreciating and potentially extinguishing the sporting value of the area. Lastly, the Association of County Councils in Scotland argued on an administrative basis, stressing the importance of local committees.

After all submissions to the NPC, a general picture of the National Park Commission emerged in 1947; the NPC supported establishment of a government sponsored central administrative body to be supplemented by some form of local organisation, either advisory or executive. It was suggested the Commission remit include preservation of natural amenities, provision of access, holiday accommodation, recreation facilities and the maintenance of continuity of rural life. As well, the NPC suggested that land required for specific national park purposes should be acquired outright and that a local committee, which had some executive responsibility devolved to them, be formed for each park. It was recognised that for this proposal

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[11] In short the Hobhouse Committee was formed to consider and report on the recommendations made in the Dower Report. This included measures necessary to secure objects of national parks and other matters affecting the establishment of national parks (Cherry 1975:49).
[12] Apparently this was in contrast to the English situation where there was intense concern over local versus central powers.
[13] Now the Scottish Landowners Federation (SLF).

to be successful, there would need to be a high degree of collaboration between the Commission and the local planning authorities and other agencies (Cherry 1975:80).

By 1949 the National Parks and Access to the Countryside Act was passed and, although the Act applied only to England and Wales, legislation for Scotland was expected to follow shortly thereafter. This is when the English and Scottish situation once again separated. As noted earlier, with the submission of the Ramsay Report in 1947, the immediate indications were that national park legislation for Scotland would be introduced. However, according to Cherry (1975:141), the position in Scotland with regard to national parks differed from England primarily on two counts. Firstly, in England, the main problem was protection, conservation and opening for public use. In Scotland, the problem was more of how to encourage tourism and rural industries in order to rehabilitate and develop the areas. Secondly, there were reservations about a Commission and how it was set up under the English Act. Scottish local authorities did not have sufficient resources to conduct planning for national parks and the alternative would be to have a central administration with executive powers be responsible. Central administration would require exchequer funding and Treasury support at the time was minimal, given that greater expenditure would be needed for the relatively undeveloped Scottish parks. These two issues, combined with a lack of evidence indicating that there were acute problems of preservation and access in Scotland resulted in the national parks lobby becoming overwhelmed by the strong vested interests opposed to the parks.[14]

During the same time period, agriculture had become a focus of attention and, in particular, it was recognised that rural land was a resource requiring positive planning and protection against certain types of development. As Mackay (1995:5) notes, "Thus it was that in the UK three massive statutes (with their Scottish counterparts), which still form the pillars of rural policy today, came to be enacted within a three year period – The Agriculture Act 1947, The Town and Country

Planning Act 1947 and The National Parks and Access to the Countryside Act 1949."[15]

Turning back to the matter of national parks, according to Cherry (1975:141), in the twenty years subsequent to the England and Wales Act, there were three very distinct and separate periods with regard to Scottish national park development. The first period lasted to 1960 when the Scottish Office, in spite of the Ramsay Committee reports, remained indifferent to the idea of a National Parks Act along the lines of the English Act. The second period, from 1960 to 1964, had two separate pieces of legislation come forward and, although neither dealt with national parks,[16] both floundered. The last period, from 1965-67 marked the formative years when the Countryside in 1970 Conference[17] promoted a new look at countryside policy and advocated the new facility of country parks.

At the 1965 conference, the Secretary of State for Scotland, W. Ross, announced his intention to establish, in principle, a Scottish Countryside Commission whose work would be co-ordinated with that of existing agencies, local authorities and voluntary bodies. Most participants welcomed the proposal, but again there were strong opponents. Most notably was the Association of County Councils in Scotland who, in a meeting with the Minister of State, G. Willis in 1966, made it clear that they felt a Scottish Countryside Commission was unnecessary. They felt the purposes of the

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[14] The historical overviews given by Cherry are accurate but do not give weight to the politics of the day. In England the demand for national parks was primarily access led. In Scotland, the perception of the "Right to Roam" made access a non-issue. It was likely that the Labour government would have introduced legislation at this time but subsequently lost the election (Parnell, personal comment, June 1999).

[15] Although the Acts will not be discussed in detail, a brief mention of them is important in setting the framework with regard to how government in the UK tends to approach the control of land use. Like most legislation, these Acts are not concerned to any extent with particular uses of land. Rather, as Mackay (1995:5) notes "they are devoted to defining *concepts* – whether of good husbandry, or of change of use, or of areas of special scientific interest – around which control measures can be formulated, and to establish *machinery, outside of government itself,* for the enforcement of control (italics in original)."

[16] The first one sought to extend the scale of grant aid for countryside amenity provision and the second was primarily concerned with tourism.

[17] A total of three conferences were held (1963, 1965 and 1973). The 1963 conference established working parties to report to the 1965 conference.

Commission would be best left to local planning authorities in exercising their statutory powers and to the Secretary of State as the final arbiter in planning matters.

4.2 Evolution of management structures

Although no legislation establishing national parks had occurred, it is important to note that in response to a variety of pressures and issues two different bodies were formed to try to address countryside[18] and conservation issues. The history of both is well written up by Sheail (1976) and Mackay (1995) and a brief overview of their development is important in understanding the system in place today and the problems which may have to be dealt with.

4.2.1 Nature Conservation

Since 1949, there have been at least five conservation bodies operating in Scotland.[19] As Mackay (1995:90) notes "although the responsible body has remained throughout a 'non-Departmental public body' in Government parlance, or an agency for the purposes of this volume, the legal status has subtly changed in each of the five manifestations."

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[18] It is timely to define "countryside". The term is somewhat expansive and as a result there are four distinct strands of countryside policy in the UK. Basically countryside policies are concerned with public access, development of facilities for public enjoyment, protection of cultural, scientific and scenic values and economic use by the inhabitants. A quick review of the literature shows that all four elements have had various emphasis and interpretation over the years and each assumes it knows what countryside is without actually defining it. It is worthy to point out that unlike Canada, the concept of countryside does not generally embrace wilderness, due primarily to the continuous history of human occupation in the UK.

[19] An independent Nature Conservancy 1949-65, Nature Conservancy 1965-73, Nature Conservancy Council 1973-91, Nature Conservancy Council for Scotland (NCCS) 1991-92, and part of Scottish Natural Heritage from 1992 to the present.

The original Nature Conservancy (1949 – 65) was formed to oversee all of Great Britain although a Scottish Committee was appointed.[20] The primary purpose of the Conservancy was to provide advice on conservation and control of flora and fauna, establish and manage nature reserves and encourage and develop related scientific services. In its early years, it made no distinction between the countryside as a resource and as an object of conservation thus the conservancy's view of conservation was primarily site based. Thus shortly after being formed, the Conservancy set out to identify nature reserves and Sites of Special Scientific Interest (SSSI's). Nature reserves were to be "Living Laboratories" to be studied and managed while SSSI's were sites which looked as if they may have some features worthy of study and hence protection.[21]

A government Committee[22] suggested in a 1963 report that the various research councils be rolled into a Natural Environment Research Council (NERC). Merging the research arm of the Conservancy was problematic though as it had been formed by Royal Charter and was under supervision by a committee of the Privy Council. The solution was to leave the Conservancy as a working unit but the controlling council as a Nature Conservation Committee of NERC (Mackay 1995:94).

According to Mackay, with this compromise came controversy.[23] At roughly the same time, a Select Committee recommended that a Land Use Council be established

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[20] According to Mackay (1995:92) this was to give the appearance of autonomy. From the start, the Scottish Committee did not have its powers or duties clearly specified thus giving the Committee relatively broad latitude in its actions. Smout (1990:22) also notes that a strongly worded memorandum from Fraser Darling in favour of one national agency with equal representation for England and Scotland helped tip the scales.

[21] Establishing an SSSI was also substantially cheaper and easier than that of a nature reserve. Basically, the Conservancy identified areas that appeared to be of scientific interest and then notified the local authorities about the site. If the site owner/occupier then wished to undertake development, the Conservancy would be notified. Notification did not mean that the Conservancy was the planning power as they could not prevent the activity from being undertaken. Other issues limited the effectiveness of this designation including the fact that many of the owners had not been notified of the designation and that the Conservancy did not have powers of acquisition of the threatened SSSI's. Notification simply meant that if a development application was received, the local authority only was required to consult the Conservancy, it was not bound by any concerns which the Conservancy may have had. As a side note, until recently the only mechanism available to safeguard such sites was the SSSI.

[22] The Committee of Enquiry into the Organisation of Civil Science.

to act as a discussion forum for Scottish rural land use issues. The new Council's first task would be to examine how the Conservancy and the newly established Countryside Commission for Scotland (CCS) affected the natural beauty and amenity of the countryside.[24]

By 1973, a Nature Conservancy Council Act brought in a new council responsible for nature conservation, but not ecological research, under the Department of the Environment. Thus the Nature Conservancy Council (NCC) role became that of promoter, commissioner, and supporter of relevant research. At roughly the same time as the new NCC was taking hold, a number of other legislative issues were taking place in Scotland, each having some effect on the NCC.[25] Most notably, legislation had been introduced which required that all SSSI's be re-notified and that the NCC investigate, and pay compensation for Potentially Damaging Operations (PDO's) on SSSI's.[26,27] By 1989 the NCC in Scotland, now renamed the Committee for Scotland, had begun to have a less supportive attitude towards nature conservation. This was attributed in part to the fact that compensatory payment had to be made when developments on SSSI's were refused.

By late 1989, the various difficulties[28] of the NCC in the UK and in Scotland lead to its demise. In the same year, the Committee for Scotland voiced its opinion in favour

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[23] According to Mackay (1995:95), NERC was uncomfortable with the Conservancy's role to promote nature conservation and, the Conservancy in turn, lost direct access to Ministers. During that period, the Conservancy enjoyed increased funding for nature conservation but at the expense of additional bureaucratic procedures.

[24] Mackay (1995:110) comments that the Conservancy submission to the Council noted that conservation should apply to the countryside as a whole, not simply to designated sites and that they felt that the Conservancy had no overlap responsibilities with the CCS.

[25] These have been well documented by Mackay (1995:112 – 113) and will not be repeated here. The most damaging legislation was UK wide and treated SSSI's in Scotland the same as those elsewhere in the UK. The mistake though was that many of the SSSI's in Scotland were large and predominantly for wildlife thus activities such as agriculture were considered a PDO.

[26] This legislation had a negative effect on image and relationships of the NCC given the combination of a long and forbidding list of PDO's, the lack of independent assessment of sites and no appeal process against designation of SSSI's.

[27] For example, individuals required consent in order to undertake certain activities – whether commercial or otherwise. The idea of consent was considered a form of government agency arrogance and its effect was powerful enough to impact on the economic development in an area.

[28] Mackay (1995:114 – 116) lists a number of reasons, but of particular significance to this study is the fact that increased centralisation of the NCC decision making and the unwillingness to recognise the differences in Scotland lead to intolerable tensions.

of reorganisation and welcomed the opportunity to combine functions with the Countryside Commission for Scotland (CCS) in a single, Scottish organisation. As Mackay (1995:117) notes, "Doubts were still expressed about the scientific capability of the new body, its financial backing, and the ability of the Scottish Office to stand back when conservation arguments outweighed those in favour of development". Nevertheless, by November 1990, a Natural Heritage (Scotland) Bill was introduced which brought an end to the NCC and CCS and set out the responsibilities of the umbrella countryside agency – Scottish Natural Heritage (SNH). Although passing the bill meant the old NCC ceased existence, an interim Nature Conservancy Council for Scotland (NCCS) became operative as an interim 'caretaker' with a remit to lay the necessary groundwork for SNH. NCCS assumed operational duties while a shadow SNH concentrated on establishing a new organisation including the recruiting of new and integration of existing staff. As well, NCCS took upon itself to finish developing the policies of the earlier agency, the most important of which proposed conservation considerations be made alongside other interests and that efforts should be made to understand the other interests' point of view and to gain their sympathy - even if it required financial aid (Mackay 1995:119).

4.2.2 Countryside Commission for Scotland

As discussed in section 4.1, after the Ramsay report and the 1949 England and Wales National Park Act, Scotland still had no national park legislation although some protection of the five proposed national park areas proposed was afforded by requiring notification of all planning applications to the Secretary of State.[29] Other bills were introduced and failed due to lack of funding, lack of constituent agency support or opposition from powerful interests. However, an important initiative launched after the 1963 conference "The Countryside in 1970" had a decisive effect

[29] Article 5 of the Town and Country Planning (General Development)(Scotland) Order, 1948 (as recorded in Cherry 1975:144).

in Scotland. One of the groups formed after the 1963 conference[30] looked again at the issue of national parks in Scotland and concluded that the idea of national parks had been limited. They reported to the 1965 conference that the largest contributor to the problems seen was the lack of co-ordinated attention to the situations of particular areas, rather than the concept itself (Mackay 1995:146).

This group also considered which agencies in Scotland might have been suitable to provide a unified administration[31] for national parks. Generally they felt local authorities were inappropriate not only due to their small size and limited resources, but that grouping of local authorities had often proved to be more a source of local rivalry than cooperation. They also concluded that the Secretary of State Office, although capable, would be inappropriate at a local level. Their conclusion then was to recommend an ad hoc Countryside Commission whose role would be policy forming and advisory on conservation and recreation. The Secretary of State announced in 1965 that a Countryside Commission for Scotland (CCS) would be established to supplement existing agencies and although it would receive exchequer funding, its executive powers would be severely restricted to ensure there would be no duplication of the work of other agencies.

In 1967 CCS was formed when the Countryside (Scotland) Act was passed. The new agency's duties included to "keep under review matters affecting facilities for the enjoyment of the countryside, the conservation and enhancement of its natural beauty and amenity, and public access, to consult with local authorities and others over such matters, to encourage and co-ordinate implementation of practical measures and to advise the government on matters affecting the countryside (as quoted in Mackay 1995:148)." Alongside these duties, CCS was also to be mindful of the need to promote balanced economic and social development of the countryside. In order to further this cause, CCS was given limited enabling and auxiliary powers including

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[30] Called Study Group 9, see CCS, 1990:6 and SNH 1999a:32 for further information.
[31] According to Mackay (1995:146) this included conservation of landscape, development of recreation and establishing a nation wide warden service.

the ability to provide grant aid to the private sector, with the consent of the Secretary of State.[32]

Shortly after being established, the CCS launched a research program to support their efforts in formulating conservation and countryside policy. While the research was being conducted, CCS provided both advice on town and country planning issues and grants to local authorities. However MacKay (1995:149) contends that central and local governments paid little attention to the Commissions function or their advice given on various issues including a position paper which called for a park system for Scotland.[33] In this paper, CCS argued that the main weakness in Scottish countryside management was not due to the absence of national parks but due to the uncoordinated nature of the existing land use designations. They suggested a number of options which included the use of a "joint body for unified administration" of landscapes which straddled local authority boundaries. They further suggested that a park system should have unified standards and a comprehensive park service. It is interesting to note though that CCS did not suggest an overarching National Parks Act. Not much further was recorded on the government's response to this paper; however, this may have been due to the internal reorganisation of CCS in 1972 when a new central government took power.

Under the reorganisation, CCS recognised that there was some danger that their initiatives might not fair well under the new government however, CCS continued its work on creating a park system and by 1974 published their proposals "A Park System for Scotland." In essence, it was suggested that a park system be geared toward the development and control of recreation with conservation to be left to other mechanisms. If a park met a national recreational need, it would be designated

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[32] By limiting the CCS powers and ability to provide grant aid, the local authorities fears of an intermediate layer of administration were addressed. Grant aid to local authorities would still come from the Secretary of State's office.
[33] Published in 1971.

by the Secretary of State and be governed by an ad hoc authority.[34] It was proposed that the ad hoc authority be two thirds local authority members and one third nominated to represent the national interest plus it was recommended that the exchequer grant aid would exceed the 75% normally available. Parts of the report were implemented but with a new central government coming to power, there was little money or political will to implement the proposals.

In 1975 CCS reviewed of their activities, especially in light of the resources used in preparing the Park System report. Part of the review included, for the first time, a statement of aims and objectives[35] from which the agency was able to focus their efforts.[36] By 1985 CCS had a proven track record in establishing, either themselves or through grant aid, physical developments and had shown increased capacity in understanding and communicating factors which affected the Scottish countryside and its recreational use. The commission though remained somewhat frustrated that policy had not yet been formulated. MacKay (1995:153) attributed this due to a low profile, lack of political clout, and to some extent, using south of the Border thinking.

A further review of financial management and policy in 1986 coincided with CCS submitting, for the first time, a 5 year corporate plan which included proposals for the use of resources along with a method of measuring performance. Such activities proved quite traumatic and resulted in some change in top management. With its new director, CCS began to implement its corporate strategy – including the involvement of commissioners and staff to render opinions on priorities, distinguish meeting items as areas for decisions or items for noting and ensuring that a conclusion on each item was clearly noted. The new director was also instrumental in assisting CCS in its

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[34] Mackay notes (1995:152) that within CCS there were some who felt there should be heavy central government intervention, particularly in areas of national significance, and others who felt that ad hoc administration would place an undue strain on already strained local authorities. The essence of the paper was its recommendation for "special parks" which were defined in terms appropriate to national parks but CCS chose not to use the term national park as the term remained too politically sensitive (Parnell, personal comment, June 1999).

[35] The five main objectives, as listed by Mackay (1995:152) were review, planning advice, countryside projects, education and research and development.

[36] Mackay (1995:153) contends the efforts included influencing changes to managing recreation including the establishment of the West Highland Way, creating and grant aiding country parks and encouraging development of a database with input from various agencies and local authorities.

relationships with other agencies. Overall, use of the new corporate strategy enabled CCS to conscientiously choose its targets, rather than simply reacting to outside influences.

CCS had been publicly silent for a number of years on the issue of national parks but continued work towards establishing some legislation. In 1989, the Junior Minister for the Environment at the Scottish Office formally requested CCS "study management arrangements for popular mountain areas such as the Cairngorms, taking into consideration the case for arrangements on national park lines in Scotland" (as quoted in Mackay 1995:163). Based on its research, CCS published a report "The Mountain Areas of Scotland: Conservation and Management" in 1990. The Government requested CCS conduct the consultation process again, using the report as a basis for discussion.[37] While CCS completed its final draft of the consultation document, the Natural Heritage (Scotland) Bill was before Parliament and within the bill was a provision for Natural Heritage Areas (NHA's).[38] With the revised CCS report being delivered after the Natural Heritage Bill became law, the Government freely criticised the report and consultation process, commenting that CCS had failed to prove there was commitment to their national park proposals and that the proposed structures would resolve the problems identified. At this point, the Secretary of State established working parties to examine the options available for the Cairngorms and Loch Lomond and Trossach areas.

4.2.3 Scottish Natural Heritage

As discussed at the end of section 4.2.1, NCC and CCS were merged into Scottish Natural Heritage (SNH) in 1990. So that the new agency could better fulfil their

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[37] Mackay (1995:164) reports that the Government felt the report did not clearly defend why the national park solution was the only option and how it would work. Personal comments made to the researcher during the initial and main interviews were that "it was simply another stalling tactic."
[38] NHA's were thrust into the Act at the last minute without consultation with CCS and were a means to defuse rising agitation for national parks (Parnell, personal comment, June 1999). The designation was never used and Lord Sewal confirmed in 1997 that they would never be used.

purpose,[39] the Secretary of State requested both outgoing agencies make separate proposals to the Department for the initial corporate strategy of the new joint agency. Although not operative until 1994, SNH operated in a shadow capacity in order to build its organisational routines.[40]

In 1994, SNH published their corporate plan, within their plan they made clear that it was their intention to "build up a sense of shared commitment to the protection and enhancement of the natural heritage" (1994:1). The main strategy was to influence the policies of Government[41] or its agencies and act as an enabler[42] to those who might participate in activities that could affect the heritage of an area. In contrast to their predecessor agencies, SNH felt that they would be well positioned to accomplish their goals as they could deal in an integrated fashion with the whole of the natural heritage and the many influences upon it.

The voluntary principle[43] was a major component of the plan and the theory was that such cooperation would provide benefits of conservation and public access through the "understanding and tolerance" of landowners rather than through a possibly unpopular regulatory framework. SNH also recognised that substantial financial and manpower commitment would be required for the voluntary principle to be effective and that these commitments would increase, not decrease, over time.

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[39] The new agency was to allow a more unified view of countryside designations and provide a "one stop shop" for advice and assistance.

[40] As a shadow organisation, SNH was active. For example, the Scottish Office information directorate issued a news release March 6, 1991, proposing a new unified designation "Natural Heritage Area (NHA). Although the criteria were not yet defined, the news release made clear that NHA's would not be a substitute for the idea of national parks.

[41] On page 6 of the corporate plan, SNH appeared optimistic, through its statutory role as advisor to the Secretary of State and others, that it could influence government and other bodies in the development of integrated environmental management and sustainability into all policies.

[42] On page 9 of the corporate plan SNH confirmed that the voluntary principle would still be the primary strategy for addressing natural heritage. They would encourage protection through "advice, persuasion and the incentives of grant, management agreements and compensatory payments in lieu of profit foregone" when an owner was persuaded to not carry out an activity which could damage the public interest in its natural heritage value.

[43] The voluntary principle was a cornerstone of the Conservative government thinking for the countryside and SNH was obliged to adopt it (Parnell, personal comment, June 1999). This principle applies to participation by the private sector and does not necessarily extend to coordination between government agencies.

The same corporate plan announced that SNH had made good progress in developing the criteria and procedures for NHA's (as mentioned in footnote 40), and that the agency would investigate potential areas appropriate for an NHA designation. The vision was that an NHA would not be a traditional "designation" but rather a "process" involving diverse interests in adopting an integrative approach to managing and sustaining the values of the area. SNH admitted that it might take years to develop a process and many more years before a formal approach could be made to the Secretary of State for any NHA designations. Further, SNH recognised that NHA's could help in improving cooperation but with no powers to implement a comprehensive conservation policy and dependency on staff from other organisations, there was a high probability that conflicts would occur.[44] Lastly, SNH described the principal tools for securing its objectives outside designated areas as grants and management agreements, with a key aim "to achieve optimal leverage and have in place assessment and administrative procedures which are efficient and economical so that we can maximise the benefits to be derived from our grants budget" (SNH Corporate Plan 1994:23). Thus the overall strategy adopted by SNH with regard to natural heritage (and land use by extension) was that of monetary incentives and, to a lesser extent, management advice. This strategy though applied to the private sector and departmental conflicts would continue to plague any voluntary initiatives.

As mentioned (footnote 38) the NHA concept was formally withdrawn in 1997 when SNH was instructed to "identify areas within Scotland which could benefit from designation as national parks and, for each such area, identify the appropriate structure for the development of an integrated management strategy and the powers required to implement successfully that strategy" (SNH, 1999b). The results of their research and proposals for national park legislation are discussed in the next section.

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[44] SNH further reinforced that they would only influence, not control, the planning process through making representation in local plans and by acting in a consultative role in development control decisions.

4.3 Review of existing and proposed administrative structures

The preceding discussion was concerned with the evolution of the overseeing agencies. This section takes a narrower view of the management structures and land use management in the study areas.

In reviewing the history of CCS it would appear that after the mid-1970s little was done with regard to furthering the national park cause. However, MacKay (1995:163) reports that CCS was active but worked behind the scenes to keep the issue at the forefront. In the early 1980s, local authorities surrounding Loch Lomond tried unsuccessfully to promote a concept and a private bill that provided for a statutory authority for the Loch Lomond Park. Failure of this bid resulted in CCS reluctantly following the suggestion of the Secretary of State - to pursue a regional park authority, under the Countryside (Scotland) Act 1981.[45]

4.3.1 Loch Lomond Park Authority

With the assistance of CCS in 1986, a Loch Lomond Subject Plan was prepared for tourism, recreation and conservation by the four local authorities bordering on Loch Lomond and, in 1988, the Loch Lomond Regional Park was created. Administration of the park was through a joint committee (Park Authority) of the four local authorities with 12 elected and 6 non-elected members. The participating local authorities provided funding to the park with additional funds being provided by CCS and other agencies.[46]

This particular subject plan was innovative for its time. Being created by the constituent authorities, the plan set out common policies for tourism, recreation and

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[45] The regional park concept was not new, it had been proposed earlier in the 1974 CCS publication, "A Park System for Scotland."

[46] There was a 3:1 funding formula used with 75% of the required funding through CCS/NCC (and later SNH) and 25% from each constituent local authority based on an agreed upon share. Additional funds could be requested from other sources/agencies. Of the 25% required by local constituents, 60% of that funding came from central government (personal comment, IS1) thus 90% of the operating budget could be argued to be supplied from central government sources.

conservation for the loch and surrounding area and allowed each district and regional council to retain responsibility for development control. The plan, described by one informant as a cross between a statutory plan and a management plan, recognised the national status of the area and the need for the policies of affected local authorities to reflect that status but it also set out some priorities for planning and management of recreation pressures. As such, the plan became the main policy statement for the Loch Lomond Park Authority (LLPA) and the planning authorities were required to take into account the Regional Park designation when considering planning applications. The constituent authorities could have delegated planning authority to the regional park but they chose to retain their individual planning authority and simply liased with the LLPA. As a result, the LLPA was able to operate with less than ten full time employees, many of which were on contract.[47] Of the full time complement, over half were rangers thus leaving only a few in charge of administration and coordination of the plan.

From its inception, the regional park had problems in executing an integrated management plan, even with the innovative approach to management. Although the following discussion is written in the past tense, the problems carry forward almost unchanged to the present.[48] Firstly, given that each of the participating authorities had their own structure plan and allocated resources according to their individual priorities including health, education and transportation, there was little incentive nor were there the resources to develop integrated plans for the area. This was particularly true if the park area under the authorities' direct control did not have a large constituent or tax base. Thus, there was a tendency, even after the 1986 subject plan, for planning policies and management plans to be developed independently. As such, it was difficult for the small park authority to not only monitor these changes but also to garner local support and money for its projects which often addressed the needs of the national interest but did not provide immediate economic

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[47] IS2.

[48] There was a detailed review of the plan in 1996 but the plan is in abeyance for a number of reasons. Although that might imply that nothing is being done, most informants who commented felt that the Park Authority was still progressing forward at least with regard to individual projects but there remained a lack of a comprehensive management plan and strategy.

or social gain locally.[49] Secondly, although the statutory planning system was useful in addressing major land use conflicts, many of the conflicts which arose were outwith the planning system. In fact, some conflicts were a direct result of the operational plans of other government agencies including Local Enterprise Companies, Scottish Tourist Board, Forestry Commission and other European programmes such as the Common Agricultural Program.[50] Thus, the powers of the park authority were rather limited and, given the modest budget, much time was spent on trying to identify where additional resources could be obtained and how to encourage the constituent authorities to participate rather than carrying out a management strategy for the area. As the CCS, Mountain Areas of Scotland report concluded:

> ...the use of Regional Park was an improvisation, given the lack of a national designation to give status and impetus to the care of its assets. This expediency is already showing signs of strain in that not all of the constituent authorities of the park feel the same degree of commitment. The park has no overall oversight of the complex development pressures occurring in this area. (1990:21, para 4.10)

Recognising that integrated management at a local level was a problem, the Secretary of State formed a working party to examine potential problems, within existing legislation. The working party,[51] whose report will be discussed further in section 4.5, proposed that the Park Authority continue to be a Joint Committee of the local authorities but be supported by a limited company and charitable trust. The Secretary of State for Scotland agreed but noted that the committee should be delegated authority in accordance with the voluntary principle (Scottish Office

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[49] National interest includes conservation, provision of access, tourism and so on. As a side note, eight informants agreed that the idea of a "park" and conservation, in whatever form, was a noble cause however, when compared to other social issues, such as closing a classroom or health facility, the political reality was that the park would see its funding cut. As well, these informants felt that given the number of agencies involved in delivering programs with singular focus on social, economic or environmental issues that it would be difficult to achieve a reasonable balance between development and conservation. This will be discussed further in section 4.4 and 4.5.

[50] The Loch Lomond and Trossachs Working Party Report (1993:para 2.5, 3.13 and 5.3) highlights some examples of conflicts in operational plans.

[51] Named the Loch Lomond and Trossachs Working Party (LLTWP).

1995:5).[52] There was no further development or revision of a subject plan for the area and, in 1996, the regional park found itself under the joint administration of three local authorities, after the local government reorganisation. Although now there were fewer authorities to deal with, the management problem remained mostly unchanged according to the informants[53] who commented.

4.3.2 Cairngorm Partnership

Unlike the Loch Lomond area, the Cairngorms has never had the benefit of a subject plan even though the need for an integrated management plan has long been recognised. The first notable report, commissioned by the government in 1967, was a survey on how the area could be further developed for tourism and recreational use. As discussed, in 1990 CCS suggested that a national park be established in the area with an independent planning board formed to manage it.[54] The purpose of the board would be to align the interests of the numerous councils (three regional and four district), government agencies, NGO's and landowners. However, these plans were never developed further for a variety of reasons (see footnote 37).[55]

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[52] Further, the Secretary of State noted the main issues to be addressed lay within the duties and powers of the existing authorities and if the local authorities were willing to delegate authority to the existing Park Authority then the Park Authority would have the ability to be more effective. In short, it was clear that there was to be no change in the management structure. This is not too surprising since the working party was given, as part of its remit, instructions to not recommend any new legislation.

[53] Of the twelve informants that had or could have had an interest in the area, six felt that the management problems were unchanged. Of these, they were evenly divided between decision makers and influencers.

[54] The report also recommended a planning board for LLT (CCS 1990:38). The difference between a planning board and a joint committee is somewhat obscure to the uninitiated. A planning board is an autonomous body which makes decisions independent of their constituent local authorities. A joint committee is comprised primarily of its local constituent authorities. A board usually raises funds through precept on the constituent areas including municipalities on the basis of bids channeled through a government agency such as SNH. A joint committee will also get funding from constituent authorities but the level and actual receipt of the funds is often negotiated on a yearly basis after the funding from the supporting government agency has been set. Lastly, boards often have their own staff rather than depending on secondment from constituent authorities for specialised expertise.

[55] For example, Morris (1994:45) contends that a 1970s management plan for the Cairngorms National Nature Reserve (NNR) was shortly withdrawn after it was issued in draft form in 1976 due primarily to landowner pressures. Mackay (1995:164) argues along the same lines when he discusses how the landowning interests responded to the CCS Mountain Areas Report.

In contrast to the CCS report, the Cairngorms Working Party which was commissioned by the Secretary of State in 1991, came to very different conclusions with regard to management and size of the area.[56,57] The report itself was not a management plan nor a management strategy; it identified issues to be addressed and recommended the type of management body which could best address those issues. Rather than a joint committee or board, the working party concluded that given the powers of the existing bodies a partnership approach was required. The rationale given was with a Partnership the powers of various bodies would not be taken away but rather, there would be a need for each of these bodies to "coordinate and optimise their efforts and objectives" (CGWPR, 1992:2). Members of the Partnership were to be public sector agencies and authorities, supervised by a Partnership Board representing local and national interests of the area.[58] A small Partnership staff[59] would assist the Partnership and board. The Scottish Office (1994) agreed to the proposal for a Partnership Board and laid out the priorities for the new board including development of a management strategy. As in the case of the response to the LLTWP, the Secretary of State made it clear that the voluntary approach was to be used and, if required for protection, existing agencies had sufficient compulsory powers.

The Partnership published its draft management strategy and consultation paper in 1996. In this document, the Partnership defined its role as "to encourage a cohesive and co-operative approach to the management of the Cairngorms based on the voluntary principle, we rely on your commitment as organisations, communities and individuals to achieve results" (Cairngorms Partnership, 1996:1). Based on the

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[56] To avoid confusion, it should be noted that the remits of the working parties (LLT and CG) were substantially different. The LLTWP was to examine management issues, make recommendations on how management practices could be improved within existing legislation and define an area in which these recommendations should apply (LLTWPR, 1993:12). The CGWP was basically to prepare recommendations for an integrated management strategy and an administrative structure which would ensure its implementation (CGWPR, 1992:1, 115).

[57] The area recommended by the CGWP was larger than suggested in the CCS report and meant that there would be three structure planning councils and five local planning councils involved.

[58] The CGWPR (1992:97) suggested that there be a Chairman and Deputy Chairman appointed by the Secretary of State and a total of 22 members appointed from various stakeholder groups. Appendix A.4 lists the Partnership breakdown.

[59] CGWPR (1992:134) suggests a group of fewer than ten, including one director and five others serving in a planning or advisor/coordinating role.

responses received, the CGP published its Management Strategy in 1997. The strategy basically outlined a number of strategic objectives for the area which, when taken collectively, would constitute an integrated management framework. Unfortunately, shortly after the document was published the Partnership became essentially inactive, due in part to lack of leadership, lack of members and lack of consensus within the Partnership on sensitive issues including the proposed funicular for the Cairngorms ski hill.[60,61]

In 1997, after the local government reorganisation, the proposed area fell the direction of five councils.[62] In terms of taking the management strategy forward, the Partnership was given a new remit:

> ...to coordinate the implementation of the Management Strategy published in the winter of 1997; and to prepare and implement a programme of action designed to put the Strategy to work in practice. (Cairngorms Partnership, 1998:3)

Of the fifteen informants that could speak about the impact or the effectiveness of the Partnership, six commented specifically on the Partnership itself. They noted that even with the new remit, the Partnership still had no power to actually undertake management itself and would thus be forced to continue in a facilitator role. The problem they saw with such a role was that with no money and no power, the influence that the Partnership would have was limited to the extent that stakeholders would allow themselves to be influenced.

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[60] There have been various media reports confirming this. By September 1997, two-thirds of the Partnership Board members terms had expired, the chairman had only one month remaining in his term and the board had not met since March 1997. See the Glasgow Herald 21/10/96, 5/3/97 editorial, 4/9/97 and 1/10/97.

[61] Four informants gave the partnership high grades for its efforts in getting warring factions to at least meet however, one was critical of the lack of public involvement and general closed door policy and felt that these two factors inhibited the development of closer links and cooperation (S5). Another informant was simply critical of partnerships; it would be naive to think that partners do not have ulterior motives (S1).

[62] With the five councils also came the same number of structure plans and local plans (five).

priorities are set, the informants who commented (N = 7) indicated that the priorities were really council lead and that land use for conservation or landscape management was a very low priority when set against health, transportation and education.[65] With regard to land management outwith the development control process the informants who commented felt that the priorities were influenced largely through the grant aid system.[66]

4.5.2 Management Plans

Many sections of the LLTWPR were critical of the lack of policy coordination between the local authorities having administrative responsibility for most of the area (1993:11: para 2.8, 12: para 3.2, 91: para 2.1) and, as a result, it was often difficult to achieve agreement as to the levels of resourcing required for the LLPA to carry out plans under the subject plan. Furthermore, the report was critical of the lack of funding provided for the local authorities to address national issues and areas of outstanding value and attraction. They concluded that the scarce resources were allocated according to priorities determined by the local authorities themselves but in exercising their rights to make such decisions, the effect may not have been to the benefit of the entire Loch Lomond and Trossachs area (ibid:91, para 2.2).

With regard to the Cairngorms, the CGWP came to very much the same conclusions as the LLTWP. That is, the main strength of the existing land management and planning control system was the established links between local governments and local communities (1992:93). Based on a democratic process for the delivery of services and planning, the working party recognised these links had limitations when forced to deal with special challenges including the fact that existing mechanisms for coordination of planning and policy were rarely used. Further, the CGWP noted that

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[65] It could be argued that the decisions being made locally do benefit local residents however, these decisions may not have been in the best interests of conservation or landscape management for the extended area.

no organisation had made the Cairngorms a priority for the deployment of resources and, as a result, key factors for effective management, such as adequate monitoring and coordinated provision of advice, services and incentives were lacking. The lack of coordination and the concentration on sectoral objectives by public agencies were named as the main contributors to the occasional conflicts. As well, the report was critical of the existing mechanisms for resolving conflict between public bodies and interested outside parties (ibid:93, para 4.1.1.7).

The Cairngorms Partnership Management Strategy document (1997:2) makes clear that the strategy does not prescribe the action needed to implement strategic objectives but rather the strategy is more of a vision. As such there is no listing of priorities, funding sources or evaluation criteria. In the nature conservation section, there is reference to nature conservation being considered in all aspects of land use and management and, to do so, a comprehensive and fully funded set of measures will be put in place. The strategy though neglects to mention what these may be.

The SNH advice to government suggests that each NPB submit yearly a separate operational or business plan which sets out its work in the upcoming year with regard to the NPP (1999b:27, para. 4.33). They suggest the funding formula would stay much as it is now, that is most of the operating funds coming primarily from the Government with the local authorities providing some revenue funding (a 3:1 formula) and that other sources of funding be sought for capital projects. No detail was given as to how the NPP objectives and the funding would be linked and there was no suggestion for radical change to the planning and budgeting cycle. There is an admission though that the proposed requirements for land use planning, cross compliance and reserve powers intrude furthest into private property rights. SNH suggests that objections to the powers of the NPB could largely be overcome through the availability of appropriate incentives and the NPB actively working with land mangers to foster a good relationship (ibid:17, para 3.31). Although the NPB would

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[66] Ten informants made specific note of the grant system, of these half were influencers and half were decision makers. The influencers also noted that their priorities were primarily lead by economics and the grant system although the conservation and stewardship issues would be brought to the

now have more powers and a budget with which to deliver the NPP, a problem would undoubtedly remain with the NPB securing funding from the constituent local authorities and in obtaining the required capital fund commitments. As one informant noted with the existing system for capital projects:

> We do have to do different analyses depending on who we are applying to for funding. For one agency we may have to provide increases in tourism numbers, for [another] we would say that the funds and the project would conserve, for [another] the grant application for the same project would say how many jobs would be created. For every grant application, each has its own spin, depending on the objectives of the grant giving organisation. The organisations seem to compete as to who can have the longest or the most complicated application form. As well they all have different time scales and in some cases, we have to reformat our numbers to fit their fiscal year – it keeps the accountants busy and the person who fills out the applications has to deal with unnecessary complexity. S8

Thus the capital budgeting process will continue to be labour intensive and influenced more by the ability of the NPP to compete against others than on the overall merits of the project in contributing to the desired land use outcomes.

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forefront if the grant aid seemed both unsustainable and had the potential for a long-term negative effect.

4.6 Land tenure issues

The land ownership patterns within the proposed areas are complex; there is not only a mix of private and public land owners, but the areas range from urban to rural and from farming to sporting estates.[67] As well, land under public ownership includes large areas held by the Forestry Commission, Scottish Natural Heritage, Highlands and Islands Enterprise Company and so on. Furthermore alongside the public and private ownership, there is a third class of semi-public institutional ownership including the National Trust, Royal Society for the Protection of Birds (RSPB) and John Muir Trust. As such, it is difficult for the government and proposed NPBs to control much of what is done on these lands with regard to enhancing the landscape or countryside value in a direct manner. That is, much of the land in both study areas have deeply ingrained and legally enforceable property rights. Of the informants who commented on property rights and land use objectives (N = 9), all but one felt that landowners were generally sympathetic to the idea of conservation but only to the extent of their means.[68]

With the advent of the new Scottish Parliament, there have been several commitments made in the area of land reform. In particular, the Secretary of State for Scotland announced:

> ...we need an integrated programme of land reform legislation – sweeping away outdated land laws, properly securing the public interest in land use and land ownership, increasing local involvement and accountability.
> (Rt. Hon. Donald Dewar MP, September 4, 1998, "Land Reform for the 21st Century" The fifth John McEwan Memorial Lecture on Land Tenure in Scotland, Aviemore, Scotland, 18 pp., p6)

How land reform could specifically impact land use in the subject areas can only be speculated at this time but it is appropriate at this juncture to make some comments.

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[67] LLT primarily urban and farming although there are some large estates and along the loch, there are some sizable public lands. CG is primarily rural and estate but again there are sizable public and NGO land holdings.

[68] Mansfield (1994) discussed many landowner/occupiers would take grants if offered, but only if they knew of the grant scheme, if the grant scheme fit within their desired/required use of the land and that the criteria for the grant scheme were not onerous.

SNH's advice to government (1999b) is careful not to specifically address land reform and national parks. Rather, they suggest that national parks could be role models in demonstrating innovation and leadership necessary to achieve national park objectives, if appropriate duties are placed upon all owners and managers of lands (see page 45, para 7.8 and page 55, para 20). The various documents published by the Land Reform Policy Group recognise that national park legislation would complement land reform legislation, but there is little comment on how this is to be accomplished. Perhaps the strongest indication of change which could impact on these areas is found in the Proposals for Legislation "The proposed legislation will create a right of responsible access to all lands in Scotland for informal recreation and passage" (Land Reform Policy Group, July 1999:16, para 7.1).

The group also recognises these rights should, in some cases, be limited to ensure privacy, land management and conservation needs but there is no indication of what these limitations might be. The policy group does assign SNH the task of setting out responsibilities of the public and land managers.

Thus, the overall effect of land reform on national park objectives, at least initially, is likely to be on access issues. What will impact more immediately than land reform will be SNH's proposal for farm and estate owners to prepare plans if they wish to access public funds if those farms or estates are shown to contribute to the critical areas of the national park objectives (1999b:18, para 3.38). The potential problem with such a requirement will again lie with those estates or farms which do not access public funds thus leaving SNH in the position of having to use compulsory powers.

Summary

The effect that land tenure has then on achieving desired land use objectives is as complex as the land ownership mosaic. By in large, the government has little direct affect on land use, other than in a regulatory function. Most land use is indirectly influenced by the grant schemes that are offered and some schemes have conflicting

goals and objectives. SNH recognises that their many agencies influence the land uses through the grant system but looks to the NPB to have sufficient funding to provide "adequate incentives." In the face of the grant giving agencies (including CAP), it is unlikely that SNH will be given sufficient funding to meet its desired objectives.

4.7 Conclusions

As in the Canadian situation, the altruistic motives behind establishing national parks have never shown the same strength or attention as the economic motives. However the altruistic motives have continued to keep the national park issue at the forefront of government rural policy. The controversy centres around not only landowner but jurisdictional rights.

Land management has evolved but given the number of agencies, ownership types and varied land uses, the development of comprehensive land use management plans together with management bodies with sufficient powers to carry out the plan has remained elusive. What has evolved is a countryside management philosophy that embodies the concept of voluntary approach together with a desire to cooperate with the governmental agencies. As in the Canadian case, the budgets, business plans and evaluative tools by in large do not formally recognise the cost of these efforts, with the exception of "incentives" or grants for various initiatives.

As noted earlier, the LLPA has certain limited functions delegated to it which were derived from a combination of the Loch Lomond Local (Subject) Plan and an agreement between the constituent authorities (LLPA 1995). However, much of the land use lies outwith the subject plan and indeed the structure and local plans of the constituent authorities. Thus, the LLPA is not, and has never been, in a strong position to guide overall land use in the area.

5 Common Conceptions of Organisations, Planning Processes, Decision Making and Influences

This study deals with the possibility of applying Scottish management approaches to protected area management in Canada and vice versa. It is important to compare how objectives, beliefs and assumptions in this field differ between the two countries. At the outset, it should be noted that it is not necessary that specific assumptions and management goals that derive from these assumptions be identical for management transferability to be potentially viable. Understanding historical and contemporary attitudes towards protected area management and land tenure are, however, significant in helping to understand the current state of management in Canada and Scotland. Such an understanding provides the necessary basis for theorising about the likelihood of successful management transfer for budgeting and resource allocation purposes.

The management systems with regard to land use decisions in both Scotland and Canada are not unlike those that have been described by Sayer (1984), and others, as open systems. That is, the patterns of events are not predictable but they may be analysed and causes hypothesised by demonstrating the existence of mechanisms or structures. Others though disagree, noting that relevant factors such as politics, economics, administration and prevailing laws interact and bear on decisions and policy development (Rhodes, 1981, O'Riordan, 1982 and others). Thus when examining the two management systems and the three management bodies, it is important to keep in mind that each influencing factor and its relative degree of influence may vary over time and situation. The structure of this chapter is to first discuss organisational theory including the general processes for budgeting and planning and then to address the various influences identified in the early analysis of data and from the interviews.

5.1 Organisations

Much has been written about organisations and institutions. Early studies described the organisation and provided some insight into organisational structure and routines however, most neglected to identify mechanisms which affected how a particular institution responded to various situations (Scott and Christensen, 1995:xix). This section therefore outlines some of the empirical processes the organisations in this study have in place.

In both countries, the organisations which are being studied are responsible for administering or managing certain areas or programmes. What differs most, which is addressed in the earlier chapters, is the type of control each agency or organisation has in administering its mandate.[1] Parks Canada for example, is responsible for managing the lands under its control and has been given substantial management powers under the National Park Act. Scottish Natural Heritage on the other hand, does not manage areas *per se* but through its mandate is to "facilitate" good management through incentives, advice and persuasion. Thus powers granted to PC allow it a command-control management style while the SNH approach is to encourage voluntary compliance. This voluntary approach is also an integral part of the approach taken by the management bodies for LLT and CG.

Regardless of the location and level of management body, it is clear there are ever increasing influences on those management bodies to carry out their mandates. Included in the influences is "institutional fragmentation" described by Cimitile et al. (1997:63), whereby environmental policy is fragmented in a number of Acts (for example, national parks, clean air, etc.) and by administration office. The result of the fragmentation is a complex political system in which power is distributed among many layers of government and coordination is essential given environmental issues do not heed political boundaries. As will be discussed next, the coordination of

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[1] Clarke and McCool (1996:3) show that the characteristics that distinguish one organisation from another can be as significant as those elements which they hold in common. They discuss agency power and how the success and failure of policies or agency objectives is largely dependent upon the nature of the organisation mandated with those policies.

policies and efforts of the various governmental actors is often espoused in policy documents through the planning system. The success of this coordination will be examined further in Chapters 6 and 7.

5.2 Planning processes

The whole idea of planning seems self-apparent; according to the Oxford Concise Dictionary (8th edition) a plan is "a formulated and especially detailed method by which a thing is to be done; design or scheme." However the various subtleties of what impacts on a plan deserve closer study. Looking further at the idea of a plan or a scheme, Rydin (1993:1) provides a well rounded description; planning is a future oriented, public sector activity which may be focussed on the physical, economic or social environment. In this context, land use planning and conservation policy involves decisions about the allocation of resources. Thus within the process of planning and policy setting, it is important to understand how various internal and external influences may impact on resource allocation decisions.

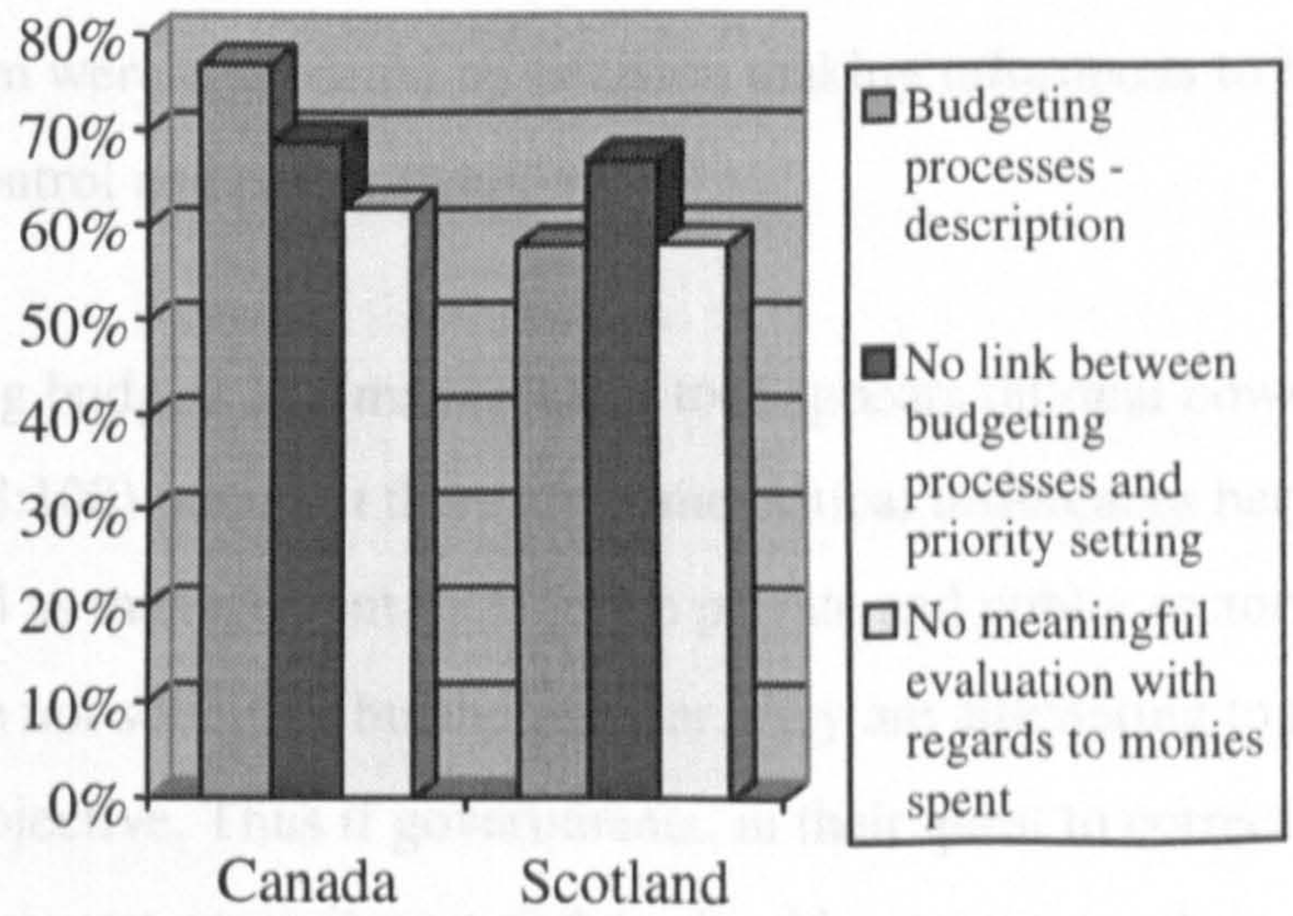
5.2.1 Budgeting

From an institutional perspective, the two main agencies follow much the same British public administration system model. That is, there is segmentation of the politically neutral public sector into central controlling agencies and line departments which are funded out of the government's consolidated revenue. Although the immediate day to day operational authority in these organisations lies with the departmental heads, the ultimate authority is the politically appointed Minister who is allocated a portfolio and thus policy responsibilities by the current Prime Minister in power.

For these budget dependent organisations, the question of how budgets were set provided some interesting insights into perceptions of what a budget was for. Some

of the informants saw the budget as a control mechanism and to others it was seen as an irrelevant administrative duty which was not linked to business plans. The responses of those informants who commented on the governmental budgeting process did not centre around the procedures but rather they were personal observations of its usefulness for decision making. These descriptions included comments such as crude, archaic and subject to substantial political manipulation. See Graph 1 below.

Decision makers and planners commenting on budgeting and priority setting (as a percentage total, Canada N = 13, Scotland N = 12)



What purpose does a budget serve then? Brown-John et al. (1988:102) describes budgets as a plan or a statement of intention linking human goals and activities with financial resources.[2] Within the budget, priorities are identified and specified in order to make budgets a management tool. In the public sector though, budgets also

[2] Brown-John et al. (1988:107) also point out that politicians use words like "objectives", "goals", "polices", "programs", "purposes", "missions", and "intentions" loosely but are more specific with the terms when dealing with financial management.

reflect political choices and value judgements. Thus by viewing public policy as "things" governments do to both serve the public and to retain power, budgets could be argued to be lists of policy goals. What links the priorities and action then is choice (Denhardt 1981:7). Extending this further, the assignment of financial resources could be argued as a method for governments to make explicit their goals however, in the same breath, it could be argued that budgets may also mask intentions. "Resources," observed Wildavsky, "change objectives" (1984:181).

The governmental budgeting processes used in Canada and Scotland could be argued to be somewhat similar, given both countries links with the parliamentary system in England. For those informants familiar with the budgeting systems of their government, the processes they described were similar and showed strong evidence of a bottom up - top down approach and that these systems, although the names and processes may have changed over the years, still embody the same early 1900s philosophy.[3] Thus it could be inferred that, both the Scottish and Canadian budgeting system were considered by decision making informants to be tools for management, control and policy planning.

The idea of using budgets as a management tool appears rational however, as Brown-John et al. (1988:108) point out there are some critical differences between how budgets are used as management tools in the private and public sectors. That is, governments are not soliciting business rather, they are attempting to reach some desired social objective. Thus if governments, in their quest to correct for market failure make minimum commitments,[4] they should not measure their success as would a private enterprise - by an increased demand for services. As one informant noted:

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[3] Brandsma (1993:36) confirmed the Canadian governmental budgeting had not changed significantly but he did note decision making processes were in a continuous state of evolution. This would not be surprising as information which flows to decision makers will affect not only strategic objectives but decision making authority will change with a particular government's perspective on public spending.
[4] There is substantial literature on the role of governments and their arguments, although eloquent, are not germane to this study. In the context of this study, governments may be thought of as unique suppliers.

> Governments are not in the business of making firm commitments; they are in the business of making minimum commitments. S15

In fact, as Brown-John et al. (1988:121) observed, an increase in services could be symptomatic of more serious problems which could result in even greater long-term expenditures. This was further elaborated by one of the informants who noted that more intervention required by governments, in the form of task forces, working parties and the like, meant that the basic policies from which they were working were inadequate. The easy solution was to set up a task force which was both expensive and short term. In their review, Clarke and McCool (1996:223) found increasingly that policy making is done via budgeting, or that agency budgets were increasingly scrutinised by not only government offices but a "legion of others outside the formal government institutions." The result, they conclude, is that every line item on a budget may give rise to heated (and likely meaningless) debate and that policy is formulated through the budgetary process.

Dwelling on minimum commitments within budgets, the idea of national parks and the effect on government budgets have received heated debate for years. An economic argument, as discussed in sections 3.1 and 4.1, has been used both for and against national parks in Canada and in Scotland.[5] The fact that these debates have and continue to occur confirms the difficulty governments face in both supplying and evaluating such public goods. The altruistic goals of governments in establishing national parks quickly are matched against the realities of individual and organisational motivations.

Lastly, on the subject of rationality, governments do not always appear rational in their budgeting and program development.[6] One could propose the lack of rationality is a result of the reward system for governments. The reward for a

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[5] The budget argument was seen throughout sections 3.1 and 4.1, and they continue today as the Canadian national park system is under pressure to grow and as the Scottish national park system evolves toward legislation and implementation.

government is to retain power and often to do so they must accommodate diverse interests thus it is not unusual to find any particular government simultaneously funding programs which conflict. The same reward system however, does not extend directly to the public managers. Sixteen of the decision makers and planners interviewed (N = 25) confirmed there were few, if any, rewards derived from saving money and there were significant benefits[7] from spending the entire allocation.[8] These same informants felt frustration over the lack of meaningful evaluation of how the money was spent (see graph 1).

In both Canada and Scotland, in the post-war era, economic growth and development on a regional level have gradually become the responsibility of the provincial and regional [local] governments. The provincial and regional [local] governments are responsible on the most part for the delivery of programs, but it often falls to the federal or central government to supply the funding. Both the Canadian government and the Scottish Office have a multitude of departments and agencies responsible for employment, economic development and regional development to which industries such as agriculture and forestry and the provinces [regions] and communities can turn for funding and support. As French (1980) and Wildavsky (1988) observed, there are always very powerful arguments from regional governments, interest groups, other government departments, the private sector and communities to spend on new programs or on the preservation of the status quo. The problem though is that the Treasury Board (or the Exchequer) and the other political actors involved in the expenditure budgeting process do not always have sufficient political leverage to

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[6] For example, the Minister of Canadian Heritage recently announced a major heritage initiative for the historic park administration centre building in the town of Banff. Part of the initiative is to erect statues commemorating famous Canadians. Four of the five Canadians though did not earn their fame due to contributions to national parks, or Banff. This initiative could be argued to not be within the spirit of the NPA or policy in terms of enhancing the understanding of natural and cultural heritage of the park.

[7] Including protecting the budgetary base and avoiding an "accelerated negative." The term, "accelerated negative" was used by one informant to illustrate what others had said. Simply put, if the agency had anything left over at the end of the year, they could expect next year's budget to be reduced not only by the amount that all government agencies were exposed to but also by the amount that was not spent.

[8] At least half also said that personally, they wanted to see the money well spent, but usually there was insufficient criteria from which to judge either the quality of the project or the quality of the decision. Quality was roughly defined as "do the decision and actions make a difference to the overall character of the area?"

deny funds for particular programs in spite of larger deficits (Savoie, 1990:319 – 320).

So the question begs "are budgets in the public sector set rationally?" Much of the recent literature on budgetary theory still traces back to the concept of rationality but as Brown-John et al. (1988:88) observe "...humans do not function in an idealised manner and that rationalism - even with loads of statistical data - may well be deficient (or bounded) for some quite normal human behavioural reasons." Thus when examining a process such as planning and priority setting, which would appear overtly rational, what is uncovered is a process which is covertly incrementalism[9] but which is disguised to look rational. Further, Brown-John et al. conclude there is a paucity of research on the general issue of budgets and the human component other than some early literature from Argyris (1952) and Stedry (1960). This was confirmed by nearly half of the governmental informants who admitted, they never had been asked to think about how long term objectives were to be funded through short term budget setting exercises.

In terms of cost shared programmes and partnerships, on the most part informants were unable to provide much insight into the budgeting process and even less into how the outcomes of these projects were measured. Generally management or partnerships were not given a budget, rather interested parties simply "made time" and used existing data. If a budget was provided, there was often very little evaluation of how the money was spent, usually because there was no formal agreement for the project which set out responsibilities or evaluation criteria. This is similar to what Brandsma (1993:72) found in his study of formal forest development agreements; evaluation was usually "was the money spent". The participants in his study generally reported that evaluation was not important as, for every dollar spent under the agreement, it represented only "half dollars" to the participant. Along similar lines, Feldman et al. (1999:487) found in their study that in kind or voluntary

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[9] Incrementalism suggests small, incremental decisions or alterations in a policy. Over time the cumulative effect may be major change in policy, but individual modifications do not result in major changes. Thus a danger of incrementalism in planning, priority setting and budgeting is that the change may be building upon defects, inefficiencies and redundancies which are already in place.

contributions were a major source of financing and without it, it was unlikely that projects could be undertaken.

5.2.2 Priority Setting

Returning to the earlier discussion of budgeting, one of the problems encountered with public sector decision making is the diverse set of objectives. When asked, almost all of the informants in the decision making roles stated that in general, they were very poor in setting their priorities with regard to land use.[10] Further, most had to admit that there were no evaluation criteria from which to judge the quality of their decisions other than from a subjective point of view. Looking at the planning literature, it may be possible to surmise why this might be.

5.2.2.1 Planning

Generally speaking, public sector planning systems[11] are sectoral in nature even though they are meant to be in the overarching public interest. The intent is that these systems are to support a rational planning process that will produce binding decisions in the form of legally mandated plans however, such a planning system has proven inadequate to coordinate the decisions and actions of the salient actors (powerful public agencies, developers, local governments).

Thus when discussing land use planning it is difficult to separate the political considerations. As land use planning involves resource allocation it has a distributive impact and, as a result, will generate activity from those who may be impacted either economically or ideologically. The activity generated may range from highly polarised campaigning to simply information and liaison. Depending on

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[10] These are the same decision makers highlighted in graph 1.

the severity of the decision (actual or perceived), the interested parties will seek to influence the actions and decisions that have been or will be made. The debate then centres around to what extent should these influences be allowed to permeate or infiltrate the planning and decision making process, and what is the relative cost or benefit to the processes?

In the "classic" planning models,[12] planning and policy making appears to end with the adoption of a policy whether in the form of legislation, regulation, proposed programmes, projects or the production of a plan. What Alexander (1998:303) observed though was that few plans included an implementation plan, that is, implementation was simply taken for granted. The various planning paradigms were unable to explain the process of turning a policy, programme or plan into a tangible reality, in a way that related implementation to the process that produced the policy or plan in the first place. In the interviews conducted for this study, seven informants admitted that rarely did they have an implementation plan formalised.[13]

As discussed in Chapters 3 and 4, the subject organisations recognise that management of environmental issues requires cooperation and coordination. Burby and May (1998:96) agree but point out that even with land use management policies that require direct regulation by state or national governments, the political and practical realities of multi-tiered governmental systems means that there is shared governance of these functions. Burby and May then go on to note that many researchers have promoted a flexible "co-operative or collaborative" form of intergovernmental policy mandate. Such a mandate would require a shift from prescription and coercion to collaboration in environmental planning among various levels of government however, recent research has shown that this collaborative approach often fails to motivate local governments. The policy failure is attributed,

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[11] By sectoral, each department that might affect land use has a planning process. Thus in Canada, even though Parks Canada is responsible for land use within a national park, other departmental activities within a park might have more impact on land use (for example, if Parks Canada determines that a bridge is necessary to cross a river, they must get approval from the Fisheries Department and the Coast Guard as a river is both an aquatic habitat and a navigable water).

[12] Alexander (1998) and others provide detailed descriptions.

[13] The exception to this was generally with the Scottish NGO's who did include implementation as part of their planning and evaluation process. This may be due to a need to be accountable to the membership and to justify increased growth.

by Burby and May, as "disinterest[14] among local governments in the goals that higher level governments seek to accomplish (ibid:96)."

Alexander (1998:303 – 305) has addressed some of the "commitment conundrum" using "coordinative planning" or promoting the interaction of organisations to concert their future decisions and actions in pursuit of mutual goals. Such an approach of course requires planners identify agencies, organisations and constituencies which should participate in an interorganisational network and define their roles and interactions in the context of developing and agreed implementation strategy. In theory, Alexander suggests that this would lead to a detailed program or project design which specified not only the resources required (funding, incentives, legislation, regulations etc.) but required all actors perform their prescribed tasks. Once the plan is devised, Alexander then suggests that one of the implementation strategies could include creating a new or restructuring an old organisation in order to carry out the plan.[15]

Dixon et al. (1997:609) examined various factors influencing plan preparation. They found that no protocol existed for judging which organisational processes influenced the quality of the plans or their implementation. Generally, they found planning practitioners identified political and staff commitment, effective leadership, adequate financial resources to enable stakeholder consultation and time for plan preparation, the use of multidisciplinary teams, high levels of staff experience and realistic deadlines as the main organisational factors influencing plan preparation. It was also noted that the plan writers recognised that they needed to work constructively with staff in relevant government agencies. Feldman et al. (1999:491) carried this a little further. In the context of environmental planning, they examined what constituted

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[14] Burby and May calls this a "commitment conundrum." It appears from their research that no matter what approach is taken by higher governments to entice local governments to take on environmental programs, local governments generally drag their feet and will comply only if forced to do so. They note that whether forced or voluntary, the commitment is usually only half hearted thus leaving the policy maker trying to develop programmes to build local commitment to environmental goals (1998:96).

[15] Presumably this new organisation would be committed to the plan. This will be discussed in Chapter 8 but the political reality of such a structure may not be feasible in either Canada or Scotland unless a) the new structure is actually an old structure which has been reorganised and b) there is commitment from all levels of government to give up planning control in those particular areas.

success in priority setting projects. What they found was quite subjective: success had to be "gauged by how well states and other jurisdictions, through combining science with public values and concerns, use their results to address their most important environmental needs in light of their available resources." They recognised that addressing the goal of meeting the most important environmental needs had not yet been achieved but the areas in their study were closer to attaining their goals when the diversity of participants who could make decisions was broadened.

The three studies noted (Dixon et al. 1997, Alexander 1998 and Feldman et al. 1999). All concluded that there was a paucity of research in the general area of planning influence and implementation. Dixon et al. (1997:613) identified planning literature as deficient in addressing what is the relationship is between plans and the outcomes or more simply, what is the influence of plans on practice. Based on the interviews conducted, when this is linked with the budgeting process, the answer is not much. Alexander was realistic in recognising that there was little systematic study on interorganisational coordination thus the applicability of coordinative planning was in question. He concludes,

> ...anecdote, experience and intuition account for the successful institutional design there is. Indeed the sheer complexity of interorganizational coordination probably defies systematic analysis, and rigorous social science research will present (and has produced) findings that are too general and too abstract to be very useful prescriptions for effective institutional design (1998:305).

Given such a statement, what is the value of planning then? Rydin (1993:375) maintains that planning is a necessary activity to help manage short and long term change in the economic system, preventing system breakdown and managing conflicts that arise. She noted that planning has the potential for redistributing resources and for becoming a democratic arena for decision making over resource allocation but it has not yet achieved that potential as many aspects of planning have become the diversionary activities of a bureaucracy supported by vested interests. Feldman et al. (1999:491) generally concurs and makes a number of research

recommendations, two of which directly apply to this thesis. Firstly, research is needed on how to better inform and involve diverse segments of the affected public throughout the environmental priority setting process. Secondly, research should seek to determine the most effective way to convert environmental priorities into environmental management strategies and once these strategies have been implemented, how to evaluate these results.

5.2.3 Evaluation

As discussed in the preceding section, there is very little research that has been done on the evaluation of the "effectiveness and efficiency" of planning processes and priority setting exercises. As Reynolds and Elson (1996:574) note, the tendency is to develop various management tools or processes to control physical impacts (tourism, recreation and the like) but the monitoring and the management is often separated, leaving evaluation of the effectiveness to the site manager. Mackay (1995:11 – 12) tried to define effectiveness and efficiency with regard to land use agencies and found this elusive as well. He looked to Clawson's list of five policy criteria that agencies could be judged on[16] but found that it was impossible to compare one directly with another, because they were qualitatively different. His approach then was to concede that efficiency, which is concerned with the measuring of inputs to outputs or of resources to achievements, was not appropriate as there were no numerical yardsticks.[17] With regard to effectiveness, the literature is silent. Mackay again attempted to define this but found that the land use situations in any area are a product of a number of conflicting pressures in which the agency being examined is only one influence out of many. His conclusion was that a verdict on the overall performance and achievement would always be, to some extent, a matter of judgement. His suggestion for evaluation of effectiveness was to look at on the

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[16] Biological feasibility, economic efficiency, economic equity, cultural acceptability, and administrative practicality (Clawson 1977, chapter 3, 17 – 24).

[17] Mackay (195:12) did however note that perhaps the financial and management reviews that these agencies must undergo in order to obtain their exchequer funding are sufficient in establishing that the resources granted have at least been applied to pursuit of the agency's objectives.

ground achievements, the agency relations to other interests, the openness to legitimate criticism and the ability to sense and adjust to future trends (1995:13).

With regard to the interviews conducted, of the decision makers in land use, 60% reported that there were no measures of efficiency or effectiveness. In fact, there were few that tried to describe how the planning and priority setting was evaluated other than "do we think we are making a difference "on the ground?" They noted, like Mackay (1995:76), that even when a policy change was announced which would "enable an agency to be more effective," no one seemed certain what the shortfall in effectiveness was which preceded the change, nor were they convinced the change would enable the agency to be more effective.

Conclusions

The Canadian and Scottish agencies being reviewed are faced with the same contradiction: land use policies which are being developed and implemented need to be based on ecological principles and thus long term perspectives however, they are faced with constructed political and jurisdictional boundaries which require immediate results. As more than one informant noted (N = 5), politicians have a relatively short shelf life, the officials and bureaucrats have slightly longer but it is the political masters that dictate what is to be done so the best that can be hoped for then is to nudge them along.

5.3 Power and decision making

The field of decision making is very broad but in the context of this study, it is important to highlight some of the main concepts of how complex decision making proceeds. In 1993, Browne published the results of an extensive study of high level decision making in a public organisation. She found that decisions made at the senior levels of management were often about long standing problems that, despite efforts from others, remained unresolved (1993:2). This was confirmed in some of

the interviews with field level decision makers or influencers and will be expanded on in later Chapters 6 and 7. Browne found that it appeared to outside observers that the decision making process took an inordinately long time, particularly when the organisational management culture was conservative or collegiate. As well, she noted that when a decision came, if it did come, it appeared to satisfy no one entirely and there are allegations that senior management lacked the necessary vision, incisiveness and leadership (ibid:2).

In the context of organisations, a decision might be described as an end point in a series of activities or the outcome of a choice, all of which are primarily cognitive in nature (Rowe et al. 1984:3). Although there are various schools of thought with regard to organisational decision making - normative or prescriptive, descriptive, analytical and behavioural, this study makes limited use of the behavioural approach.[18] There are also various models used to describe organisational decision making; however, these will not be discussed fully although a description of how they might apply to this study may be found in appendix A.7. In many ways, this study has viewed the decision making processes used by both agencies and management bodies as a combination of "bounded rationality and political" with a recognition that interest groups play a role decision processes. Crone and Tschirhart (1998:424) examined the role played by interest groups in environmental decision making and found some interest groups' interests align with the public interest. They concluded that efforts taken to suppress or mitigate the influence of these groups or to substantially revamp the political system may be better directed elsewhere. The challenge to this conclusion though is can the agencies identify the public mission and those interest groups which align with those interests.[19] If so, the decision making process may be better able to utilise resources.

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[18] Investigating the human decision makers' willingness to take risks, biases in their thinking, and what may influence their capacity to process information and produce plans. To a limited extent, this study considers the group dynamic and the impact of conflict and, through that, seeks an understanding of how decisions are made.

[19] Clarke and McCool (1996:224) make the general observation that natural resource management is moving from basic production to the provision of services to the general public. They note that the poor will continue though to have little access to natural resource decisions given their broad, diverse and loosely organised groups. They maintain that the small, well organised interests which have a vested economic stake in natural resource policy will have the greatest influence.

5.3.1 The origin of power within the organisation

Power, like planning, is a term that appears self-apparent but processes, origins and actions can give or create power. For example, Forester (1989:9) recognises that planning organisations are constrained, that is, they do not make decisions. However, he argues that planning organisations, through their planning processes recreates relations of political power. How is this accomplished?

> ...some people get timely information and other do not; some gain access to informal and formal sources of power and some do not; some voices are organised and may be influential, whereas others are excluded and may remain silent and ineffectual. (Forester 1989:9)

Further, Rydin (1993:182) maintains that it is essential to understand the direction of power or dependency between organisations in order to comprehend the interactions of organisations in practice. In every interview conducted for this study, the term and concept of power was mentioned in relation to an agency being able to make (or not make) a decision thus when identifying where power might be, it is important to consider studies such as Rhodes (1981). Rhodes analysed power dependency relationships between central and local government organisations and identified five[20] basic resources which affected the dependency between organisations.

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[20] Rhodes found that each organisation employed these resources to achieve their organisational goals according to the "understood rules of the game." (1981:100-101)

1. Financial: including the power to levy taxes or to give grants.
2. Constitutional or legal: established in legislation, including various reserve powers granted to central governments under planning acts.
3. Hierarchical: or the supervisory role of one organisation over another, including various forms of planning guidance that a central government may provide.
4. Political: the electoral base of the organisation, is it directly elected as with central or local government, or is it appointed with political representation (such as a quango).
5. Informational: using the professional expertise within an organisation.

Clarke and McCool (1996:6) more or less say the same thing but categorise the resources into two broad categories with four sub categories:

1. the expertise and control of information including:
   a) the nature of the mission originally given to the agency
   b) the extent to which the agency embodies a highly regarded profession
   c) the degree to which the leadership of the agency can capitalise on the knowledge base of the organisation
   d) whether a sense of "esprit de corps" permeates the organisation.
2. political support including:
   a) the existence of an optimal-size constituency on which the agency generally can count

As Clarke and McCool (1996:9) and Nichols (1981:134) note, if the original purpose or mission of the agency is highly valued or in accordance with dominant societal values, the agency will generally receive political support through its constituency and, if kept at arms length, there is tremendous consensus. But how a particular agency's mission applies in 1999 as opposed to 1946, or 1911 and how it applies at the local level versus the national level is obviously going to change. Furthermore, as noted by Nichols (1981:134) if the agency encourages varying interpretation[21] of its mandate, it will be vulnerable to different interpretations by its clients, competitive organisations, and its critics. At the same time, Clarke and McCool (1996:13) noted that in general, agencies with relatively narrow missions, although valued, enjoy only modest to low constituency support. The question of the level of constituency support was answered indirectly during the interviews. Generally, almost all informants saw national parks as a valuable asset and worthy of support. However, most often the support was found to be relative to other societal factors including education, transportation and health.[22]

Nichols (1981:134) concluded that for the US Park Service, the lack of a clear organisational purpose was the major obstacle to refinement of organisational goals and objectives into administrative procedures. She felt that if that refinement were possible, decision making by the National Park Service would be better shielded from dominance by local economic interests and excessive congressional involvement. From her review, it appeared that high level congressional and

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b) the extent to which the agency's mission is linked to identifiable economic interests in society
c) whether it is a service or regulatory agency
d) the organization's position visavis-its executive branch superiors and the U.S. Congress.

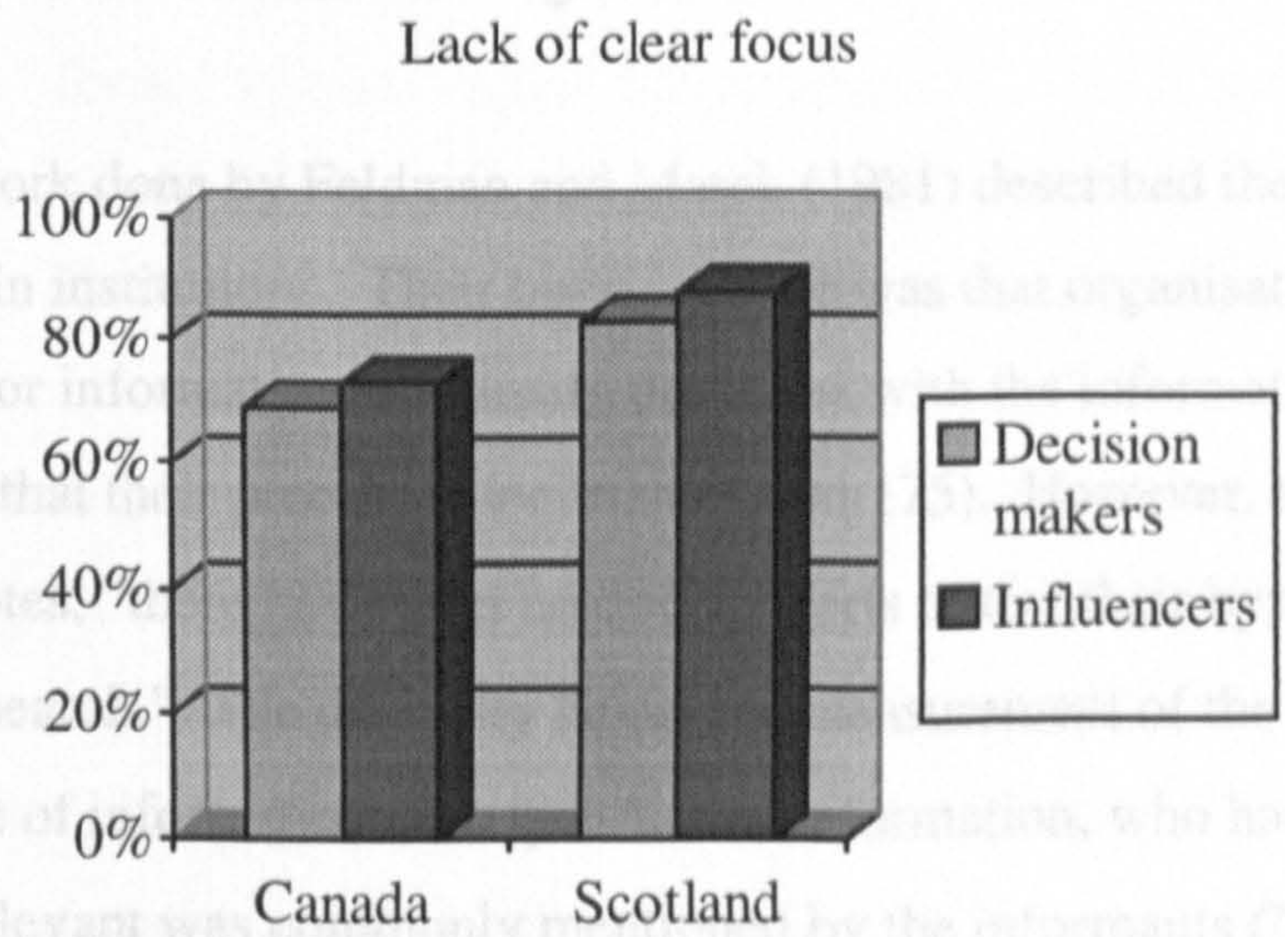
Mackay (1995:210) also discusses the problem of specialism in an agency's remit. Often such agencies are too single minded in the pursuit of its own objectives and intolerant both of the objectives of other agencies and of the viewpoint of the general public. He concludes that inevitably, limited purpose agencies will tend to put more effort into their specialised executive functions at the expense of their more generalised custodial role.

[21] The wording of the mission statements can encourage varying interpretations. For an example see the preamble to sections 3.1 and 4.1.

[22] Feick (1995:2 – 7) found quite by accident the influence that factors such as these have on Vision Statements and community priority lists.

executive involvement were typical of almost all controversies over park policy while the role of science, the media and organised conservationist efforts varied. Expanding on Nichols and others findings, including some of the informants in this study, it would appear that if there is no clear commitment to a particular interpretation of its Organic Act, decisions for development or programs of resource protection must be made on a case by case basis. As a result, valuable resources could be wasted by having to deal with conflict created by "muddling through."[23] This was confirmed by the majority of informants as shown in Graph 2:

Graph 2



A further conundrum is that in the Organic Act, there is a preservationist tone – which in essence forbids the bureaucracy to grow. This runs counter to most processes in government as to forego development is to forego the construction budgets, the planning and the design centres, and the large number of permanent employees whose job it is to either maintain facilities built by the agency within parks or oversee management of the areas. As Nichols found in 1981, many of the most powerful organisational routines in the US Park Service were development, not preservation, oriented (ibid:136). This is certainly true of the decision makers who

[23] "Muddling through" was a term coined by Lindblom (1959:88). It serves to nicely describe bureaucratic agencies which show only modest variations in behaviour over time.

volunteered the information in Canada and Scotland; they felt it was easier to get money for facilities and capital works, than for environmental initiatives. Thus resources could be lost in construction projects or imperilled due to development commitments made prior to proper environmental screening.

The language of the acts and the policies point to a need to integrate land use and cooperative management but are the facilities there or, in other words, is the budget an institutional constraint?

5.3.2 Use of information in the organisation

Influential work done by Feldman and March (1981) described the use of information in institutions. Their basic premise was that organisational decision makers ask for information and justify decisions with the information as a method of symbolising that their process is legitimate (ibid:175). However, as Browne (1993:47) notes, "there have been no direct efforts to test their hypotheses through empirical research." The difficulty lies in the measurement of the political or symbolic use of information. The question of information, who had it, who used it and was it relevant was commonly mentioned by the informants (N = 9) and all three government studies (BBVS, LLTWPR, and CGWPR). In the context of this study though, the use of information will be restricted to how it impacts on the land use decision making process. In all three study areas, there have been numerous studies done ranging from environmental to socio-economic. In reviewing the information sources used in the three governmental studies (BBVS, LLTWPR and CGWPR), all had substantial background studies performed. What was very interesting in the interviews was that over half of the decision makers said they needed more information, including scientific and socio-economic data. The informants were not questioned directly about what this additional information would be for or how it would impact land use decision making however, it might be surmised that the desire for additional information may be more for symbolic purposes than actual decision making (Feick, 2000 forthcoming).

Although the agencies also sought public input as part of the decision making processes, informants found, on the most part, that the use of this information tended to be limited. A discussion of the use of public consultation and the information gained from it will be covered in the next section. However, informants commonly mentioned the following points as impediments to the usefulness of the information received for decision making or received in order to make decisions (i.e. for public consultation). It should be noted that these points, among others, had been identified earlier by Mintzberg (1975:1) and expanded on by Browne (1993:15 – 16):

1. The systems tended to summarise any information to the point where it becomes bland and unintelligible.
2. The time lag is too long between providing the information using the formal systems required in comparison to the speed of the action required in most managerial decision making, and
3. There is a limit to the amount of information which can be processed.

It was also noted that with the increased emphasis on collaborative planning, there was generally substantial information available on various environmental and social factors but these reports were often in incompatible formats and it was not worth the effort required to integrate them. In the context of this study, this was an interesting finding as the majority of the informants agreed that integrated planning was necessary but few felt engaging in joint research was more bother than it was worth. The implication is that each decision making body and interest group will continue producing its own single issue studies, the information may be gathered by numerous agencies about roughly the same phenomenon and the results will not be collated in a useful manner. This would be analogous to all agencies in the three study areas being told to create a jigsaw puzzle. The instructions would be that it is to be about the area but the agencies are not to discuss what they are doing explicitly but they can discuss what each of them think is important. The agencies are then told to go away and do their piece, asking the public what they think about their pieces and then producing their section. The result is a very expensive puzzle lacking an integrated theme; many of the same questions would have been asked in the initial research phase, many of the same answers would have been received during the

consultation phase and many hours of management time would be dedicated to producing the report which would be criticised by others involved in the process as lacking in overall vision.

So why are organisations which are to engage in collaboration not able to produce integrated reports? Susskind and McKearnan (1995:71) shed some light on this in investigating collaborative processes that relied on joint fact finding. They found that if the parties agreed on a method for gathering technical information and jointly evaluating it once it was before them, they were more likely to accept the relevance and accuracy of the information even though their interpretation of the implications of this information might be different.

5.4 Influences in the processes

The foregoing discussion recognises that there are a number of broad issues to be considered when examining decision making processes. How these relate specifically to the study areas has already been addressed generally. This next section narrows the discussion to more select "micro-influences" some of which were specifically queried about in the interviews and some of which were commonly identified by the informants as important. These influences are examined further throughout the remaining chapters to discover the extent to which they may present critical counter-forces to achieving the desired land use objectives. That is, are they significant enough to push the management bodies to over-represent particular interests in an area (economic, conservation, social) or through efforts to deflect or delay decision making, can they force management efforts away from achieving desired land use objectives?

5.4.1 The role of economics and incentives

As Dixon and Sherman (1990:194 – 195) observe, protected areas do not ensure effective protection unless establishment and management are both given sufficient attention. They note that as there is unequal distribution of costs and benefits, management problems are inevitable. As discussed in an earlier section, the protected areas have a mandate which in part implies that there needs to be development.[24] Such development means there will be greater pressure on natural resources not only from direct exploitation but also from environmental degradation; yet economic development also provides the financial means to protect and manage areas. It is tensions of this type which present both a challenge and an opportunity for those concerned with managing protected areas.

This was further confirmed by Feick (1995), in investigating sustainable community development within a Canadian national park. She found most individuals rated environmental and social quality of life factors as more important than economic factors, but when forced to select a top issue in their community, a majority chose an economic issue. As Harris (1996:154) concluded, given the importance of moral and ethical issues, and the continuing scientific uncertainties about future impacts on environmental resources, applying economic theory to the major environmental problems of our time will continue to pose problems.

Even within the confines of this study, nineteen informants felt the best way to protect these areas was to let people make money. When pressed for an answer on what would be appropriate activities, none could provide an answer other than set a minimum standard to be met, have a vision for what the area should be and let the people decide how best to get there. Thus the influence of economics cannot be ignored. As Harris (1996:169) concluded, economic and ecological principles need to be internalised in decision making and a better informed political decision making process remains fundamental. Stated differently, environmental decisions inevitably

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[24] Development of recreational or tourist facilities.

involve economics and therefore it is critical that economic principles be internalised in environmental decisions.

5.4.1.1 The role of incentives

Stroup (1997:59) suggests that landowners be rewarded for achieving results while allowing them flexibility in the way that they achieve the results. By doing so, he maintains that the agency offering such incentives would gain a large advantage as landowners would think creatively. That is, landowners would not think about how to change their land management against the desired environmental outcomes in order to avoid the liability of uncompensated regulation, but instead they would think about low cost ways to earn added revenues from the agency. Thus he argues, if such activities can be consistent with others that produce revenue, then the landowner can produce larger total revenues. Landowners who want to be paid for what they produce naturally will be more eager to discover and preserve a rare species if there is a reward, rather than punishment, to go with such discovery and conservation.

Landowner/occupier incentives were mentioned by nearly all informants (N = 19). The most common theme in Scotland was that the landowners/occupiers, although they may have different land use objectives, generally needed to make a living off the land (the exception, of course, is for NGO's or public bodies with conservation remits). In the case of the Canadian informants, many said that within the parks, the lessees needed to be able to make money and outside the park, the jurisdictions needed to be in control of their resources.[25]

As one Scottish informant noted:

> You can't blame a land manager for taking advantage of an economic incentive, they need to figure out the best way to increase their returns. If the economic incentive is the best way, they will likely go with it, even if they really have no interest in actually doing the activity if there had not been a grant. S10

[25] Control of resources could imply the flexibility to develop.

And one Canadian informant commented, in answering how to motivate lessees and other agencies:

> Other than using our own money [to enforce or motivate], is letting them make money. Or eliminating barriers [to do so]. C20

5.4.2 The role of property rights (real and implied)

Reeve (1986:19) defines ownership as a right that involves identifying an enforceable claim to the use and benefit of a thing. The use and benefit may take many forms and property ownership can (and will) involve liabilities as well as positive rights.[26] Thus when developing planning policy or changing social institutions, it is important to recognise the relationship between the agents who have an economic, political and ideological rationale toward the property and the role of the state in structuring and enforcing what these regulations are in terms of property rights. For example, Stroup (1997:59) explains that some government agencies see the positive effects on the land it is regulating but may not be aware of the effects on other lands. If they see no cost to their own budget from developing certain regulations they may implement them, ignoring what the cost to the landowner may be.[27]

Progressively in Canada and Scotland, the freedom of the individual do whatever they choose of their land has been narrowed by 'government' action.[28] Broadly speaking the factors which influence the government to intervene hinge on a recognition, or a belief, that market forces are unable to act sufficiently in the public

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[26] The rights and liabilities might include use, management, possession, income, security, capital and transmissibility.

[27] A good example of this would be prohibiting logging in a certain type of habitat. The effect may be then that a landowner/occupier who has such a habitat on their land may begin to manage their lands surrounding the habitat in a way that the habitat cannot survive (or worse, there may be government programs which subsidise the unsympathetic management of surrounding lands). McKinney (1994:74) describes such actions as completely rational, motivated by a desire to avoid potentially significant economic constraints rather than general malice towards the environment.

[28] Planning controls, taxation etc.

interest.[29] As discussed by Libby (1994:999), "property rights are a function of what others are willing to acknowledge and the limits on an owner's discretion result from the expectations and rights of others as formally sanctioned and sustained in law." Thus boundary between obligation and right or "who may do what to whom" is mobile and reflected in prevailing judgements on what is fair based on people's values. Both Canadian and Scottish informants (N = 12) noted that the intensity of governmental pressure on land use ebbs and flows, depending on public opinion, the ideologies of the party in power, as well other external factors. How governments seek to correct these market forces varies[30] and how well their policies have worked in directing land use is difficult to trace, although as Mackay (1995:4) notes," there is no reason to doubt that each has had a significant influence."

Nevertheless, when governments seek to implement or change land use policies, there is considerable conflict and varied strategies to deal with the potential effects. For example, in the case of land owners who will be impacted negatively with a new regulation (in terms of economics) there may be those who are vocal in their opposition while others may act quietly to make changes to their lands before the regulations take effect. The net result in the first instance is that the regulation may be delayed in implementation or that compensation must be paid to the landowner and in the second instance the regulation may be too late to provide the protection for which it was designed.

Along with Reeves' definition of property rights is the added complexity of parochial interests. As Nichols (1981:23) found, local residents tended to regard a national park as "their" park. Through the interviews, such a parochial interest was often noted both in terms of use of the area and planning within those areas. The result was that there was intense political interest in development both within and outside

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[29] The overall responsibility of protecting the public health and safety and promotion of the general welfare through selective programs to sustain specific attributes of the quality of life usually falls to governments.

[30] Cloke (1989:273-280) summarises various policies as state ownership, statutory regulation (land use or land occupancy) and fiscal constraints or inducements. As noted earlier roughly 95% of Canadian lands and waters are considered "Crown" thus the use and development of these areas are determined by political leaders and their officials.

the study areas. One informant succinctly described the concerns relayed by many of the Scottish (N = 10) and Canadian (N = 8) informants:

> ...now every authority has an interest and every authority would like to keep an interest in these and that is just not practical in the point of view of control. ... in our way forward, there are a lot of vested interests that will be attempting to influence one way or the other the plans for the land owners. S10

Thus, in summarising Libby (1994:999), landowners presumptive rights are not absolute and they are at increasing odds with evolving human values. Many of the rights enjoyed by landowners today are the result of previous political battles which were won within the knowledge base existing at that time. However, those rights were won before there was an issue about the scarcity of the private or public right to enjoy natural resources.

5.4.3 The effect of collaboration and partnership

The terms partnership and collaboration were used almost interchangeably by informants in both Canada and Scotland.[31] Earlier work by Gray (1989) characterised collaboration as a flexible and dynamic process of joint decision making among key stakeholders. Although there have been numerous articles since Grays work on multi-stakeholder collaboration and related topics, many studies continue to point to the five basic characteristics which Gray (1989:227) identified as critical to the success of collaborative process.[32]

In the interview outline given to the participant (see appendix A5.8), there was no mention of collaboration and partnership; however, the topic was repeatedly

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[31] It should be noted that the policy and planning documents did not clearly differentiate between the terms either.

[32] Basically it requires that there is interdependence amongst stakeholders, solutions are allowed to emerge by dealing constructively with differences, there is joint ownership of decisions made, stakeholders assume collective responsibility for the future direction of the domain and it is an emergent process.

identified as a problem area when the following question was asked during the interview (see appendix A5.9, question 7):

> *Do you see {shared/joint venture/cost shared} funding or budgets affecting an organisation's ability to achieve long run land use objectives?*

Of concern to nearly all informants was the increased demand for agencies to act in partnership or in a collaborative fashion without an increase in resources allocated to facilitate such activities (95%). Of those informants, 40% felt that there was no formal evaluation of the effectiveness of such efforts. None of the informants could identify what additional resources had been specifically earmarked for collaborative management practices.

Hodge et al. (1994:199) had a lot to say about this phenomenon. They noted that labels such as partnership, sustainability and so on were being used by agencies that were locked into opposing camps in the agriculture versus conservation debate only a decade ago. They also had a rather cynical view of the rationale behind the change:

> Now they use similar rhetoric, working methods and objectives, but not to battle for conservation or development, but to compete for resources and institutional survival as they attempt to 'piggy back' each other in order to achieve new 'green goals' with minimal new expenditure on new staff, skills or grants. (p. 200)

As will be elaborated on further in Chapter 6, both Parks Canada and Scottish Natural Heritage have greatly broadened their concerns to include, at least rhetorically, the socio-economic impact of their activities on local communities. The

frustration for nearly all the informants though was that the language[33] had changed but the management systems had not. For example, two informants made the following observations which generally relayed the frustration voiced by nearly all the informants:

> If you have no skills to make a partnership deliver a cohesive strategy, all you get is a little bit of every organisation's personal objectives, but this doesn't result in a strategy. It quite often amounts to completely mutually exclusive bits of strategy appearing in the one organisation. The influences then are the ones with most power. S1

and

> Partnerships potentially can be useful but I am not convinced that they are not simply a fashionable way of addressing an old problem and to a certain extent some element of duplication is going on and one partner can stymie the progress of the project. S14

In essence, Williams and Ellefson (1997:29) found much the same in their review of landscape management partnerships. They noted that partnerships were often advocated as a solution to ecosystem based problems (or problems which transcended administrative boundaries) but there was surprisingly little understanding of their fundamental organisation, administration and success. Their study, through a survey of partnership spokespersons, determined that regardless of whether voluntary or mandated, the most important factor in keeping a partnership operating was recognition of common interests and goals, mutual respect for the

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[33] In Canada, the language became ecosystem management, similar to what is purported in Scotland except it was not called ecosystem management by informants, they termed it "living in each other's pockets." Regardless of the label used, Hartig et al. (1998:47 – 48) points out efforts to implement ecosystem based management (or collaborative partnerships) required a shift in the traditional role of government agencies from their typical command-control function to a partnership role where there is greater community involvement. This, they argue, requires the governments involved to assume a value added and supportive role. They then go on to list eight important principles to achieve successful implementation of ecosystem based management including broad based stakeholder involvement, commitment of top leaders, agreement on information needs and interpretation, action planning within a strategic framework, human resource development, results and indicators to measure progress, systematic review and feedback and stakeholder satisfaction. Further, they note that it is essential that there is a clear understanding of stakeholder roles and responsibilities within the institutional structures and that public advisory councils and institutional structures be given clear leadership responsibilities commensurate with the need to establish strong local partnerships and meaningful stakeholder involvement. This includes helping to form partnerships and securing necessary commitments, endorsements and resources for remedial and preventative actions and assisting in the preparation and publishing of progress reports.

interests of other partners, willingness to share information, and an informal and open structure for operations. Further, they found partnerships attributed successes (as perceived by the partnership) to a variety of managerial and organisational conditions; there was a perception that the voluntary partnerships were making more progress than the mandated ones, there was no evidence that partnerships with clearly stated objectives or the presence of a facilitator were any more effective than those without. The factor which they did find contributing to the perception that the partnership was making more progress was when it had a champion who spurred the formation and continuation of the partnership. Interestingly, they found that the personalities involved, whether comparable or conflicting, were not major contributing factors. This last point was in contrast to comments made by seven informants in both Scotland and Canada. All felt personalities were important but two said that they were becoming less critical due to the number of partnerships required and that the lack of intergovernmental support for the formation of partnerships was a bigger factor affecting success.

Some informants (N = 29) noted that there could be more partnerships and collaboration but there were institutional barriers including different planning cycles, lack of political will at higher levels and so on. This is similar to what Selin et al. (1997:26) discovered. In their study they found there was a high level of support for collaborative planning at the field level but as one ascended in the agency ranks, the level of perceived support dropped off. The largest institutional barrier they found to effective collaborative planning was the US Forest Service itself; that is, the institutional funding, rewards and policy structures constrained the adoption of collaborative methods (ibid:26).

Further, Selin et al. (1997:26) found that most often collaborative planning was done poorly. There generally was insufficient training or it was not recognised as important by line officers in particular. Part of this lack of seriousness brought to bear on the process may be that it is not carried forward at the more senior levels. In the case of collaborative planning in Scotland and Canada, 36% of the decision making informants said that they did it, and that they doubted the Ministers or

politicians responsible for their department were aware of the collaboration or even cared for that matter. In terms of the cost, many said that they made time for it within their existing budgets but the effectiveness of such collaboration was limited to small projects such as wildlife corridors or providing some interpretation services. Further insight into why collaborative planning and partnerships are limited to small, relatively defined projects or geographical areas may be explained, at least partially by Clarke and McCool (1996:214) who note that these agencies are not experts in conflict resolution and thus must rely on so-called experts to forge consensus amongst stakeholders.

Another partial explanation may be that the stakeholders in the process are unwilling or unable to organise themselves to perform the duties assigned to them. Although studying corporate strategic alliance, Gulati and Singh (1998:89) found that the greater the anticipated interdependence in an alliance, the more hierarchical the governance structure used to organise it and the higher the level of trust, the less hierarchical controls that are needed. Both Canadian and Scottish informants pointed out that the lack of trust and lack of leadership meant that agencies were hesitant to enter into any type of collaborative agreement even if the activity could create value in a way that each partner alone could not.

> Part of the view for a need for the partnership [is that] the sectoral way of working was not working (blinkers) they were not making a wide impact. The only way to improve this is brokerage – increasing effectiveness by having everyone work together and generate more ideas. S3

and

> It becomes a very skilled management operation. It doesn't mean it has to be same player from the same operation – you find the most fertile ground in the most amazing places. S17

Furthermore, a few informants noted that partnerships often were not seen as a place for cooperation but rather a place for furthering your organisation's (or the individual's own personal) agenda. As Susskind and McKearnan (1995:71) observed, often in situations where there are conflicts, those involved in the problem solving

process are often the ones who are the toughest talker or the person most technically adept but they rarely win many converts. Thus, until the political arena becomes less fragmented and more cooperative, approaches such as collaborative management and partnerships may not prove to be a suitable method for levering off of each of the partners' resources.

Feldman et al. (1999:487) found three interesting themes in terms of environmental priority setting. Firstly, they found that who was in charge of the project was irrelevant, it was the quality[34] project management that mattered. Secondly, they found that those charged with managing the project were not always viewed as leading it. Interestingly, the researchers found that there were occasions when other leaders[35] emerged who had as much influence on the success of the project as the project management. Lastly, they found that changes in project leaders generally hindered timely project completion by, among other things, reducing interest and enthusiasm among project participants. These themes were discussed by the informants but views were split in terms of the importance of both leadership and personalities within partnerships or collaborative arrangements. Mostly the informants pointed to factors such as institutional structures and lack of participants to make a binding decision as being the major barriers to effective collaboration. Of those who commented, most informants said that they could agree on short-term, technical projects like characterising and ranking needs but could not agree on long term strategies such as implementation strategies (N = 33). Although Feldman et al. (1999:487) attributed short term focuses to frequent leadership changes, informants tended to explain that it was simply easier to deal with the immediate as the long term often meant that you had to deal with people's attitudes and values.

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[34] Quality was defined as the ability to carry projects forward and to accomplish project goals.
[35] The list included project participants - individuals, communities, industrial and special interest groups.

5.4.4 The use of public consultation

Generally how public consultation influenced land use decision making processes was lumped together with the idea of the effects of interest groups thus they will be dealt with in the same section. As discussed in the earlier chapters, there has been an increasing desire on the part of governments and planners to involve the general public in decision making processes. However, as Rydin (1993:372) and others point out, participation carries burdens. Many studies have shown that those with the most to gain financially and politically have already, on the most part, secured their place in participatory planning processes. This was reinforced by over half the informants, many of who felt the agency conducting the public consultation rarely knew what to do with the information gathered. Further, in some cases the informants (both decision makers and influencers) admitted or felt participants in the consultation process were not really listened to but "pigeon-holed" into a particular sector which may or may not be given any weight in the final analysis.[36, 37]

Forester (1989:37) discusses some constraints to effective public consultation, all of which were noted by informants. Firstly, Forester notes that participants may find the issues clear or barely comprehensible, with key issues occasionally pin pointed or buried in data. Secondly, participants may not trust the process depending on the intent with which they perceive the issues are being presented. Thirdly, participants may find their consent being manipulated by various groups who claim legitimacy.[38] Lastly, Forester notes that depending on the use of evidence and data, participants may find issues either misrepresented or reported accurately by politicians and project proponents alike. His rather critical conclusion is that there is no guarantee

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[36] It is also interesting to point out that three informants felt that public participation was often conducted on minor issues which had no real impact on the ability for the areas to meet their stated objectives. As one commented, "although it usually is considered inappropriate to ask for public consultation on administrative items, how we do our cash management may have a bigger effect on our ability to meet our objectives than whether or not to extend the toilet hours."S1.

[37] One single purpose interest group had an interesting criticism of "other" interest groups: "There are so many interest groups that are single purpose and they don't understand how their narrow view impacts others (including interest groups) and landowners."

[38] Legitimacy as a stakeholder becomes both a "right" and a "capacity" according to Gray (1989:122). Thus for an agency, they may claim legitimacy because the proper procedures have been followed, certain groups or communities may claim legitimacy because they are acting in the public interest, acting to right wrongs, or acting as representatives of populations in need.

against the presence of manipulation in planning; whether ad hoc or systematic, planning and citizen action are vulnerable to the mismanagement of comprehension, trust, consent, and beliefs.

Shannon (1991:29) found that when public consultation was simply viewed as a set of techniques designed to secure administrative compliance with statutory and regulatory requirements, there tended to be deep-seated mistrust and polarisation of views. In various comments from the informants, this appeared to still be the view that many agencies took – that public consultation was a requirement rather than a source of input. Thus the informants were of the general opinion that public participation was questionable in providing value. As one influencer informant said:

> It is difficult dilemma to have three people who have carefully crafted analyses on an issue and ten people who show up and say no, we want more development how do you resolve this democratically. It is a dilemma for us as should we spend our time in public consultation processes, trying to understand issues and come forward with a reasoned response when all they are going to do is count heads. What would be better than public consultation? C9

Decision making informants relayed much the same sentiments however, their views were more defensive in nature. That is, on the most part they felt that consultation processes were often dominated by interest groups, not the public at large. Thus when these agencies made their final decisions, they often ignored the consultation process and went with what they felt "Jim off the street" wanted. When pressed for what was "Jim off the street," the response was generally parochial.

In their review, Curtis et al. (1999:8) found the literature on the benefits of public involvement mixed. In their study of sixteen Australian Landcare networks,[39] they found that for the most part, "the perceptions of the fairness of process might be as important as the nature of decisions that shaped the views of the participation process." That is, they found stakeholders could develop empathy for others and

[39] Of interest in this study, was the formation of a network by 16 Landcare groups in order to influence regional decision making. The authors found there was no evidence that the networks activities directly influenced government policies but the network itself had a strong public profile and was widely perceived as effective.

agreed upon positions could be reached which were acceptable to all parties if stakeholders were adequately represented in decision making and if the decision making processes allowed stakeholders to cooperate in an honest and open exchange of views. The usefulness of such a network was two-fold. Firstly, it increased the capacity of local groups to "pull down" additional resources from agencies, government and business. Secondly, it provided a community forum for representatives to gather feedback, act as a place of retained knowledge, increase the key competencies of participants, and provide continuity of community representation on regional planning bodies. The study also cautioned that the decision making of such a network could also be dominated by a small but broad based and potentially unrepresentative group (basically, these were the people who consistently showed up to network meetings) thus, reinforcing the observation by the study informants that participation processes do not necessarily lead to more widespread community involvement in decision making.[40] This last point was commented on by both decision makers and influencers in Canada and Scotland (N = 17).

Although talking about the efforts to negotiate environmental regulations, Weber and Khademian (1997:407) brought forward the concern with regard to sustained access to collaborative efforts by environmental and consumer advocates over the long term. They noted that officials from stakeholding organisations typically found that collaborative efforts forced them to focus on a very small part of the larger decision making process for several months. Not surprisingly, they found staffing problems were more acute for consumer advocates and environmental groups that typically had only a few, if any, expert staff as opposed to the battery of personnel employed by industry and government. Further, they found that environmental and consumer advocacy organisations complained of the financial burden, with some suggesting that even successful negotiations are more costly for them than litigation. This was certainly the case for some of the Canadian informants who noted that at least for

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[40] Forester (1989:60), like some informants, was less democratic in describing who participates, "the "haves" often have more time than the "have-nots," who usually have to worry about problems that are much more immediate and pressing than the various decisions faced by planners and public administrators."

them, litigation was cheaper (as costs were borne by the defendant) and it was quite effective in stalling implementation of various decisions.

So what is the role of public consultation? Wambach (1984:194) perhaps provides the most clear explanation in stating the objective of a public involvement program is to obtain consent, not consensus. He argues that they will "... build public confidence and lend credibility, counteract or thwart undesirable bureaucratic tendencies and improve the quality of strategic decisions and help to avoid managerial, legal and technical pitfalls." He also places a reality check on the process, a public involvement program will not "eliminate disagreements, conflict, controversy, pettiness or obstructionism – but it can put these in perspective so that a decision can be made in spite of obstacles. It will not substitute for executive leadership nor obviate the need for bold, firm and technically sound tactical or operational decisions."[41]

5.5 Conclusions

Clearly both countries have experienced institutional fragmentation of their environmental policy with regard to land use and there is a need for coordination between the many layers and departments of governments. Coordination, cooperation and partnership are all strongly mandated for the subject agencies but a number of factors have influenced the extent to which these agencies can deliver.

Budgets and Plans

The budgeting systems are crude and archaic as compared to policy. That is, actions taken toward achieving the desired land use are not evaluated rather the agencies are evaluated with regard to progress toward spending. Further, many of the stated objectives are long term in nature but are funded through short term budget exercises

and hence are always at peril for non-renewal of funding for these budget constrained agencies. Albeit the spending must fall within the broadly stated objectives for the area, there is no benchmark evaluation for difficult to measure initiatives such as enhanced ecological value, increased collaboration in management practices, etc. A good example of this is information required for decision making. Both PC and SNH ask for and commission various studies and public consultation. The cost of these processes is recognised in the budget and post budget processes but the value of this information in the decision making process (was it used) or whether it can be integrated with other studies (so that it can be used) is not evaluated.

Plans for the most part influence outcomes, but not in the way the plans foresee. Management plans recognise collaboration must occur but in setting priorities, and in setting budgets, the cost of collaboration for land management is not recognised. Further, given the cost of collaboration is not budgeted for, collaboration which does take place is often for altruistic reasons by land managers and planners. As a result, these efforts are limited in their scale given lack of funding and lack of direct reward to the land managers and planners.

The outcomes from the planning process are influenced by other factors as well, each having an impact on resource allocation decisions, whether or not management is cognisant of the impact. For example, each agency has been subject to frequent reorganisations. This, combined with a lack of a clear focus with regard to the interpretation of organisational purpose and valued but limited constituent support[42] has resulted in an inordinate amount of resources being dedicated to redefining and defending the agencies and their roles. Further, the impact of political action and the influence of various interest groups both directly and indirectly have resulted in efforts by these agencies to suppress or mitigate these influences and, in some cases, simply allow political forces to take over.

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[41] O'Riordan (1982:107) discusses the concept of "non-decision making" as a deliberate and successful practice of keeping a potentially contentious issue away from public attention and political discussion. Two strategies used include "accommodation" amongst mutually understanding interests and "containment" from the potentially meddling public.
[42] When compared directly with other societal issues.

While the literature on planning processes, decision making and influences on land use organisations appears extensive, it is not well developed. No comprehensive theoretical frameworks or ways to examine the role that influences have in influencing land use decision making could be located. Thus, as evidenced by the foregoing discussion, this study is a collage touching on areas of organisational studies, planning, psychology and issues such as agency theory and the effect that the decision making process has on resource allocation decisions.

6 Analysis of similarities and differences between the two systems

The evolutionary overviews provided in Chapters 3 and 4 along with the theoretical literature discussed in Chapter 5 partly confirms what some of the initial interviewees felt about a comparative study of these three distinct areas – that other than some internal management issues, there was really very little in common. The purpose of this chapter is to highlight how similar influences have affected legislation (or lack thereof), to outline policy and management bodies for and in these distinct areas and to examine the extent to which these have resulted in similar or different land use issues. This chapter lays the necessary groundwork for discussion of the findings relative to the research questions posed.

6.1 Histories

At first glance, the systems appear to be completely different but a closer look at the development of the Canadian system and the ongoing evolution of the Scottish system, bring forward some striking similarities. In fact, relevant to this study is the early argument brought forward for either establishing or not establishing a park – namely, what are the economics.[1]

[1] There were a number of early arguments including what is the purpose of the park – to create a playground or to preserve. Addressing this argument directly is outside the scope of this study however, it cannot be ignored in the context of land use and the statement of purpose contained in the existing and proposed legislation.

6.1.1 Influences on the evolution of the park areas - legislation and policies

The following discussion is based on Table 6.1 (page 127) which highlights the major similarities and differences in legislation and policy.

Legislation

The underlying intent of existing and proposed legislation in both countries is to basically "create" a park; the purpose of the legislation though is slightly different. As discussed in Chapter 3, the initial arguments, both for and against BNP were primarily economic in nature. The federal government's plan to establish a park to prevent squatters and promote exploitation through the efforts of private interests met with relatively little resistance.[2, 3] In fact, economic interests continue to influence the NPA even though subsequent amendments have reflected an increased conservation and preservation consciousness. Even though such activities could be argued to be in the interest of pubic safety, there is sufficient evidence that other factors have heavily influenced the interpretation of the legislation. That is, given the uniqueness of the area and the near monopoly status granted to commercial interests, sweeping changes to the legislation could negatively impact not only these operations and the local communities but have a substantial negative impact on the provincial and federal revenues generated from international tourism.[4]

The early vision for Scottish legislation was to preserve certain areas from alien developments and to provide access. As discussed in Chapter 4, the failure to develop legislation could be attributed to be a combination of factors including

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[2] It was likely helpful that there was scant population, non-existent local and provincial governments and outright federal government ownership of the land.

[3] Morrison (1995:21) notes that under the 1877, Treaty #7 (affecting the Siksika and Nakoda tribes) much of south-western Alberta including areas extending into the Rockies were ceded to the crown. The treaty stipulated the tribes would be allowed to hunt over the ceded tract but the federal government decided the guarantee would not apply to BNP when it was established in 1885.

[4] For example, when transferring crown lands to the Alberta government, there remained considerable opposition by the fledgling provincial government to have some of the natural resources in BNP "locked away" from potential industrial use. The boundaries to BNP were redrawn to provide valuable hydro and timber resources to Alberta. Despite the agreement, the provincial government continues to this day to pressure the federal government to further develop BNP in order to meet provincial economic objectives (McNamee 1993:27).

denial of preservation and access issues, the potential need for substantial exchequer funding for facility development and strong opposition by vested interests, particularly landowners. Although there is growing recognition that preservation and access are problems, there continues to be resistance to the idea of establishing parks in the two study areas. Some of the informants felt that this was due again to vested land owning interests who viewed preservation and access provision as an intrusion into property rights and others simply felt that it was due to rural policy which inhibited alternative uses.

The proposed two pronged legislation in Scotland[5] is substantially different to the Canadian situation in that the secondary legislation requires an integrated park plan. To date there is no indication of what the secondary legislation will require or how funding will be managed. However, given the general description in SNH's advice to the government (1999b) and the past funding provided to the LLPA and CGP, it might be fair to conclude that integration in these areas will be forthcoming sooner than in the case of BNP simply due to the funding attached to the plan.

Policies

Current PC policy documents reflect a philosophical change[6] but the NPA does not. Planning within a national park does not have to be consistent or in concert with surrounding areas nor is there any requirement for PC to be formally consulted on developments outside the park boundaries. They may however be invited to comment. Further, land use under the NPA may also be impacted by other regulatory agencies operating within BNP but on the most part, the major impacts are and will continue to be land uses outside the park.

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[5] The first to establish national parks and the second to establish the management bodies and the national park plan for the particular park.
[6] To ecosystem management, the success of which requires collaboration with other jurisdictions.

At the time of writing there has been no overriding Scottish national park legislation enacted,[7] however two agencies developed site based conservation policy (NCC) and countryside recreation and conservation policy (CCS) during roughly the same time as PC developed its policy documents (mid 1960s). These agencies were more progressive than PC in recognising that a great deal of collaboration would be required between any park body and local planning authorities and other agencies in order to garner support for the park.

Thus the major difference in these early policy documents is the degree of collaboration required in order to achieve desired land use. In Canada, the impact of the park on local communities and the need to cooperate with other land management agencies was not formally recognised until the late 1970s. In the case of SNH (or CCS and to a lesser extent NCC), they have as part of their duties to encourage and coordinate while being mindful of economic and social issues. The current PC and proposed Scottish policy documents both recognise the need for collaboration however, the Canadian documents are silent on how this will be accomplished as compared to the past policy plans from SNH. By extension, as SNH will be instrumental in developing the NPP and policy documents, it is likely[8] that these documents will provide more detail in how collaboration will be encouraged.

Turning to other concerns, in more recent policy documents there is sufficient evidence that both countries recognised numerous environmental issues that needed to be addressed, but again how the policy was to be delivered was substantially different. In the case of BNP, PC generally applied policies through administrative control or in some situations, by simply denying the problem existed and allowing proponents and opponents to feud. In other cases, there was no monitoring of lessees activities and the general hope was that the lessee would voluntarily undertake certain activities, even if they were stated under the terms of the lease. In Scotland, there was a recognition that administrative controls would not work and thus other

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[7] Although there has been resistance to national parks, countryside parks were established with some success - primarily due to the funding they attracted (Parnell, personal comment, June 1999).

initiatives would be needed. The approach used in Scotland was a voluntary one, although the term voluntary might not be strictly correct in that if the landowner would agree to undertake certain activities, the government would pay.[9]

In examining the level of effectiveness in achieving desired land use objectives, neither would appear to be further ahead of the other in the eyes of the informants.

> There are barriers to it [partnerships] though, in the past [Parks Canada] had sufficient resources to do it themselves and many still are from that culture. [They/we] are unaccustomed to inviting others and when you sit down with others, you have to incorporate others' viewpoints...[they/we] need to think about how to adjust [their/our] objectives to accommodate others and these are skills [their/our] people have not developed. As well, as [they/we] had been doing things ourselves, the people who used to see [them/us] as competitors are now being invited to be partners. C24

Thus, both PC and SNH may recognise partnerships are important, with PC being a relative newcomer to partnership processes as compared to SNH (and its predecessors), neither agency has been able to usefully lever upon them to achieve their desired land use goals to any major extent.

Lastly it seems appropriate to comment on the attitudes surrounding the creation of the parks. In the case of BNP, the park was imposed prior to the provincial government being established. Although no national parks were imposed in Scotland, there were like attitudes fostered when the NCC began establishing SSSIs without proper notification. In both cases, the aggrieved party was denied what they felt

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[8] As the legislation is not in place and the policy document not yet developed, it is impossible to be more precise. However, if SNH continues to plan and operate as it has in the past, it would not be presumptuous to anticipate future plans and documents would be structured along the same lines as in the past.

[9] It should be noted at this time that not all Scottish land owners are also the occupiers. Although this seems a rather redundant distinction, under feudal law it could impact on those willing to enter into voluntary government programs. For example, a tenant farmer may want to engage in some conservation efforts but be prohibited under the terms of the tenancy agreement. Nevertheless, as Mansfield (1994) found, a voluntary approach was successful only if there was goodwill and interest on the part of the landowner and that the incentives were worthwhile.

were their rights.[10] It is interesting to note that both countries appear to have recognised that imposition of protective designations may result in strong opposition and that in both countries, the process of establishing new national parks (with the exception of LLT and CG) is now quite similar.[11]

Conclusions:

The Canadian legislation does not recognise explicitly the value of collaborative planning in order to achieve desired objectives and, although the policy documents do promote collaborative management in order to achieve desired objectives, there is little incentive for either PC or other stakeholders to participate other than to foster goodwill. With the SNH proposal (1999b) that National Park Plans and plans of affected local authorities and public bodies be consistent with the National Park Purposes, the statutory requirement for integrated planning has the potential for delivering a much stronger management plan for the area than in the Canadian setting.

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[10] Under the Canadian Constitution (formerly the British North American Act) provinces are entitled to control all lands and minerals. Denial or removal of these rights means foregoing economic gain from development or exploitation. In Scotland, denial of planning permission on an SSSI could be appealed and compensation could be paid however recent changes to policy no longer allows for compensatory payments.

[11] To establish a new national park in Canada, there is extensive consultation required. The five basic steps appear simple on paper as McNamee (1995:167) explains; however, reaching agreement may not be straightforward. Presently, the provincial government must legally transfer any proposed lands to the federal government (surface and mineral rights), First Nations people may have both land claims and the right to continue their dependence on the natural resources and wildlife within the proposed national park under treaty, and lastly local communities must understand and prepare for the impact of a new park area. It falls to Parks Canada to convince these parties to forgo industrial development in exchange for the ecological, economic, recreational and educational benefits of preserving wilderness in a national park.

Table 6.1

	Canada	Scotland
Legislation – early intent	- to create a park. - to lever off of private development initiatives. - to retain development control through outright ownership of land and mineral rights.	- to create a park. - to preserve and protect landscape beauty, wildlife and other interests. - to provide access and facilities for enjoyment.
Legislation – recent intent	- to establish a national park system representing numerous natural terrestrial and marine regions. - maintenance of ecological integrity. - preparation of management plans and State of the Parks report, tabling before Parliament on a regular basis.	- to establish parks for the purpose of providing a distinct management area.
Policy – land use	- ecological integrity paramount, social and economic issues to be considered. - leases and licences are to be issued only for the purpose of providing essential services to visitors.	- under structure and local plans. Both areas under consideration are multi use.
Policy – language	- prescriptive (we encourage).	- descriptive (a voluntary approach is needed).

Land use policies specific to the study areas

With regard to specific policy for the study areas themselves, Table 6.2 on page 130 provides a summary of the information from Chapters 3 and 4. The land use regulations in Banff could be argued to be more heavily regulated from an environmental[12] stance than in either LLT or CG but of more importance are the planning processes.

In the Canadian setting, the policy documents have evolved to recognise that integrated planning must take place however, other than on a small scale, this has not been the case. Three Canadian informants relayed frustration over what they felt was an abstract land use zoning system within BNP itself. That is, there appeared to be frequent changes in land use zoning but with relatively little public consultation.[13] The result was commercial operators who had received "conceptual approval" for projects would then find that their plans would no longer be acceptable. The option then was to take legal avenues in order to secure the "implied rights".

It could be argued that the planning process in Scotland is somewhat better in encouraging integration however, by allowing forestry and agriculture to be outwith the structure planning process, there are invariably similar problems encountered as in the case of BNP and surrounding jurisdictions. That is, unless there are significant incentives to bring all the plans into agreement, sectoral thinking permeates. Even in the case of LLT, where a subject plan was approved and the LLPA was given 75% exchequer funding, most of the planning policies and management strategies continued to be developed independently.

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[12] Both countries have numerous regulations relating to environmental quality, this statement was made in the context of preservation of ecological integrity. However, this must be tempered with the fact that the areas where developments are suitable in BNP are generally the most favoured habitat for the indigenous species.

[13] As briefly discussed in Chapter 3, the zoning system may be criticised as abstract but the zoning process is captured in the management plan which requires extensive public consultation and any rezoning requests require an Order in Council. Changes to the management plan must be tabled in Parliament. Thus the process is extremely cumbersome, even before it competes for time and space at the federal government level.

Conclusions:

Clearly, the legislation and policy documents evolved separately and at a different pace in both countries however, given their somewhat like underlying intent, neither appears to be better than the other in terms of actually delivering an integrated plan nor at reducing wasted resources. For example, in BNP, the lack of an integrated plan combined with soft wording like "conceptual approval", may give the impression of maximum planning flexibility for PC but in fact resulted in an increase in wasted resources. As well, in BNP it is not unusual to have the project review processes duplicated by other jurisdictions and often these same jurisdictions take actions that counteract rather than complement actions of other jurisdictions. This forces management to react in a defensive manner with regard to project review and approval. Much the same could be said in the case of the two study areas in Scotland. Even though LLT has a subject plan, the application of policies by the local authorities are based on their own interpretations of the subject plan polices, and those policies were defined by the authorities which existed at the time the subject plan was prepared. Thus the lack of an integrated vision and the need for collaborative management has resulted in many of the same shortfalls noted above.

Table 6.2

	Banff	Loch Lomond & Trossachs	Cairngorms
Land use regulations	- heavily regulated under NPA, most development requires Environmental Impact Studies (EIA's).	- varied dependant on type of land (agriculture, forestry, urban).	- varied dependant on type of land (agriculture, forestry, urban).
Planning documents – structure plan	- no overall plan for study area (which would include surrounding provincial and municipal jurisdictions).	- structure plan does exist covering an area larger than the subject, plan does not cover agricultural and forestry land uses.[14]	- structure plan does exist covering an area larger than the subject, plan does not cover agricultural and forestry land uses.
Planning documents – local plan	- no local plan or land use bylaw system. Zoning is used to help guide development.	- no local plan as study area is not a planning authority. A subject plan was developed in 1986 and reviewed in 1996. Plan is presently in abeyance.	- no local plan as study area is not a planning authority. - local plans exist for individual authorities but are not coordinated.
Planning documents – management and business plans	- prepared but are not specific with regard to achieving desired land use.	- management plans not developed for study area but are developed by individual authorities.	- management plans not developed for study area but are developed by individual authorities.

[14] An indicative forestry policy was included in the Strathclyde structure plan. The policy was not mandatory but was respected by the Forest Commission.

6.1.2 Influences on the evolution of the management systems

The organisations

PC and SNH both enjoy a strong legislative base ("Organic Act") however for both, the legislation followed their earlier formation from a departmental or executive order. As Clarke and McCool (1996:9) found, a statutory base was critical for ensuring the agency had a secure foundation from which to operate especially if the purpose in the "Organic Act" was highly valued or in accord with dominant societal values. Background work done for the BBVS, LLTWP and CGWP all show that there is high support for the concept of national parks or protected areas in general however, the successes of each agency (or its predecessors) and the strength of their respective power bases have oscillated substantially over the years.[15]

Another limit to the effectiveness of PC and SNH (and its predecessors) could be attributed to the interdisciplinary nature of the organisations. This is similar to the observations of Clarke and McCool (1996:10) "agencies that are interdisciplinary – a melting pot of professions – generally encounter difficulties in developing into a cohesive organization." Mackay (1995) documented the effect that NCC/CCS merger had on SNH and informants (N = 10) confirmed that SNH attempted an interdisciplinary approach to their work however, there appeared to still be some doubt as to SNH's role. By the same token PC, strategically and at the field level, has not fared much better. Their traditional approach to management has been driven by economics and, as the parks were a tourist destination, the emphasis was on development. Typically managers or superintendents, usually with a science background, had been promoted through the ranks but as management policy

[15] See BBVS (1996:15 – 17), LLTWPR (1993:9 – 12) and CGWPR (1992:1, 93-95).

evolved to a more interdisciplinary nature, their ability to effectively deliver policy varied.[16]

The reorganisations

A common contributor to the limited success of both PC and SNH is that agencies (and their predecessors) have been subject to frequent transfers, mergers and reorganisations. The effect that these actions have on organisations and individuals within them is generally well documented by numerous authors and of particular importance to this study is the effect of differing corporate cultures, the loss of corporate memory and the cost of planning for change.

Both PC and SNH have had to deal with the difficult issue of differing corporate cultures. In the case of PC, managers at all levels have had to adapt to three different corporate cultures in a relatively short period of time. In the case of SNH, the merger of NCC and CCS brought together two completely different agencies that, although in care of much the same assets, had very different remits and management styles. As well, for both agencies (PC and SNH), the effects of the moves or mergers meant that earlier mandates and philosophies were lost or sacrificed in order to conform to the culture they were immersed in. Secondly, combined with the moves (PC) or merger (SNH) have also been a number of reorganisations and restructuring. The result of which is that at a strategic level, both organisations have been consumed with planning and restructuring rather than delivery of their mandate. At the field level, at least in the case of PC, the most immediate effect of these reorganisations was the changes in processes for planning and management. Although the reorganisations might not have affected LLPA and the CGP in terms of the delivery

[16] Geist (1995:12) comments about the fact that scientists are not "professionals in the classical sense of the term." He notes "...scientists, unlike engineers or architects who are nurtured in the understanding that a service will be performed for the public – that to design is to compromise continually (choice of material, cost, expertise, client wishes) – and working within that profession also means legal liability and accountability are required and being taken to court may be a normal part of that work." He contends scientific training is long on technique and short on analysis and scholarship and that their contributions to management are rare and almost wanting at the policy level. Rosenthal (1984:25) also comments that when specialists move to supervisory positions problems are due to arise as their major responsibilities become delegation, planning, evaluations and, perhaps most

of their programs,[17] both would have been forced to deal with rebuilding relationships with the new local governments. Thus, in both countries, the frequent reorganisations have resulted in the power bases of these agencies being somewhat eroded and resources deployed away from achieving the desired mandate.

The endorsed management strategy

As part of the reorganisations and policy development, both PC and SNH have an endorsed strategy for "cooperative planning or cooperative management" (albeit for varied lengths of time), it would appear that both agencies have encountered substantial difficulty with implementation. This is similar to the 1981 study by Nichols who suggested that the organisational structure and administrative processes developed by the US Park Service to deal with park administration in the early 1900s endured into the 1980s with only minor modification. The more comprehensive review by Clarke and McCool (1996:211) found that natural resource policy had changed but the bureaucratic organisations in charge were designed for permanence and thus any changes in the models of agency power were "evolutionary rather than revolutionary."[18] Hartig et al. (1998:70) further examined this slow evolution towards collaboration and found that many of these agencies still responded to problems by looking for solutions which "controlled" the problem and implemented those solutions in a top down, command-control fashion.

In the context of land use objectives, the lack of coordination between the various planning systems has resulted in neither management system (PC or SNH) showing clear superiority in promoting a coordinated approach to land use management. That

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importantly, motivation. All of which involve the art of dealing with people and, in most cases, the specialist-administrator has had little training or background in these areas.

[17] At least in the opinion of those informants that commented (N = 9).

is, in terms of resource allocation processes, it could be argued that for the most part PC adopts a top down command-control process and SNH avoids such a process by promoting a bottom up approach however, neither process has been substantially more successful in encouraging other agencies and interests to truly embrace a collaborative approach to land use management.[19]

Neither approach appears capable of efficiently dealing with poorly bounded, ill defined, complex problems which cannot be solved in a linear fashion with respect to cause and effect. Thus, although the language of the legislation and policies may reflect the new realities, the management systems and the individuals in charge may not embrace the concept.[20]

Efforts to address local concerns

The desire for locally based management of the Scottish study areas (existing and proposed national Parks) is conspicuous both in the review of Scottish national park history and SNH proposals. Although locally based management is often argued as a weakness with regard to conservation issues, Henderson (1991:37) noted that such a weakness may be requisite if part of the parks' mandate is the betterment of the social and economic well being of local residents. With regard to LLT area, the early intent of the LLPA was to manage the area not primarily for conservation but for tourist purposes. Although the LLPA has a heavy local representation, it has been both criticised and praised for taking into account local concerns. However, as

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[18] Clarke and McCool's review was on US agencies but Hodge et al. (1994:200) found much the same phenomenon in examination of the central roles and philosophies of British rural policy agencies which had been established in the 1940s. They note there has been a change in ideas about what countryside conservation is as have the detailed mechanisms for delivering it, but the institutions by and through which those mechanisms are directed and controlled have not. They conclude that most of the change has been cosmetic with remarkably little restructuring of the aims, roles and methods of the various agencies. Zinkan and Syme (1997:41) revisited the problem and concluded that although there has been change, decision making within parks continues to be based on hierarchical authority rather using a horizontal (rather than top down) strategy which would give increased recognition and responsibility to the highly educated workforce that provides service in the field.

[19] See earlier discussion in Chapters 3, 4 and 5.

discussed in Chapter 4, the LLPA also finds it difficult to take into account the economic and social well being of the local residents given the relatively low priority given to the park authority by the constituent local authorities. As a result, most of the management projects undertaken are relatively small and, rather than contribute widely to the LLPA remit, are only able to address relatively narrow objectives. In the Cairngorms area, the establishment of the CGP was a first step in taking into account local concerns however, given the lack of constitutional power for the partnership, it too has had difficulties. In its role as an enabler, there have been a few relatively small projects that have been successful and, like those undertaken by LLPA, they have addressed only relatively narrow objectives. Lastly, both of these management bodies may be hesitant to be critical of the larger agencies which use well funded programs to address other social and economic issues. These agencies may well have a significant effect on the land use in the area and a critical review by LLPA and CGP may be seen as "anti-local" sentiment.

The general criticism levied toward PC in the Neilsen Report (1980s) for not being more sensitive to local community concerns was likely more acute in BNP. As discussed by Lowry (1994:183) although the policies had changed in the 1970s, PC in BNP did not attempt to adapt their townsites to the natural setting but rather allowed the relationship between the town and park management to go from "mutually sympathetic to antagonistic to independent."[21] The transfer of the Banff townsite has not lessened the criticism to any great extent. As discussed in Chapter 3, although the townsite is in a position to levy taxes and provide municipal services, the restrictions contained in the incorporation agreement allow the federal government to reject the municipal plan if it is felt to violate the intent of the Act and policies. As PC has not demanded a position on council, any criticism of the local

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[20] As one informant noted "...the seen and not heard mentality permeates society. We have taught to not be a decision maker and to not influence the decision maker. And the decision makers don't want to listen anyway as in their whole life either you are or are not a decision maker and if you are a decision maker, the last thing you want to do is have some one else make the decision." S1

[21] Hildebrant (1995) shed some light on potential reasons for the attitude shift citing factors such as PC having a difficult time enforcing the policies and mandate fully and consistently due to considerable pressure from pro-development politicians and a powerful tourist lobby. The general result of such influences were that some decisions were an avoidance of the intent of the policy statement.

plan by PC or the federal government is then seen as a criticism of the independent local government.

Thus, although Henderson (1991:37) argued that British National park objectives (and by extension the proposed Scottish) are more complex and difficult to achieve than is the case for areas designated for conservation or recreation purposes in Canada, this may not be true. The new PC policy (1994) requires an ecosystem approach to management, and although it and the Act do not explicitly demand a park maintain and improve the economic health and wellbeing of local residents, there is an implied duty to do so. In fact, Zinkan (1992:231) observes that for a sustainable ecosystem management approach to be successful, local initiative is essential (just as it is in Scotland) and that all sectors must be involved. Thus in both countries, regional integration is required rather than simply being a response to a threat. This sentiment was relayed by more than one informant (N = 13); almost all recounted that the only time there seemed to be good agreement between the jurisdictions was when there was an imminent threat. Rarely did the agencies come together voluntarily to be proactive.

6.2 The issue of land tenure on directing land use

Mackay (1995:4) in his discussion of land use, attributes land use patterns to a series of decisions taken by individual land owners or occupiers often in response to market pressures, a reluctance to change or simply a failure to do much of anything. Thus the choice of whether and how to act can generally be attributed to the entity that occupies that land. Table 6.3 on page 139 summarises the differences in land tenure and main land uses in the study areas.

As discussed earlier, the original intent of the lease system in BNP was to maintain development control. However, given the lack of policing of the leases and the failure of the early leases to foresee the need for stronger lessor power, the leases in effect today give the impression of fee simple. In general, the lease terms do affect

what the land is used for but they are not flexible enough to require the existing lessee to follow through with new, environmental requirements. Further, relative lack of enforcement of certain terms and the previous policy of compensation paid for betterment if the federal government decided not to renew the lease has lead PC to be hesitant to cancel leases given the legal precedents set.[22]

In Scotland, feu superiority can have as great an effect on land use as the various restrictions legislated under the different countryside and planning Acts. Under the feudal system, the superior can place restrictions on what the land is to be used for and if not managed according to the feu agreement, they may take the land back without paying betterment. Although the land tenure system is presently under review, the existing system has been shown by various authors (Callendar, Wightman and others) to be less than sympathetic to management for environmental or recreational access and that the various agricultural and forestry grant programmes that are tied to these objectives may not be fully effective. That is, the land occupier must find these grants attractive and, if a tenant, the grants must be acceptable within the terms of their tenancy agreement.

Thus, while recognising that each country's legislation and land tenure arrangements are different, both countries are similar in that the general philosophy is that a land owner/tenant has the right to do with their land as they please, subject to the rules set out by the "state." Given "state" pressure on land use oscillates,[23] it is understandable that landowners have a strong desire to retain their existing set of property rights and avoid, inasmuch as possible, measures that might increase the burden of cost or the level of interference (see Crabtree et al., 1994 and others). Furthermore, as MacEwan (1982:143) and Mansfield (1994:124) note, authorities that are strongly influenced by landowners regard their goodwill and cooperation as

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[22] By using a lease instrument for the granting of property rights, the federal government has in essence retained feu superiority. As discussed in Chapter 3, the incorporation agreement for the townsite continues the feu superiority of the federal government over the activities of the municipality and, the federal government, for the first time has given notice that they intend on using that right - the Minister of Canadian Heritage did not approve the Town of Banff Management Plan ("Copps rejects Banff's Plan", Banff Craig and Canyon, September 17, 1997, page 1).

[23] The oscillations are in response to public opinion, the political party in power and other factors including international agreements.

the key to implementation of any land use policy. Albeit these authors were specifically commenting on British land use policy, this applies to all three areas of this study. In BNP, past precedent and the inability to adequately police leases has resulted in PC depending upon lessors to comply. Even though in depth assessments are required prior to approval of new projects, there is very little follow up once the project has been completed or has been in operation for a period of time. Unless negligent, there is little that PC can do to make a lessee comply with new regulations thus past precedent more or less has tied the hands of the Canadian government to much the same extent as the Scottish government. That is, in order to achieve the desired land use objectives, the Canadian government has had to rely on planning powers to control the rights of the lessees and the Scottish government has relied on the planning and grant aid system to direct the landowners/occupiers.

What is at issue then, is to what extent should those with property rights in land have in influencing policy. As well, are the agencies in a position to "manage?" That is, regardless of whether there is total reliance on persuasion and goodwill or command control measures or something in between, do the authorities have the ultimate power to control decisions and to use that power? This will be discussed further in Chapter 7.

Table 6.3

	Banff	Loch Lomond & Trossachs	Cairngorms
Land tenure	- federal government ownership with primarily leases granted to individuals and corporate entities, may be future treaty claims.	- mixed ownership.	- mixed ownership.
Property rights	- precedent has resulted in assumption of freehold.	- as allowed under feudal law – some similarities to freehold with exception of feu duties.	- as allowed under feudal law – some similarities to freehold with exception of feu duties.
Influences on land use – alternative primary use (outside of scenery)	- limited agricultural use. Suitable for extractive industries and country sports.	- suitable for agricultural and extractive industry use.	- limited agricultural use. Suitable for extractive industries and country sports.
Influences on land use – subsidies and programs	- limited number of leases and licences of occupation provide monopoly rights.	- number of subsidies and programs encouraging certain types of land use – usually related to forestry and agriculture.	

6.3 Land use objectives and protected area policy in general

Generally, in both Canada and Scotland, the legislation and policy documents (existing and proposed) have much the same philosophy in terms of long term protection of natural resources but they take a relatively different stance on how the protection is to be achieved. In Canada, the overriding consideration is for "maintenance of ecological integrity (NPA, section 5.1.2)" and, according to the Guiding Principles and Operating Policies, this will be achieved through ecosystem based management. The proposed Scottish legislation suggests that the four purposes be "pursued in ways which are mutually supportive. The resolution in the event of any conflict between them shall be guided by a precautionary approach in favour of the long-term conservation of the natural resources (SNH 1999b:13)." Thus in

Canada conservation is the first priority,[24] with consideration given to local and regional economic and social factors; in Scotland, it is as equally important and only in the event of conflict will it be given a higher priority.

In terms of specific land use objectives, neither country has clearly stated what they are for each area. In the case of BNP, the BMP (PC, 1997) sets out "visions and strategic goals"[25]; in the case of Scotland, it is much the same when considering the Cairngorms Partnership Management Strategy,[26] which sets out four visions for the area and a number of strategic objectives.[27] This is similar to the findings of Johnston (1998:258) who, in a review of the research on public services, found that most organisations had processes for developing mission statements and articulating goals and objectives but the resulting plans were too broadly based to inform strategic activity at the implementation stage. This was confirmed by Glasson and Goode (1988:105): "As a result of the divergence between goals, objectives and strategies and operational plans and action, the corporate plan is ineffective in getting the organization to its desired position in its environment and the effort expended on its development is wasted."

In fact, as discussed in Chapter 5, there is often reluctance by the delivery agencies (commitment conundrum) to move towards the desired policy. Such resistance should not be entirely unanticipated. Very much the same thing was witnessed by Canadian and Scottish informants (N = 12) when an area with local and national constituents began to develop a "vision." It appeared that most participants could

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[24] Recognising that ecological integrity is a continuum of characteristics that a landscape or area should possess (Banff Management Plan, 1997:12)

[25] The vision is what PC has adopted to guide the future of the park. Along with the vision are a number of key themes which must be achieved in order for the vision to become a reality. The strategic goals are presumably what PC would like to achieve. They do have objectives and key actions but these are broadly stated with few deadlines, implementation strategies or evaluation criteria. Supposedly, the implementation tool for the management plan is the National Business Plan (Canadian Heritage, 1995) in that it describes how resources are to be captured and allocated and provides operational mechanisms for streamlining operations, sharing responsibilities with other and forming more partnerships (BBVS 1996:297).

[26] SNH's Advice (1999b) is not a management document and thus does not set out land use objectives or much more than a broad vision of National Parks. The closest comparison would be the Cairngorms Partnership document.

[27] Again the vision statements are to help guide the future of the area, the strategic objectives are presumably what the partnership would like to see achieved. Again, as in the case of BMP, there are no implementation plans or evaluation criteria.

agree on a "vision" but there was considerable disagreement when the next step of planning programs or processes necessary for achieving that vision was launched. Furthermore, specifically in considering the three study areas, they and some of the surrounding jurisdictions had gone through a "vision" process, but rarely was the vision in the context of the wider area. Lastly, there was frustration that the policy interpretation was rarely linked back to the vision: part of this was attributed to the vision not having a "champion" or someone who would carry the vision through to the decision making.

Generally, the Canadian informants commented that the BBVS was a good start to setting a vision for the larger area however, delivery mechanisms for achieving that vision were lacking.

> It is a challenge to have a coordinated vision not only in the town site let alone in the Park – and then to have the political will to make it happen...but you need to have someone to champion that vision – like in the Banff Bow Valley study – it was a great study, but it has not been utilised. C7

A Scottish informant relayed the general frustration of having a vision, but not a delivery process as follows:

> They [partnerships] are effective but we find that it is important to have a genuinely shared vision – but that is still a learning experience for our government agencies, it is difficult for them to operate. Say the vision you want to deliver is 100% but the market, or what people are willing to pay for, will only deliver 60%, and [one government agency] might be able to deliver 20% of it and [another government agency] can deliver 15%, leaving a gap of 5% of the vision that cannot happen and that 5% of the gap is key to the rest of the vision happening. So what in fact needs to happen, if we can only produce 75% of 100% vision, as a group we need to cut down the 100% to 75% so that it stacks up on its own and is a balanced vision which we can deliver. It may not meet our wish for the 100%, but at least we can produce and deliver something that is sustainable. S12

Thus both countries have an idea of what the future should be, they have an idea of what needs to be done, but they both seem unable to proceed to the next step - the implementation. Why might implementation be a problem? As discussed earlier the

policy statements of the agencies advocate an integrated approach to planning, management and decision making in order to achieve their desired goals. However, the evidence gathered from the review of the BBVS, LLTWPR, CGWPR and this study and others confirms that the agencies collaborate with others, formally and informally, but for the most part the efforts are relatively modest and thus impact only on small scale issues. To address the problem of collaboration, SNH's advice (1999b) suggests that there should be a statutory requirement for a formal memoranda of understanding and support by affected local authorities and other public bodies in order to facilitate integration of the policies set out in the NPP (section 3.34). In light of these requirements, Parks Canada would appear to be quite timid in their approach, again in the guiding principles (PC, 1994) they are required to "...participate in regional land use planning and management initiatives sponsored by other jurisdictions to encourage the understanding and cooperation ..." (section 3.2.9). The BBVS (1996:289) recognised that regionally coordinated management required strong direction at the two senior levels of government [federal and provincial] and the support of the senior managers of the bureaucracies. The study suggested PC take a lead role in encouraging the development of a strategic interagency planning and management group whose role would be to develop harmonised land use goals and strategies, identify common issues and approaches to address these problems, and eliminate costly and unnecessary duplication of regional services. The BBVS also was realistic in recognising that, at least initially, such a process would be difficult; it would require long term commitment, considerable senior level attention to build, implement, maintain and monitor agreements, dedicated resources, and a desire to overcome a degree of political sensitivity and suspicion (BBVS 1996:290). Thus, in the case of Scottish national parks and BNP, the difficulties of successfully establishing an integrated approach to management appear much the same although the influences and situations have been substantially different.[28] Thus, the desired outcome, integrated management to achieve the stated objectives does not appear to be developed any further along in either country.

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[28] Furthermore, although MacEwan (1982:70) was addressing the UK national park system, no system of local administration, however well endowed with money or power is in a position to withstand

6.3.1 Tone of the legislation and plans

Again turning back to the earlier discussion of the legislation and policy documents, at its face, the Canadian legislation takes a much more preservationist view but both countries use, or will use broad terms and goals[29] which are inadequate as a guide for integrated management. Overall, this is not unusual as Eagles (1993:57 – 58) notes policy is a statement of government intent which should be followed by the bureaucracy but is not enforceable by the courts; the only recourse open to citizens is political action. Thus, in both cases, the desire to be less specific rather than more may be simply a response to lessen the potential for legal action.

It is not until an analysis of the policy documents that one gets a sense of how the legislation is to be delivered. PC is to cooperate with others responsible for the planning of areas adjacent to national parks to maintain ecological integrity and to take a lead role in establishing integrated and collaborative management agreements and programs with adjacent land owners and land management agencies (PC, 1994:35, para 3.2.9). Looking at SNH's advice to government (1999b), there are more direct prescriptions for facilitating integration. They firstly recognise that participation, partnership and flexibility are essential and suggest that national park creation be "viewed as a long term contract between local and national interests." They see this contract being formed by national agreement about priorities and control of funding in exchange for local control of implementation and process" (ibid:5).[30] Another key element is that there is shared responsibility for the preparation and implementation of the National Park Plan by placing statutory duties on government departments, public bodies and local authorities, and by requiring owners and mangers of land to prepare whole farm or estate plans on request (ibid:10). Such a requirement is certainly stronger than in the Canadian situation and SNH recognises that such a policy would intrude deeply in private property rights (ibid:17, para 3.31). SNH's response was that those concerns could be

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powerful economic trends which are promoted and often financed by governments and that literally change the face of nature.

[29] Like integrity and sustainability.

overcome through the availability of appropriate incentives and by the national park body actively working to foster a good working relationship with land managers.

Lastly, there is a difference in the tone of the proposed Scottish legislation with regard to the NPB's compared to the Canadian situation. SNH suggests that the NPB's have the statutory right to be consulted on plans and projects as they affect the national park and the right to stop or manage land use when activities threaten the qualities of the area. Although PC has the right to restrict activities, they have no statutory right to be consulted on projects or plans which may impact on the national park. As well it is proposed that the Scottish NPB's be given a statutory locus for direct involvement in certain functions as they pertain to national parks. In the case of BNP, there is no such provision outside the park boundaries (within a provincial jurisdiction) and within the townsite. As PC did not insist on a seat on town council as a term of the incorporation agreement they have no direct say on management of the town leaving the town believing that they are the same as any other in the province.[31]

6.3.2 Priority setting processes

Common to both countries, as revealed in the interviews, through a review of planning documents and the literature there was no mention of how priorities were set. As noted in Chapter 5, most of the decision making informants stated that, in general, they were very poor in setting their priorities with regard to land use. This will be analysed further in the next chapter but it may be timely to reflect on the difficulties of a clear priority setting process as a result of the juxtaposition of conflicting interests, bounded rationality of managers and institutional constraints to effective collaborative efforts.

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[30] Later in the document, they note that the contract will provide an effective means of achieving nationally agreed objectives and for the local interest, it provides greater control over achievement of these objectives and is a means to secure additional investment in their area (ibid:10, para 2.4).
[31] The reader is reminded that the Town of Banff is like any other town within the Province of Alberta, with the exception of some constraints, specifically those under Section 5 of the Incorporation Agreement. There is a liaison committee; however, it is only advisory in nature.

Table 6.4 on page 146 highlights the priority setting processes in the three study areas. Although each area and system has a clearly defined budgeting process, the next step, setting the priorities, is not clearly defined or articulated. As discussed in Chapter 5, both Scottish and Canadian decision makers identified the budgeting and priority setting process as being unrelated. One informant simply stated:

> You typically knew what your budget was year to year, regardless of your objectives. If talking about the management plan as being the public statement about the land use objectives, the budget is not directly related to it. I don't believe the budget is directly related to that and I don't think the successes or failures for achieving those objectives stated in the management plan are a principle driving force in the budget. (code withheld)

Part of the reluctance to have a clearly defined priority setting process might be attributed to the desire for the agencies to retain flexibility in planning. Ultimately though, the cost of the flexibility is the inability for these agencies to achieve the land use goals they set. Further, by not insisting on an integrated planning and budgeting process, achieving the desired land uses is further compromised and limited to relatively small, contained projects. Lastly, although public consultation is conducted by each of the agencies, the value of the input provided is not accounted for and was severely criticised by informants in both Canada and Scotland (N = 15). Given that the public consultation is to provide both strategic direction for the management agency along with providing an informational role to the public, it is doubtful that the agencies see this as a serious source of input to the planning process.

Thus for all three areas, the poorly defined priority setting process, while providing maximum flexibility, has resulted in the management bodies being placed in a defensive position, either justifying or defending actions as opposed to calling for those who affect the process to contribute and be accountable for their influences.

Table 6.4

	Banff	Loch Lomond & Trossachs	Cairngorms
Planning processes – budgeting	- bottom up – top down. - bidding process. - linked to management plan but spending priorities not linked. - money provided for environmental management small in comparison to budgets provided for infrastructure.	- bottom up – top down. - bidding process. - linked to management plan but spending priorities not linked. - money for environmental management small in comparison to budgets provided for infrastructure and programs.	- not defined other than a modest budget and small staff.
Planning processes – priority setting	- not well defined in terms of land use. - stated use of public consultation for ensuring key policy, land use and planning decisions are made in a timely and fair manner (BMP p. 65).	- not well defined in terms of land use. - unable to locate statement of purpose for use of public consultation.	- not well defined in terms of land use. - priorities within the management strategy action plan to implement strategy and develop an effective community consultation policy.
Planning Processes – evaluation guidelines	- is money spent on stated objectives.	- is money spent on stated objectives.	- not defined, likely is money spent on stated objectives.

6.3.3 Evaluation guidelines

Related to the priority setting process is the evaluation of the successes and, as discussed in Chapter 5, there are very few instances when the effectiveness of the planning processes has been evaluated. The agencies in question have been evaluated in terms of how well they work together to eliminate barriers for the movement of wildlife (or tourists for that matter) but these have not generally been carried forward to evaluate whether barriers have been removed to allow increased collaboration and partnerships.

Each agency confirmed that they were evaluated, with regard to spending budget money in a manner consistent with their plan, however none had clear evaluation guidelines for their main delivery mechanism – ecosystem or collaborative management. Part of this may be attributed to what Bell and Evans (1998:240) observed: that in the 1990s, partnership and participation have become the new words in public policy. The problem though is that neither term has been defined in any consistent manner, leaving them as nebulous a term as sustainability. Thus, by avoiding a precise definition and evaluation tool, the flexible interpretation could, in practice, account for the varied and conflicting interpretations that have contributed to a lack of common interests and minimal contact between the partners, even when in the best interest of the individual partners.

Although the planning process itself in all three areas appears to be well developed, the lack of a defined framework for implementing and evaluating the achievement of the desired outcomes is common to all.

6.3.4 Plans for collaboration

There is a distinct difference between the policy documents in Canada and Scotland with regard to partnerships and collaboration. For example, SNH's advice (1999b) suggests that to gain the support of land managers in achieving the objectives of national parks, that requirements to prepare farm or estate plans be linked to access to public funds and that only when the required plan is submitted should access be granted. Further they suggest that the NPB provide technical advice and financial assistance to owners/managers of land which agree to prepare and carry out such plans. They suggest as an additional incentive, the preparation and implementation of these plans could provide access to higher levels of agri-environment funding and forestry grants and potentially lead for qualification for, or exemption from, other schemes and duties such as inheritance tax (section 3.39).

In the case of PC, although there are no private landowners inside the park area,[32] there are provincial governments and municipal governments immediately adjacent and there are large lessees within the park. Within the BMP (PC, 1997), the language with regard to forming partnerships is generally soft, that is PC will "explore," "to encourage" and to "support initiatives." There is no suggestion of how PC will attempt to gain cooperation of others rather, there is an underlying tone for issues within the park that there will be restrictions and outside the park it is "encouragement."

As Callander (1998:63) observes, different countries vary the extent to which they use land tenure and associated legal arrangements to regulate the ownership and use of land in the public interest. He notes that in the UK the level of statutory regulation is relatively low and reflects a reliance on voluntary action (or the "voluntary principle"). Although there is widespread reference to this principle, there is no established definition other than a broad public policy doctrine that seeks to achieve and fulfil policy aims through persuasion (education), incentives (rewards) and collaboration (cooperation) rather than legal compulsion (legislation). Although appealing in these terms, the voluntary principle has been criticised as an excuse for not acting decisively on particular land use issues (Callander, 1998:64). The term is absent for the Canadian documents but the underlying philosophy is not. Many of the initiatives in the BMP look to establish partnerships in order to fund programs and to educate others. What is different though is the perception of what the voluntary principle is. In Scotland, the term is used at all levels of government as a means to "dovetail resources," in Canada it appears to be used in regional, project specific terms.

SNH also suggest that the NPB does not need substantial powers but does need to influence the general activities of local authorities, public bodies and the owners, managers and users of the land and waters to ensure they are aligned with national park objectives (1999b: section 4.3). They set out some basic powers which the NPB should have but in Section 4.9, they note that it will not have a statutorily defined

[32] Other than the reversionary lands granted to the CPR.

role in relation to social and economic development and, as such, their role will be to coordinate, stimulate and integrate other groups activities in line with the NPP. PC also need to be able to influence others but how they would address social and economic development is not highlighted in the BMP other than to work with the towns of Banff and Canmore and the hamlet of Lake Louise (PC, 1997).

6.4 Summary and conclusions

Looking at both Canada's and Scotland's legislation and policy (existing and proposed) it becomes quite apparent that a piece-meal approach has been taken by both governments to the issue of protected areas. Although the Canadian situation could be argued to be more conservation oriented and thus more successful, this must be tempered. Had BNP been established with more thought and foresight, perhaps the agreement between Canada and the Province of Alberta for resource transfer would have required an integrated approach.[33] Thus, the early management of BNP indicates that protection was purely cosmetic and the fact that the area is still relatively pristine (in comparison to the Scottish areas) is likely a result of restricted land tenure, low population densities surrounding the park and lack of an international tourist trade.

MacEwan (1982:70) makes an observation equally valid in both countries:

> The system established for the planning and administration of the national parks was never designed to control the social and economic forces that are behind the process of incremental change. A landscape which is being transformed by social, economic and cultural change cannot be protected without taking social, economic and cultural (and thus political) decisions about its resources.

Thus, even given all the paper planning that each agency is involved in, there is no conclusive evidence that either agency is being effectively held on a tighter policy

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[33] This is of course only speculation as given the relatively "untamed" and unpopulated state of the area, it would have been difficult to imagine the current state. However, had Canada seriously examined developments in the UK in the late 1800s and early 1900s, the initial legislation may have looked substantially different.

rein or is utilising their budgets in a manner to maximise "on the ground" results. What does appear obvious though is that the senior staff spend a high proportion of their time 'managing,' whether in connection with the annual budgeting exercise, or in justification of specific projects, or in staffing.

Clearly the two systems have evolved along completely different courses but the outcomes, in terms of their ability to deliver an integrated plan, are much the same. That is, in the Canadian situation, early policy allowed for various commercial influences to take hold of the development agenda within the national parks, and in particular BNP. As well, the early hard feelings between the federal and provincial governments ensured that collaborative management of the area did not occur. With further policy development and understanding of ecosystem principles, park managers and governments began recognising that an integrated approach to management of the region was necessary but management structures, although they have changed, are no better at promoting integrated management than their predecessors. In the Scottish situation, the lack of an integrated policy has allowed various interests to develop within the constraints of different Acts and policies. Late recognition of the need for integration has resulted in development of various management bodies which have compulsory powers (SNH) but, by in large, integration is sought through provision of incentives. Those agencies charged with responsibility for influencing others either do not have sufficient power or are reluctant to use compulsory powers.

7 The rhetoric and the real world: factors impacting on the achievement of objectives and the dilemmas of management

This chapter is a continuation of the synthesis of the previous chapters; bringing together the historical influences along with the contemporary views which emerged from the interviews. It is clear when discussing issues such as planning, priority setting and policy, the known contextual issues such as the complexity and turbulence of the political environment including electoral imperatives and short term time horizons of the politicians and bureaucrats cannot be ignored. Further, issues of power and autonomy in a pluralist decision making arena inevitably make the application of a rational priority setting and budgetary planning model difficult in the public sector. As Lundqvist (1980:xiii) concluded, most comparative studies try to assess the policy/process relationship without looking at the policy makers' behaviour and actions. But it is not the background factors that make policy, it is the policy makers.

Thus in explaining policy and outcomes, it is important to understand what the players actually make of these background or influential factors. This chapter begins by analysing each of the questions outlined in Chapter 1. For the most part, the questions are as stated earlier with some subheadings and themes added in light of the Chapters 5 and 6 analysis. In essence, this chapter centres around how those in positions of authority, as well as those advocating alternatives, go about defining what they think is an appropriate and feasible response to the current state of affairs – it is using the informants' understanding to further define the reality.

7.1 Policy making and implementation

As van Kooten and Arthur (1997:1513) and others have noted, governments often fail to recognise the environmental impacts of policies and their feedback effects.[1] Both Canadian and UK (and by extension Scottish[2]) politicians are guilty of this shortcoming. International accords have been agreed to but there is considerable resistance when implementation measures are being planned. International and federal (central) accords usually brings with it new laws each having their own maze of regulations. Thus, those who in turn must enact these agreements, the local governments and land management agencies, are rarely given the resources in terms of money, expertise and direction in order to react. Thus it is no surprise that while the goals for the management of natural resources are being raised, the manner in which these can be achieved has not been changed substantially.

7.1.1 To what extent are resource implications considered when land use objectives are formulated and land use policies evolved?

Analysis

This question was not directly tested in the interviews but emerged from analysis of the responses. All informants talked about land use policy but in various contexts. Some were activity specific, some discussed policy development, others discussed protected area policy in general, and others simply commented on policy. Regardless of their particular interest, all who had commented agreed that different interpretations of policy occurred at different levels of government and with different interests. Thus, two general themes emerged, each having their own unique frustrations and resource implications – that is the politics in policy interpretation and reconciling differing priorities.

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[1] An informant had the following to say about this:

> The government is always running along after their legislation. They enact it without understanding what they might have opened themselves up to – all these groups have legal right to challenge interpretation of the Act. (code withheld)

[2] The underlying assumption being made here is that a politician may be tempted to sign up to such laudable agreements without first considering the actual monetary and social implications.

Informants acknowledged that agencies operating within the study areas had different priorities but those who worked within the management agencies or those that dealt directly with the agencies found the planning process frustrating. In particular, there was a high degree of frustration when plans were rejected even though they had been prepared based on policy guidelines and with the perception that the plans had the support of senior management. In some cases, this was blamed on political interference but most often the root cause cited was the lack of consistency at the senior management level. For the Canadians, 64% (N = 11) felt the constant reorganisations of the agencies, whether it was transfers between departments, through mergers or internal rationalisations, resulted in a loss of consistency in management and vision. A Canadian and a Scottish informant each had the following to say:

> Even though there is a parks policy document which has some very clear guidelines you were never really certain if it had upper level support. If you were promoting something which you thought supported these policies, you were never sure that it had upper level support. C16

and

> Local area teams might negotiate a project but the next level up does not see it as a priority, but this happens both ways and, later in the same interview...the political pressures of planning are controllable, but the onus is on the official to convince [politicians] what was in the best interest of the area. If the [politicians] disagree, it is then it is our job to make the best of the decision made. S10

Related to the problem of differing priorities was a recurrent complaint that policy statements were too broadly stated. By this, informants saw policy documents as a general guideline but felt that the wording was so loose that unless there was an obvious negative impact from development or a program, the usual response was "well, what harm could there be?" (C10). The consensus answer to this question was small changes often could have big impacts over time.

Thus, from a policy standpoint, both Canada and Scotland have much the same downfall. The policies may be agreed to, but often are changed or undeliverable given the diverse interpretations from stakeholders, international and domestic political forces. Such changes result in less ability to manage "on the ground" as more management time is spent conducting the paper planning. Could this change? Views were mixed with some suggesting more use of vision statements and others suggesting more national control and others more local control. One informant summed the issue up as:

> It is a dynamic world, things get chopped and changed and we simply need to be able to deal with it. We are never going to have a good pot of money, therefore people need to decide where you are going to spend the money – at the end of the day, you only get to spend it once. S10

Conclusion:

Little consideration is given to the true extent of the resources required to deliver policy during policy formulation.

a. *To what extent are resource allocation processes linked to the budgetary processes and legislated mandates (actual or proposed) for the area?*

Analysis

As discussed in Chapters 5 and 6, the countries and agencies under review all have well developed planning processes.[3] A few critical steps are either lacking or in place but either not used or ignored completely:

i. Larger area vision with management bodies and governmental agencies both contributing to the development and delivery of the vision.

   By contributing to the development and delivery, the agencies will need to justify the decision being made and in the context of the wider area. Although this may lead to more tensions, placing this in a more open forum may also result in better decisions being made as other jurisdictions

[3] For land use, annual budgeting and strategic planning.

may be able to contribute facilities, expertise or other necessary components.

ii. Developing a suitable link between resource allocation processes and the budget processes.

For the most part, it appears that the policy does, or will flow, from the legislation. Theoretically, the management plans and budget then flow from the policy however, there is evidence that these two systems are not linked, either formally or informally. The analysis thus far suggests three areas of concern:

iia. Collaborative or ecosystem management - the existing and proposed management plans have within them implicit and explicit requirements for collaboration however, neither system is strongly linked to the plans of surrounding jurisdictions.

iib. Within the planning processes, there is no feedback mechanism to the budgeting process. The management and business plans, which are subject to input from many stakeholders, do not feed directly into the budgeting process, in terms of what can be done to bring about the "in effect." As a result, the management plans must remain general and without an implementation schedule.

iic. With a wider vision, implementation plans can be made which include the surrounding jurisdictions. Failure for those jurisdictions to contribute will then be more clearly visible. Evaluation processes can then be implemented which do not examine whether the money is spent (these are already in place and to some extent, are being used to further the management plans) but rather address whether the actors' actions move the areas closer to the desired vision.

The question of whether or not resource implications are considered when policies and objectives are formulated was partially addressed by Carey (1984:110) in discussing the qualitative expectations in a government's policy goals. Carey noted that the terms of reference for government

programs were typically weighted by political motives and expectations and drew marginal guidance from quantitative decision-analysis routines. In Mackay's (1995:125) review of NCC, he found that over a short period (1987 to 1990) the agency's Corporate Plan had become somewhat more sophisticated with performance targets extended and consolidated making it possible to judge progress by comparing targets for the coming year with performance in the previous year. This has been carried forward to some extent by SNH and on a consolidated basis by PC, however there is little evidence that management has a very clear idea as to how to achieve or monitor these objectives. The implication then is that the budgeting process is ineffective as a both a control and implementation mechanism and thus the effort expended in preparing and defending budgets could better be utilised in the analysis of where the funds could be used and levered upon.

The following comment was made by a Scottish informant with a few Canadian informants relaying much the same sentiments.

> Because [the organisation] is not big, there aren't debates about [their] efficiency in parliament. But [they] do get scrutinised – which includes monitoring of program spending. But these are operational – they do not address – how much of a difference are [they] making? This is difficult to address – the systems do attempt to monitor change in the rural environment but again there are so many externalities that losses may not be related to what [the organisation] is doing (i.e. migrant birds exploited outside the country). S15

Lastly, given that the development processes in both countries are primarily reactive, the lack of a screening process which promotes the desired objectives is costly. That is, rather than having a vision for what the area is to be, an idea of some options to achieve those objectives and then a call to stakeholders for proposals, each agency simply allows anyone to bring anything to the table and then it must go through due diligence.

Conclusions:

The resource allocation processes are linked at least by line items falling under legislated requirements but the non-quantifiable requirements (such as collaboration and partnership) are not linked formally or informally to the budgetary process.

b. Are there evaluation processes in place that evaluate the linkage and outcomes?

Analysis

Given the conclusion in the foregoing section[4] and the earlier discussion of evaluation, there is little evidence that an evaluation process[5] exists in the study areas which measures the extent to which the desired outcomes were achieved as a result of the resource allocation process.

This lack of evaluative criterion was confirmed through the course of the interviews. For the most part, the blame was laid on the long term nature of land use objectives and policy and the fact that many of the activities undertaken within the study areas were affected by other agencies working both within and outwith the areas. Although both factors may be large contributors to the lack of meaningful evaluation, a more relevant cause may be due to the requirement for collaborative management of these areas and the lack of a formalised process.

Even if there was a formalised process in place, there may be significant gaps between policy and practice in implementation as Dixon et al. (1997:608 – 609) found in their evaluation of an innovative, cooperative planning system. As one informant observed:

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[4] That resource implications of land use objectives and policy are not linked formally to the budgetary process.

[5] Or for that matter, that one even exists other than was the money spent mostly on the objectives set out under the management plan.

> You have this ineffective planning process which could be a key control process – but planning rules now do not differentiate on what the land is to be used for, by that I mean commercial could be a car show room or an arcade. There should be "in effect" terms – what people see is important. It is just not delineated enough – we are not actually saying what are these rules trying to achieve and therefore how can we use them in a particular instance to get those objectives achieved. What we are saying is that we have these rules and we will apply them and even if they become stupid, we'll still apply them. It is very convenient if you are a bureaucrat. S1

Other informants made similar comments along the same lines. Even when collaborative planning occurred, decision makers still found that administrative barriers were thrown up and "partners" were reluctant to work together unless they wanted something – then the "partners" would overlook those proper rules and procedures. Thus if there is no measure of the impact of the particular agency on the workings of other agencies, administrative procedures and routines will continue to be used as a convenient block to collaborative efforts but ignored if collaboration will further the agency cause.[6]

Conclusions:

Processes exist to ensure funds are spent in accordance with plans but no processes analyse whether there has been progress towards the desired goals. The underlying assumption is that there is such a process but no formal evaluation tool exists nor is there a readily available benchmark from which to measure.

c. *To what extent do practices and procedures change as a result of evaluation?*

Analysis

Although the preceding section argues that neither country has formal evaluation processes to evaluate the linkage and the outcomes, evaluation does take place. As described in various sections of earlier chapters, each

agency is evaluated yearly as part of the budget cycle. In addition, PC and SNH are subject to periodic evaluations with regard to their mandates and most often, as a result of these evaluations are then subject to a series of reorganisations.

In the case of PC, the most recent reorganisation into an agency will likely have no effect on land use policy making and implementation. PC's RPP suggests that there will be fewer administrative processes however, the agency structure has little impact on the field level where collaborative (ecosystem) management is requisite. As well, even at the strategic level, there is no additional requirement for formal collaboration.

With regard to SNH, and to a lesser extent LLPA and CGP, administrative practices and procedures may change as a result of evaluation but, as in the Canadian case, management practices such as collaboration and partnerships remain somewhat immune from evaluative processes.

Conclusions:

By in large it is assumed that changes in budgeting and resource allocation processes will occur when evaluated. Administratively, this may occur (the process) but practices (delivery) appear to evolve separately from the evaluative process.

7.1.2 To what extent does land ownership [property rights] have on the formulation and implementation of land use objectives?

Analysis

Wightman (1997:200) maintains that the pattern of land ownership has little to do with the quality of the land and much more to do with economic, social and political

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[6] The LLTWPR (1993:91, para 2.3) concluded that the LLPA and constituent authority liaison officers spent more time conjuring up the resources than in carrying out essential project work. This was a general criticism that also emerged from the interviews.

developments. Taking this observation in the most literal sense, a comparison of lessees in BNP to landowners/occupiers in the Scottish study areas would indicate that the latter, not the former, is true. That is, most land in BNP is marginal for farming, ranching, mining and even timber production; much the same could be said for the Scottish study areas, particularly if agricultural and forestry subsidies were removed. Further analysis of informant responses revealed a large chasm between planned land use (what you say) and effective land use (what is economic).[7] Thus the question becomes how to link planned and effective land use together in order to achieve the desired land use objectives. It is this divergence which is the subject of the following discussion.

The idea of land tenure and ownership was defined and interpreted differently by informants but most were realistic in recognising that the land ownership mosaic was more or less given[8] and that land owners had many motives for owning or having an interest in the land. For those specifically commenting, generally three groups of landowners[9] were recognised and identified as having different reasons for land ownership; private, public and NGO. For the most part, informants believed private landowners (and included here were lessees in BNP) were motivated by money. In some cases, the informants felt that a second motivating factor was to be good stewards but only insofar as they could afford it. For the public landowners, there were mixed views on what motivated governments to own and manage lands. Both Canadian and Scottish informants noted that public owners were generally no better than private owners in securing conservation, economic or social goals.

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[7] A discussion along this line occurred in five or six interviews, more or less evenly split between the Canadian and Scottish informants.

[8] By that, the Canadian informants recognised that BNP was owned by the federal government and would likely remain so and that leases would continue to be granted within the park for the provision of services. For the Scottish informants, there was a recognition that the study areas would likely not come under central government ownership (nationalisation) but remain as a mosaic of public, private and NGO owners.

[9] Or those having a right in the land.

In the Canadian interviews, it was generally agreed that the federal ownership of BNP was likely a saving grace for the area in terms of controlling the degree of development. Some indicated that this was not because the federal government had better control over planning and development. Rather, they felt it was a combination of the government spending comparatively little on development and infrastructure and having a bureaucratic "red tape" minefield that inhibited many businesses from entering the park prior to it becoming a major tourist destination.[10] A few commented that the present development problems did not begin to materialise significantly until the late 1970s and early 1980s.

With regard to effective land use, as discussed in Chapter 3, up to the mid 1980s the area was managed primarily for tourism and thus was development oriented. With the recent changes in the desired land use, PC has the unenviable task of trying to implement the changes. As confirmed in the interviews, the command-control document (the lease), was dated and generally unable to deliver the land use results desired. It was recognised that most leases had been drawn up years earlier and could not have foreseen the changes needed but many informants felt that new leases continued to ignore new management practices necessary as science furthered understanding. Furthermore, many mentioned that the early precedent set by PC of not revoking leases when the lessee did not perform and simply providing automatic renewal, allowed lessees to assume leasehold rights were *de facto* freehold rights. As a result, they felt that lessees then would only conform to land use objectives when it suited them and only to the extent that they would not be breaking the law.[11] Lastly, as discussed in the BBVS, the development planning process was not transparent

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[10] As one informant noted "People are operating in a highly legislated/regulated environment. The locals know how to go through the regulation minefield, new operators have a tough time" (C15). The informant then commented further that in the early years, the only ones willing to put up with the "red tape" were those who really wanted to live in the park. With international tourism making it possible for business ventures to be lucrative, major operators are now willing to go through the process.

and, although there have been efforts to improve this, informants generally commented that the process was not accountable for its decisions. One informant (an influencer which was not developer related) had a scathing review of the development review board and land use planning process:

> The [land use] planning process in Parks Canada is similar to a kangaroo court – it is not a transparent, just process – they never say "is it an appropriate activity?" C6

In terms of resource allocation, a few of the decision makers and influencers observed that only a minute portion of the operating budget was dedicated to land use and in fact, even with the capital budget, most was taken up with maintaining the existing infrastructure. Furthermore, with a land use planning system subject to frequent review and change and a obtuse land use decision making process, it was felt that valuable resources were being wasted not only by developers but by PC being forced to act in a defensive, rather than offensive manner.

Scotland

Without a doubt, the land ownership structure in Scotland and the study areas are far more complex that what is seen in BNP although the property rights issues are much the same. With regard to land use planning, almost all informants conceded that the land use planning systems were highly influenced by the grant and subsidy systems that were in place and that the bulk of these programs were production, not conservation led. As a result, the land owner/occupiers would often seek out programmes that would provide the most revenue, even though the activity being funded may not have been the best land use for that area.[12] Thus the difference between planned land use and effective land use (at least in a rural setting) has been a problem for many years.

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[11] For example, a commercial lessee may decide to enhance a certain area to attract or protect a threatened species over and above what was outlined in a development agreement in order to either attract more tourists or enable them to charge higher rates to their existing client base, or both. In other cases, the lessee may do the minimum required, or less, as they know that Parks Canada must "catch" them and therefore they can delay the cost of implementing the initiative.

Only a few of the decision makers and influencers commented on the frustration that the land tenure issue caused, mostly in the context of achieving a certain landscape quality. As one decision maker noted:

> ...[we] have not got the ability to spend money on the things we would like to as land ownership means that it is impossible to actually directly do that. Further, the statutory bodies that are [involved] have not worked out exactly what they are trying to do.....even with a balanced approach, they have not thought it through. They need sensible plans for areas so that public subsidies are not the only incentives available. Public money ladled to landowner will not work forever. S1

but an influencer felt that there actions were justified in that:

> ...economic objectives have historically taken precedence over the social and conservation interests." and "For the private owners, it is making sure that it is profitable, with the traditional land uses – agriculture, forestry and sporting, it is becoming very difficult. Increasingly, [land owners and occupiers] will have to look at opportunities for recreation and tourism in order to enhance income. But where will the non-paid benefits come from – from the taxpayer. The switch will be from subsidizing the rural economy to produce food to produce other products. S2

Conclusion:

Land ownership (property rights) in both countries has had significant impact on both the formulation and implementation of land use objectives.

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[12] A few informants called this "growing grants."

Summary and discussion

Federal land ownership in BNP is essentially a non-issue given the previous management of the leasehold system. The formulation of new land use objectives must take into account those *de facto* rights and implementation against existing leases requires compensation or threat. Threat is only effective when the lessee requests permission for further development. In the case of LLT or CG, existing land tenure arrangements mean that formulation and implementation of land use objectives require sufficient incentives be offered to existing landowners/occupiers.

Thus when allocating resources toward land use, does either country find the type of land tenure makes it any easier to achieve the desired land use objectives? It would appear from this analysis that the answer is no. Various factors, including historical and political actions have resulted in outright ownership versus influencing others to be no better at controlling desired land use.

However, both countries have the potential to mitigate conflict due to the strong legislation in place (Canada) or proposed (Scotland). As Cragg (1998:17) found, low levels of conflict occurred where the core mandate for an area was a legislated one and that the managing authority was committed to sustainable principles and it succeeded in communicating that commitment to its various stakeholders. Both countries have (or will have) this core mandate and are well versed in producing a management plan. The next step however is to produce a management plan which rests on environmental protection and conservation with core values of the plan giving highest priority to the long term economic health of the region together with a thoughtful account of the views provided by stakeholders. From this, an implementation plan for what must be done and by whom can be developed and carried forward in a responsible manner.

7.2 Resource allocation

7.2.1 To what extent does the management body influence land use? In what way are they able to accomplish this?

Analysis

This question was concerned with what within the organisation dictated how resources were to be allocated and ultimately how land use was affected. After analysing the interview data, none of the informants provided a comprehensive discussion of how these processes occurred and were linked. This was similar to findings by Wambach (1984:192): "the agency may be admirably staffed with people who know how to do things, but have no special ability in deciding what to do." Mackay (1995:211) also commented along the same line when he observed that few objections were encountered by agencies charged with technocratic exercises (identifying patches of interesting habitat) but if the agency had custodial responsibilities, problems quickly developed - particularly if the agency directives deviated from those of the population as a whole, or of local communities.

In general, four different themes emerged in analysing what the informants saw as shortfalls in the existing land use management systems. The themes, management structure, management personalities, management training and management tools will be dealt with separately.

Management Structure

The frequent reorganisations of PC and SNH (and its predecessors) have resulted in flatter organisations and theoretically more efficiency with regard to not only decision making but also in a reduction in resources for the internal bureaucracy. However, there is evidence that institutional fragmentation and hierarchical thinking remain dominant threats to achieving the desired land use objectives. Thus, when compared to the findings of Nichols (1981:97), it would appear that there has been

little change in the past eighteen years with regard to the actual effectiveness of the decision making authority within the subject agencies.[13]

By extension then, if the decision making processes continue to be bounded by existing organisational routines which encourage institutional fragmentation and hierarchical thinking, then effective resource allocation (best value) is similarly bounded and restricted or "factored", using Allison's term (1971:167). As well, fragmentation of responsibilities both within and outside these agencies has resulted in these agencies depending on their ability to influence others in order to achieve their objectives.

Management Personalities

There was no direct evidence that management personalities played a role in effective resource allocation[14] however, there were certain attributes mentioned by both Canadian and Scottish informants. Decision makers in both PC and SNH identified effective managers as one that could influence others, whether to participate or to "deploy their resources" so that the agency could carry out their mandate. For example:

> The big trick for [the agency] is to say actually, its not how much [the agency] get that counts, it is how effectively does [the agency] persuade government to deploy other bags of gold to [the agency's] ends. What [the agency] most effectively can do is to ensure that other streams of public expenditure are deployed in ways that do not damage that which [the agency] is trying to conserve and attempt to enhance or reclaim what has been lost. The trick is to ensure expenditure [by other government agencies] is deployed in ways which help [the agency's] purposes... S16

The problem with such a system though is that rarely do the field managers have the ability to influence others. In some cases informants argued that being effective

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[13] Nichols examined the US Parks Service and found that even with decentralisation, there was still a limited, problem directed search for alternatives and that the first alternative that met the minimum standards for an acceptable solution (satisfice) rather than the best of all alternatives (optimise) was chosen (1981:97).

[14] Although personalities were mentioned in the context of partnerships and building collaborative relationships.

required influence, and influence required tools including money, regulations and education. Given those tools, if they could persuade - fine, if they could not there was a problem.

Management Training

During the analysis of the informant responses, the issue of management training and ability to adopt an integrative management approach became a recurrent theme. Although this issue was not directly addressed in the earlier chapters, its impact cannot be ignored as it was mentioned in various contexts by over half of the Canadian (6 of 9) and Scottish (6 of 10) decision making/planning informants.[15]

For the Canadian informants, the general frustration was that PC had been encouraged for years to enter into partnerships but did not make it policy until 1994, and even after that time, there was very little training. All six informants commented that there was an assumption that the individuals knew what partnerships were all about and that although some did many of the key managers still operated as they had in PC's old culture where PC had the ability to do the work themselves. The general consensus from the Scottish informants was that better practice and better skill were needed, where skill was broadly defined as "the ability to get the partners to see where their investments can be levered." Given the long history of central government promoting partnership, the Scottish informants may have felt more comfortable with the concept however, whether or not decision makers were better at forming and influencing partnerships was in some doubt. As one informant noted:

> Many of the senior public servants in SNH have inherited their positions and really need to be let go before the agency can do much on the way forward. Many of the other agencies have gone through this restructuring pain already. S1

This issue is interesting from the view of how a management body influences land use. In the Canadian setting, the use of partnerships has been relatively recent as

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[15] These informants were decision makers/planners that worked within the study areas or management bodies.

compared to their Scottish counterparts however, in terms of using partnerships to promote integrated management both would appear to be deficient in providing the guidelines and incentives for management[16] partnerships to be effective. Furthermore, given that the objectives to be achieved were so long-term in nature, many were frustrated that their management decisions could not be measured against anything else but the "ability to get the paperwork done."

Within the management body itself, there are a number of issues which impacted on its ability to influence land use. As detailed earlier, constant reorganisations of PC and SNH may have been to not only flatten the decision making process but also a deliberate attempt to dilute the risk of over-specialisation. This may have worked relatively well at the strategic level for PC, but not at the field level given the superintendent's power. That is, the superintendent generally has a specialised background in a natural science but has no particular training in management of the social sciences thus their ability to manage in an integrated fashion is compromised. For SNH, such actions would appear to have been successful although the degree of success may be less from the partnership approach being promoted and more from the "incentives" offered.

Management Tools

As highlighted in the earlier chapters, each agency has different powers and directives with regard to land use. Parks Canada is responsible for land use within BNP but like SNH along with LLPA and CGP, it also tries to influence land use. As well, each country has a land use planning system, with various strengths and weaknesses as they pertain to protected area management. For these agencies, there are many pressures but most are shortlived (even though they may reoccur) and given the relatively short time allotted to politicians, there is little inertia within the organisations for dramatic change (Greenwalt 1984:86). Thus to address the second question posed, in the context of how does the management body influence land use, the analysis is primarily centred upon the responses from the informants.

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[16] Almost all of the informants pointed to a successful project based partnership, but few could

Although both PC and SNH have numerous control mechanisms available to them, neither appears to particularly relish exercising their statutory rights to use them.[17] As discussed in various sections, this is certainly due in part to the differences that exist between the powers of SNH and PC, but also in part to factors such as past precedent, political interference and lack of support (real or perceived) for such a decision. In view of the increased influence of other stakeholder groups, it may be that these agencies simply feel overwhelmed in terms of money, manpower and expertise.

Given the general desire not to be a regulator, these agencies have instinctively moved toward partnerships. While appealing in principle, they have proved to be only somewhat effective for the resources expended. By that, it would appear that a partnership approach to the management of an area has not been completely successful given the influences on and lack of recognition of the resource requirements for such partnership arrangements. Project specific partnerships however, do appear to be a good approach. Lastly, rather than focussing on developing effective partnerships and systems which support them, most of the time spent by the agencies is in trying to motivate land owners/occupiers through the use of monetary incentives.

Conclusions:

The management bodies influence land management through their actions but the strength of those actions is weak as compared to the forces that trigger the need for land use decisions to be made. Frequent reorganisations of the management structures have served to weaken the decision making processes and training of managers has not kept pace with policy.

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provide a good example of a large scale management project.

[17] This must be tempered somewhat in that PC does have to follow proper procedure for issuing development permits including requirement of EIA's.

7.2.2 *To what extent do various stakeholder groups impact on resource allocation decisions?*

Analysis

As discussed in Chapter 5, resource allocation should simply follow the planning process. That is, once the plans have been made and agreed upon, the resources should follow. However, whether within the planning process or thereafter in the allocation decisions, stakeholders have varied degrees of influence. As Forester (1989:9) found:

> In a world of severe inequalities, planning strategies that treat all parties "equally" end up ironically reproducing the very inequalities with which they began. Nowhere is this paradox of "equal opportunity" more obvious and poignant than in apparently democratic, participatory planning processes – in which initial inequities of time, resources, expertise, and information threaten to render the actual democratic character of these processes problematic, if not altogether illusory.

Furthermore, Mackay (1995:211) found that agencies tended to make amends after the fact through intensive public relations rather being proactive in delivering the agenda in the first place. Thus, the degree to which these stakeholder groups influence the processes and whether or not the agencies recognise the resource implications of these influences is important when considering how resource allocation processes should be developed.

Clearly the management systems and their processes have evolved separately over time and in response to a variety of factors. However, the extent to which each system has allowed "administrative penetration"[18] is somewhat varied leaving no clear evidence that either system has been more or less receptive to those influences.

One of the main influences in the three study areas is the role of the various levels of government.[19] As discussed earlier, each of the study areas promote coordinated

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[18] The term was introduced in Chapter 1 and basically refers to how or the extent to which management systems have had their administrative systems influenced by a variety of groups.
[19] Land tenure was mentioned most frequently as one of the interview questions dealt with the topic explicitly. Land tenure has been dealt with in the earlier section and will be addressed again in section 7.2.3.

planning, particularly with regard to land use however, no individual jurisdiction is bound to take into account the needs of another area, unless it suits their particular needs. As a result, the resources allocated to coordinated planning may be wasted on the most part as sectoral activities continue in spite of the plan. In analysing the responses of the land managers in both Canada and Scotland,[20] the recurrent complaint (N = 12 or 80%) was that despite promoting cooperation, most government departments continued to operate in their sectoral role. The result was that valuable monetary and manpower resources were then wasted fighting what other departments either had done or were planning to do. At the same time though, many of these same informants also took the view that it was important for their departments or agencies to have their own opinion in how they managed their plans. Thus, it would appear that the lack of formal integrated planning between various agencies along with the necessary resource commitments from these agencies and various levels of government with a vested interest in maintaining a national or regional goal, have resulted in the intergovernmental stakeholder group exhibiting a significant impact on the resources of the managing bodies.

With regard to the impact of various interest groups, by in large, the most frequently mentioned group (N = 16) was the environmental and conservation lobby.[21] Similar to the argument above, most land managers/occupiers found that this group had become more vocal in the past few years, due primarily to international accords which had been signed by the various governments. Furthermore many of these groups now had either the financial clout or the legal authority to take the various levels of government to court.[22] Thus, when asked how these groups influenced resource allocation decisions, the general answer was that they did not (N = 22 or 71%). However, such an answer is inconsistent with what was also said by most of the same group – that is, these decision makers said that they may listen to what the

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[20] Included in this group (N = 15) were decision makers, influencers and land owners/occupiers with conservation remits.

[21] These two groups, although different in philosophy, were often combined by the informants. This combination will be used to facilitate the discussion.

[22] A discussion of the legal authority in each country is beyond the scope of this study however, in recent years, there have been changes in both countries which have allowed various group to sue government agencies for not following processes or procedures and in some cases, on behalf of the environment. In some cases, regardless of whether the defendant lost or won, the defendant would also be responsible for the court costs.

interest group had to say, they might agree with what they had to say, but were hesitant to publicly agree with the group. When pressed for why there was reluctance to publicly agree the responses were varied but included fear of legal action, having the interest group raise the standard[23] or simply that each department was entitled to their own opinion. Specifically addressing the extent to which these groups impact on the resource allocation decision, it would appear that they may not affect the decision directly but are heavily influencing the process. Given the agencies are cognisant that such groups would continue to act in a watchdog role, the impact of these groups on the resource allocation process should be anticipated. However, by the same token, the knowledge that the groups have the ability to take legal action may also partially explain why the more difficult land use management decisions are simply not made but rather deferred for further study.

Lastly, the impact of public consultation on resource allocation must be examined. For the most part, all agencies agreed that it was important to conduct public consultation. The consultation itself was resource intensive however, whether it actually impacted on the decisions being made, or the process by which these decisions were made was given almost no attention by the informants. Thus, although budget monies are allocated for such processes, the value of the information received may be questionable in influencing how land use decisions are made. As one informant observed:

> ...community involvement – it is very time consuming but it needs to be done – for them to have active involvement. It is a process that has to be built on - I think that [government agencies] lack the ability and the experience to do proper consultation. They do not realize the amount of work involved in public consultation and thus people feel it is simply lip service. For example, [some consultation papers] have a response period of two months, for a community, that does not give enough time to sit around and chew the fat and then make a meaningful response. Quite often you have to help people form

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[23] One informant summed up the general feelings of the decision makers/occupants: You can never satisfy the environmentalists as their objectives are up there, if you meet their objectives, they will just set them higher. C20

> their responses as they do not understand the questions you are asking them.[24] S19

Although this view was from a Scottish perspective, some of the same criticism had been targeted at PC by some of the Canadian informants. The BBVS praised PC for its apparently sophisticated use of public consultation but informants for this study did not necessarily have the same view. The criticism centred around lack of time, broad based questions or questions which were at opposite extremes and the lack of support for communities in examining the long term implications of the plans. Such observations are not substantively different to what others have found in their examination of public consultation exercises (see Frentz et al. 1997, Rydin 1993). That is, such exercises while offering the promise of redressing power differentials to pursue fairer distribution places a heavy burden on those participating. Thus, potential participants may reject a public participation exercise due to the high opportunity cost of involvement, particularly if it cannot be seen to genuinely impact on decision making.

Lastly, public consultation generally was conducted on issues dealing with land use not resource allocation. Thus, although the consultation process could be argued to provide some degree of public input, the impact of that input into the resource allocation and spending priority process could be argued to be weak at best. As one informant observed:

> ...we understand we have a number of stakeholders – there is influence, but we are fairly good at managing it. Most groups try to influence positively. They affect budgeting and priority setting to the extent that we live in a political environment but it is not undue; and later in the same interview...public consultation has been a fundamental part of land use planning....it is not used on administrative items. There are things you consult on and things you don't. C19

However, as two decision makers also noted, it was these administrative decisions which often had a larger impact on resources than the land use decisions.

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[24] Eight informants (evenly split between Canadian and Scottish) felt that most public consultation required too quick of a response and that the given the complexity of what was being asked, most communities/stakeholders involved were simply unable to comprehend the potential impact of the questions nor formulate a response to address their concerns.

Conclusions:

There is no clear evidence that stakeholder groups do or do not impact proactively on resource allocation decisions. The evidence does strongly suggest that these groups heavily influence resource allocation decisions after the decision is made.

7.2.3 To what extent are external and internal stakeholder group activities recognised in resource allocation decisions?

Analysis

Like other questions, this was not directly asked of the informants but was answered primarily through the analysis of their responses. For the most part, the activities undertaken by external and internal stakeholder groups were recognised by the management bodies but the impact of these activities on priority setting and ultimately the resource allocation decisions were not. For example, one informant commented:

> Most of our pressures come down from a sense of departmental, political need. For example, we have to realign our budgets to use new financial software. This has caused a major amount of money getting skimmed off the top of our budget. In theory, this should come back to us when the conversion is over, but in the meantime, it affects our ability to meet objectives. C14

For the management agencies under review, no provisions were made for added resources necessary to finance changes in the administrative processes or organisational structures. Although such a provision is rare[25] the failure to account for the cost could be a major factor contributing to these various agencies complaints

[25] Even in the financial statements of corporations, this is rarely done, unless the cost is substantive.

of lack of resources; particularly since these agencies have been subjected to numerous internal and external reorganisations.[26]

In a different light, some of the decision makers[27] recognised that both internal and external stakeholders affected their resource allocations decisions, particularly when those stakeholder groups dealt with land management issues. As discussed earlier, the agencies found that when no integrated plan existed, with dedicated funding to ensure interjurisdictional compliance, resources were consumed either fighting the plans of other jurisdictions or mitigating the potential damage.

Another influential stakeholder group, land owners, appear to be recognised in resource allocation decisions but the extent to which they are recognised depends on a few factors. In BNP, given the federal government is the primary land owner, it could be argued that all of their resource allocation decisions take into account the land uses as set out in the Act, operating guidelines and management plans. However, the evidence gathered shows that by using a lease instrument which is not "living," management is unable to require leaseholders to comply fully with new science. As a result, management must undertake measures to mitigate potential damage either through increased monitoring, paying the leaseholder to make the changes or to fight potential battles which might ensue with other interest groups which see a conflict. None of these potential costs are specifically reflected in the business plans.

Parks Canada recognises the potential impact of changes in land use in the various municipalities and provincial crown lands surrounding BNP. However, given the lack of senior level governmental accords which require collaborative planning and

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[26] Given that both PC and SNH have large internal bureaucracies, despite the reorganisation, and that each level of the agency is involved in planning, each level is also involved in resource allocation – either as a cost or a revenue centre. The resources deployed to prepare the plans therefore are naturally not available to the field units.

[27] A total of twelve informants made comments specific to this, evenly split between the Canadians and Scottish. All recognised that "at the field level", collaboration and cooperation was relatively easy however, efforts to formalise these efforts generally did not progress much further due to lack commitment by various levels of agencies and levels of governments. When pressed for an explanation, the general consensus was that there was no evaluation measures which made these agencies or groups accountable for their actions or impacts on others.

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management, there is little evidence that the resource allocation process takes into account those potential impacts, other than on a cursory basis. The result is a defensive management approach within the park which may be in vain given the factors outside the park. That is, the measures taken within the plan are insufficient in themselves and thus represent a waste of money.

In the case of LLT and CGA, the activities of land owners/occupiers is recognised by both SNH, the LLPA and CGP, particularly in the deployment of grant monies. As well, these agencies are aware of the impact that other agencies have in influencing those same land owners/occupiers. What is not widely acknowledged though, just as in the case of BNP, is the cost of mitigating the effects that these other agencies may have on the goals and objectives set out in the area management plans (or strategies).

Conclusions:

It could be argued that each of these agencies recognise that various stakeholder groups impact on them, but they do not have quantifiable measures to measure the extent of that impact. Thus, using Dearden and Berg's (1993:195) term, there is a high degree of administrative penetration into the decision making process, but the cost of that penetration both in monies and manpower is not recognised either explicitly or implicitly. As a result, the true cost of resource allocation decisions is understated in the planning documents. This is consistent with what Nichols (1981:86) and others found, that is the management body often could be viewed as having absolute authority until a decision is contested: thereafter, they participate in subsequent decision making in varying degrees of partnership. Thus, sharing rather than delegation of authority might more accurately describe the field-headquarters relationship in protected area administration. Sharing of authority would then dictate that there should be sharing of resources required to make the decision, however, there is little evidence that this is provided to the extent necessary.

7.3 Conclusions

Clearly the organisational structures and administrative processes for the management bodies have evolved substantially over the past twenty years but the tools used by these agencies to translate land use objectives into budgets and spending priorities have not. As a result, external influences that could be anticipated and planned for are excluded along with recognition of any potential benefits these influences could bring. Efforts to facilitate collaborative management have had only limited successes due, on the most part, to constituent authorities using the same antiquated tools and the lack of a meaningful evaluation process to measure the success of collaborative management efforts for organisations and individuals.

8 Recommendations: reconciling the rhetoric and the real world

> Almost by definition, if the government does something, there is a big announcement, great ambitious plans and a budget that isn't quite good enough. Each year that budget is cut and, after 15 years it dies naturally or you have a new Act of Parliament to start it up again. S12

This statement captures many of the frustrations relayed by the informants and, despite its rather fatalistic tone, the majority of the informants strongly supported not only the concept of protected areas but also the idea of collaborative management and partnerships. Thus, the analysis in this chapter focuses on not only some of the factors which have proved effective for the various agencies but also on some of the recommendations made by some of the informants. Ultimately the chapter addresses the second part of the study objectives and provides some recommendations. That is, the chapter examines whether agency policies and structures have been able to lever upon the influences to further their objectives, or has there been active deployment of resources to resist the impact of those influences, to the detriment of achieving the desired objectives.

Reconciling theory and practice

There are numerous factors involved in balancing theory and practice with finances and it is only partially a problem of too little money. Instead, as Cimitile et al. (1997:68) contend, "the institutions and regulatory tools that contribute to the imbalance" must be examined and improved upon. The problem though, most often is that the theory of the program is often confused with the theory of program implementation (see Yin 1994: 30). Managers and policy makers want to know the substantive steps to be taken.[1]

Adaptation of these processes to today's administrative and political environment might take several forms:

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[1] In discussing environmentally sustainable development, O'Riordan (1982:104) notes that movement toward an integrated strategy will not come easily through incremental shifts in policy and practice, but he concedes "incrementalism is the name of the political game".

a. Use a vision setting process for the areas that includes outlying jurisdictions. Environmental, economic and social issues must be addressed.

b. Align the planning processes between the areas, outlying jurisdictions and responsible agencies as they relate to land use issues.

   i. within the planning process should be a requirement for an implementation plan which details:

      1. what type of collaboration is necessary.
      2. how the agency will proceed.
      3. which other agencies are necessary to bring into the plan.
      4. how the success of the plan will be monitored.

c. Provide better incentives for the various stakeholders to participate in not only planning but in plan implementation.

   i. link grant systems and leases to achievement of various objectives. In the case of large estate holders which do not qualify for various grant incentives, consider the use of saleable tax credits.

   ii. for agencies that show improvement in "on the ground" collaborative management practices, have federal/central governments provide "top up" funds for further "on the ground" initiatives.

   iii. for employees of the agencies, provide training and reward packages for innovative practices which encourage collaborative management.

d. Consider the use of a formal board to advise and make management decisions based not only on best science but also best practice. This would require the use of experts in business, social programs, law and so on. The role of the manager or superintendent would then be to implement the boards' directions.

Refining policy into procedures

Generally there are two issues which need to be dealt with when discussing how policy should be refined into administrative procedures for management. The first is

dealing with operational or project management issues and the second is how to promote collaborative land management within and outwith the study areas.

Overall, it would appear that the agencies are relatively comfortable in using a collaborative approach when entering into specific projects, particularly when these projects are development oriented. Such comfort is afforded by familiar processes like specific timelines, duties, monetary contributions and so on. Where the agencies falter though is in arrangements whereby the use of an area is to be managed. In such cases, the processes are not well defined and the budgeting and resource allocation systems need to be aligned with the planning systems so that they recognise the cost of collaboration. Secondly, there needs to be a detailed implementation plan that clearly spells out the duties of the stakeholders in the process and thirdly, that there are agreed upon benchmarks to measure the effect of the collaboration. Given the planning systems are relatively well developed, the next step is for these processes to relate back to the budgeting and resource allocation processes through an implementation plan. It may be true that set budgets are the political reality regardless of the objectives, but taking steps to recognise the impact of various influences, including collaborative management is critical.

With regard to setting objectives and strategies, there needs to be adequate incentives but there also needs to be a legal obligation by the managing agencies to those objectives and strategies. This means that the management plan must be negotiated, benchmarks and hallmarks set, responsibilities outlined and agreed to along with penalties for non-compliance.

Policy evaluation or levering the investment

If management agencies had incentives to recognise where their overlapping interests were and worked collaboratively to address them, the management bodies could become quite powerful. In the short term, such effort would be costly but, once processes were in place, these new collaborative efforts would reduce the

administrative overhead for the agencies involved. The net result would be that in the long term, these agencies would find that those freed resources would then be able to be deployed to other purposes.

Staying on track

Extreme pressure is often applied to one small issue and the resources used to resolve the issue is disproportionate. A relationship "Aikido" approach may be suitable in the long run. That is trying to anticipate the issue in advance, recognising that the issue is valid, responding to it, providing options and inviting responses from all stakeholders. This would require proactive planning processes and truly a collaborative approach to problem solving. It would also force all parties to the process to be more accountable for their actions.

8.1 Comparison of successes and failures

Each of the agencies under consideration has experienced notable successes and failures in recognising and developing strategies or policies to address these influences. This section follows along the lines of the analysis and findings in Chapters 6 and 7.

8.1.1 Aligning land use management objectives with management structure and management culture.

Overall land management objectives have been well defined but poorly aligned with management structure and culture. In BNP, the early implementation of legislation undoubtedly prevented early resource exploitation and facility development however, the tool used to limit development – the lease, has been relatively ineffective given external influences in the past twenty years. By the same token, management structure and culture have changed in the past twenty years however the planning

systems including the budgeting processes have not, leaving large gaps between policy and implementation.

In the case of LLT and CGA, the long history of land ownership in the areas combined with the various post WW II government programs available, have exercised a strong influence over the land use in these areas. The management structures and cultures have been relatively recent in their development and their underlying philosophy is clearly more collaborative and partnership oriented than in the Canadian case. Given the underlying philosophy, it is unfortunate that the planning systems, including the budgeting and allocation processes, have not developed to the same extent, leaving many of the same gaps seen in the Canadian system.

8.1.2 Aligning financing with objectives

Following along the lines of the discussion in Chapters 6 and 7, none of the agencies show strong evidence of aligning their respective land use objectives and management strategies with their budgeting and resource allocation processes. This is very similar to the findings of Al-Heizan (1996) in his study of the budgetary and evaluation systems of various colleges and universities that had been subject to changes in their financial environmental. His results showed that the traditional accounting and budgeting systems played little or no role in the resource allocation process and as a result they proved inadequate to address changing financial environments.

As well, in none of the cases was there well documented evidence[2] that any of the agencies had tried to link financing with the stated primary objectives of that particular agency. Although all the agencies dealt with land use, they also to an extent dealt with local social and economic issues, however there was little evidence that the agencies, the commercial interests and stakeholders in each of the areas were

convinced that the environment in itself could be an economic driver in these areas. Thus, each area lacked a set objective or vision on what the environment as an economic driver meant for the area.

8.1.3 Aligning objectives and evaluation criteria

The different agencies have certainly evolved differently over time and in overall purpose. LLPA and CGP would appear to be somewhat more sensitive to linking objectives and evaluation, perhaps due to the fact that they are answerable to the constituent authorities to a larger extent than PC in BNP and SNH in both LLTA and CGA. With regard to PC and SNH, there appears to be little effort to align the land use objectives with a meaningful evaluation tool. Certainly each agency is scrutinised yearly with regard to whether the resources allocated have been used and, to an extent on whether they were deployed for the stated purposes. The shortfall is that there is no further evaluative process to measure the extent to which the objectives were met and/or to what extent the agency was effective in influencing others to move toward achieving the objectives.

In the case of BNP, there is progress toward developing various ecosystem indicators however, these indicators generally do not encompass socio-economic impact measures. By the same token, LLPA and CGP, along with SNH, are well aware of the socio-economic issues and impacts but less able to address the longer term ecological issues. Taken at face, it would thus appear that these areas in Canada and Scotland are at polar opposites with regard to the issues they address through land use management however, both countries share a common lack of indicators which measure their impact on the desired objectives and outcomes.

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[2] No informant was able to provide an example in which there was at least an analysis of the benefit relative to the cost of undertaking (or not undertaking), in the context of land use.

8.1.4 The voluntary approach

The idea of a voluntary approach has very different interpretations both in the Canadian and Scottish context as well as in the land occupier and agency sense. Although the voluntary approach is promoted as a mechanism for the achievement of various land uses in Scotland, it is truly far from voluntary in the sense that various incentives are offered to entice the landowner/occupier to manage or act in a certain fashion. Further, coordination and collaboration have been encouraged for the various agencies participating in LLPA and CGP however, it is possible for these agencies to withhold consent and resources thus thwarting the efforts of the management agency. In the Canadian setting, given the land use is highly regulated thus compliance is not voluntary but mandatory. Nevertheless, given the lack of flexibility with the lease instruments especially in light of the past precedents, PC is forced to seek compliance on a voluntary basis. From an interagency viewpoint, individuals at lower levels appear to enter into collaborative arrangements on a voluntary basis with other agencies in an attempt to mitigate the impact of various developments surrounding BNP however, without higher level agreement, these efforts remain modest and small scale at best.

Given such divergent interpretations, it is difficult to evaluate the true extent to which each country has or has not succeeded in promoting a voluntary and/or collaborative approach to achieving desired land uses. However, it is possible to make some general observations:

a. requiring agencies to operate on a voluntary basis to achieve desired land management goals for a particular area places results in duplication of effort, particularly on an administrative basis.

b. there is a reluctance to measure the impact of such voluntary measures on achievement of desired land uses, this may be in part to a variety factors including:

   i. there is no comprehensive land use plan for any of the study areas which also takes into account activities of surrounding jurisdictions.

ii. various agencies not wanting to embarrass other agencies, particularly if they themselves may be asked to answer for their own deficiencies.

iii. a desire to not use interest groups to any significant extent for fear of potential lawsuits for failure to interpret and follow policy in accordance to international agreements or emerging science.

With regard to the above three factors, the reluctance to participate voluntarily may also be partly due to the resources that must be dedicated to the process and the lack of recognition of the cost in the budgeting and reward systems.

8.2 Cost versus opportunity lost

The foregoing discussions have shown that the most powerful routine – planning – in Parks Canada, Scottish Natural Heritage, Loch Lomond Park Authority and the Cairngorms Partnership seem to be development and not management oriented. The idea of planning for land use management may sound relatively straightforward and the traditional planning tools may be adequate but the underlying motives both for and against such plans are powerful influences on whether or not these plans can be implemented. As well, given that the planning systems deal with primarily development issues, various commitments made by various levels of governments (or even these agencies) are done before all of the required paperwork is in place, resulting in lost time and money in defending such commitments.[3]

This is consistent with Atkinson and McCrindell's (1997:21) comment regarding government agency objectives being defined, or driven, by its governing legislation, the extent of the flexibility in this legislation and the priorities of the current

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[3] Following the Philips Petroleum Rule 1-10-100, prevention is cheaper than a cure. If a problem is identified and corrected within a work area, it will cost $1; if it is caught internally, yet beyond the area, it costs $10; and, if the problem must be solved after delivery, it costs $100 (as discussed in Feltmate 1997:16). This is further complicated by the fact that the land use decisions made may not be able to be corrected at all, if the potential effect is either not readily identified or considered in the context of other land use decisions which may have a significant cumulative effect.

government. However, in the present environment for protected areas in both Canada and Scotland, government objectives are restricted to what is affordable.

8.2.1 Management considerations

Individual managers and decision makers in the study areas are well aware of the problems they are facing and often the root causes cited are lack of power and lack of resources (whether money or manpower). Given that detailed budgets and plans were not available for comparison or comment, these are difficult statements to confirm or repudiate[4] however, there are various low cost options that these managers and decision makers could implement which may result in "better value" for their investments of time and money. It should be recognised though that the term low cost is used in the context of resource use as opposed to control. The options presented in the next section will require that these managers and decision makers open themselves and their decisions to a more intense scrutiny and debate.

For example, none of the organisations in this study had sufficient money available to conduct all the research they needed in order to make their decisions and set their priorities. As a result, policy development for particular issues lacks a comprehensive understanding of not only the problems but of the potential impact of the solutions. If the organisations had collaborated more on research required for an area, the resulting plans may have been more progressive toward the desired goals.

Thus if SNH and PC want to enhance the management of these areas, it is imperative that they change their way of thinking. Rather than being responsible for conservation, they might look at themselves as agents to correct market failure in conservation. This would require taking a look at the desired end value, the investment value (in terms of what others would contribute given what they would receive) and then plugging any shortfall by grant or other means. This would mean

that both agencies would need to network heavily with other agencies to fill in the social and economic needs. The management and the risk would then be shared amongst all the stakeholders.

This is not to suggest that either PC or SNH avoid their direct responsibility for conservation nor that legislation be changed or developed to allow either agency direct access to local government machinery. What it is suggesting though is broader commitment by federal/central and provincial/regional governments to manage the area towards achievement of the desired end state. To achieve this might require formal accords be agreed to with various stakeholder groups included as both contributors and "watchdogs."

8.3 Policy recommendations for Canada and Scotland

Fundamentally, it is easy to provide a list of policy changes however, given the realities of institutional structures and basic human nature, the true challenge is to suggest changes which are evolutionary, measurable and able to be implemented by existing management without considerable effort or threat. Thus the following recommendations should be considered a first step toward a fuller understanding for guiding management in future resource allocation processes. Given that a limited number of cases were examined, each intentionally unique, they are as a group insufficient to serve as a comprehensive base from which to make generalisations about other cases and situations. However, given the detail with which they are described, and because comparative analysis is based on an understanding of other cases, the conclusions and recommendations reached can be taken more broadly. That is, the cases shed important insight into how management might, in future processes, avoid specific problems, increase their skills and effectiveness, and maximise the potential benefits of collaborative management processes.

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[4] As discussed in Chapter 5, it is doubtful that the budgets from the various agencies could be directly compared in a meaningful way given the entirely different processes in place. A general overview

These recommendations are made based on a recognition that decision makers are generally interested in alternatives that are easy to implement and solve the problem at the same time.[5]

8.3.1 Old thinking for new problems

Both countries have invested substantial effort into vision setting, establishing and encouraging partnerships, interagency collaboration and public consultation processes. All of these efforts have had significant implications with regard to resources, both directly (in terms of line items on budgets) and indirectly (in terms of actual land use management in the areas). The next step is for the agencies to carry these investments one step further and begin to recognise the ongoing cost of these initiatives and investigate the long-term benefits of them with regard to achieving the desired land uses.

A. Vision setting

Recommendation: Set vision statements for larger areas requiring management and expand the use of vision statements in the planning process.

As discussed in Chapter 7, each of the areas, together with the surrounding jurisdictions must have a concept and a view of where they would like to see the area go. This view then needs to be translated to a practical level where there are plans for what realistically can be done and which stakeholders or players are critical to the success of the plan. At the same time, the plan requires sufficient flexibility that should critical stakeholders or outside environmental factors stall one project or the process, the managers and decision makers can concentrate on others.

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though does provide insight into whether the agencies recognise, within their budgets, how the various stated management policies are to be resourced and the impact of various external influences.

[5] This is following along the same logic Browne (1993:202) used but applying this to government agencies. That is, recognising that long term progress should follow from legislative change however, until these issues become foremost in the legislative process, gradual change in policy direction and interpretation, without significant out of pocket expense for the governments, is likely to be the most successful approach.

There has been considerable progress within each of the study areas with regard to setting a vision, the next challenge though is to have the surrounding jurisdictions work with the study areas to draft an overall vision which includes environmental, social and economic issues and plans. Certainly a reasonable process to not only set the vision but also the plans through the use of existing planning systems with enhanced partnership and public involvement.

The use of a visioning process for the larger area may also provide some insight into areas where relatively small issues could become contentious in the future and thus an inordinate drain on resources. If identified early, these may not become contentious issues at all or may be able to be dealt with in a proactive rather than reactive manner.

B. Partnerships and interagency collaboration

Recommendation: Encourage agencies such as PC and SNH to be formally included in the planning processes of the jurisdictions surrounding the designated areas.

Partnerships and interagency collaboration may be useful in breaking sectoral thinking if such arrangements are used as a brokerage where individuals and organisations are allowed to work together and generate more ideas. However, in some cases collaboration and partnership arrangements have grown so quickly that the result is resource intensive management[6] with little measurable or tangible output. Thus, partnerships may be best used as facilitators in the process, to encourage various factions to sit down and come to agreement. If partnerships or collaborative efforts act in such a role, the resources required would include

[6] This would include not only in finding the money required to fund the project or initiative but also in negotiating to get these underway. For example, a central government might be aware a problem exists and is knowledgeable about the potential cost for remediation. If remediation funds are split amongst ten agencies which may have certain aspects of the problem as part of their mandate, those ten agencies must first locate each other, negotiate on what they perceive the problem is and potential solutions, develop a plan and implement it. It is doubtful that the resources brought to bear on the project will equal the original money allocated.

management time as well as the time of a planner in charge of managing the vision. The result of their efforts would be communication to those agencies or groups of how their investment or project fit into the vision and that how if they failed to contribute, could result in the entire vision being jeopardised.

As well, use of partnerships and an interagency approach to management have the potential to defuse criticism and improve the overall quality of the decision made.[7] However, the agencies need to clearly spell out which partnerships are critical to achieving the goals and which ones are secondary to their needs. A potential approach to determining what are the necessary collaborative efforts is to encourage both long and short term coordinated planning cycles for jurisdictions around the designated area. The long term planing cycles should include traditional planning issues such as transportation, education, housing and health with short term planning cycles then including "in effect" issues. As part of the short term planning cycle, there could be sessions or sections of individual plans which include:

i. what the individual jurisdiction wants to achieve.
ii. how much they think it would cost.
iii. an estimate of what other resources could be brought to bear (including things that other governmental agencies do or could do).
iv. an acknowledgement how the jurisdictions plans may impact on the other agencies and what the jurisdiction might be able to do to mitigate the impact but still achieve the desired goals.

Given planning is a mandated jurisdictional responsibility, the foregoing recommendation could be construed as reinventing local government. The intent though is to encourage proactive rather than reactive planning processes.

Certainly changes in any planning and budgeting process skims off money and manpower that could be usefully deployed elsewhere therefore, these processes need to be developed and then maintained in a relatively consistent format and forum

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[7] Eighteen informants relayed this sentiment.

which is forward looking. If such a planning cycle were implemented, the result would be a more complete impact statement for plans. Further, as conservation and development control are part of the land use objectives for these areas it may be advisable to move toward a planning cycle which accepts major project and development proposals every three to five years (a planning window). If the areas had a well defined vision, this planning window would allow not only developers time to develop projects which met the area vision but it would allow time for science to develop and it would allow planners and interest groups sufficient time to investigate the projects.[8]

A partnership approach could be taken even further to the actual management of the study areas.[9] Since the study done by Nichols (1981), there still remains the problem of developing managerial capacity to the point where highly skilled and very specialised technicians are blended into a comprehensive management team that can attend to a park's needs in its totality. The definition of what is necessary to be a manager in these areas does not appear to be keeping up with the realities of what it takes.[10] Thus, a partnership or board approach to management of these areas may prove the best possible option. Such an approach though may be politically unacceptable particularly if the Minister or Secretary of State decides that the direction the board has taken does not serve their political priorities.

An often quoted problem with such an approach is that there is no one person clearly in charge and that the board or partnership may not be democratic. There are various

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[8] Undoubtedly developers would prefer not to see a planning window implemented however they are more likely to acquiesce if all are placed on the same playing field. If the areas subsequently suffer an economic downturn, this could impact on the long term development plans for the area, if this should happen, consideration would have to be given to what exactly caused the downturn (i.e. dated facilities impacting on tourism, other factors outside the area, etc.).

[9] Certainly LLPA and CGP are partnerships in spirit, they are not in terms of providing overall land use management for the designated areas.

[10] Grumbine (1994) argues much the same point recognising that government programs are usually organized bureaucratically but many other modes of structuring and operating a program are possible. He maintains that it is essential to have a 'policy orientation' that embraces the complex and subtle interactions which exist between the biological and psychological/sociological/economic/political phenomena that constitute the program and its context. He concludes that scientific knowledge, organisation and policy knowledge are required and must be integrated in order to be successful.

solutions to these criticisms, including what Frentz et al. (1997:26)[11] described as an advisory committee – which was impartial to the various polarised views of interest groups, agencies and the public. If a board approach was considered appropriate, it might ultimately be advisable to decouple the board from direct political influence using a process similar to Frentz et al. As well, to retain continuity, appointment could be staggered with each appointment period exceeding the term of any government.

C. Public consultation

Recommendation: Critically review the use of public consultation with regard to land use decisions and delineate for consultations what may or may not be done in the context of legislation and policy.

The idea of public consultation with regard to land management in these areas is firmly entrenched and to suggest anything other than enhancing the use of such a process would be a political non-starter. As discussed in the later chapters, public consultation is also quite resource intensive and the results are somewhat dubious when 3 – 4,000 responses are summarised in a few short pages. Thus the problem is to make better use of this resource. Firstly, there needs to be better delineation between public information, public consultation and public feedback. As discussed earlier, there were many complaints about the transparency of the process, the number of consultations that were being held and the ultimate impact that consultation had on the decision making processes.

[11] Their analysis was focussed on public consultation or participation in a conflict burdened area. An advisory committee was used as a "civic conversation aimed toward mutual understanding" between the agency and interest groups. Interest groups were not allowed to be on the committee nor was anyone in the forest service. The interest groups were allowed to nominate suitable individuals and the forest supervisor recommended all 13 positions. They found that the interest groups and the public perceived the committee as a neutral "honest broker" and a conduit for the discussion among various interest groups. Overall, the approach was considered a success primarily as the advisory committee was seen as independent and thus better able to be impartial when value and emotion charged issues came to discussion.

Despite the stated usefulness of public consultation processes, there is little information with regard to the effect that it has on land use issues. To address the question of the benefits, both PC and SNH should consider quantifying the costs of the consultation process, including an analysis of the changes made as a direct result of the consultation. If it is found that there are no changes made, then a fuller examination should be made of the process and the questions posed to the public. If the process is education of or information to the public, it should perhaps be properly labelled as such and budgeted accordingly.[12]

As well, with land use management, particularly with regard to conservation or protection, the choices should not be placed on the same decision list as health or education. Although the planning systems in Scotland are forced to address this more directly than say PC, health and education win as they impact more immediately on the individual. As monies dedicated to conservation and preservation are relatively modest in comparison, the consultation process, if needed could be modified so that various projects could be costed and presented together with some detail on how much budget money would be available. The consultation process would then be used to assist the agencies in determining which projects would best be undertaken and to solicit ideas on how the other projects may still be undertaken or modified so that at least some of the desired benefits may be realised. By implementing these changes management[13] would find that some previously enjoyed control would be sacrificed but by the same token, the public would be given more meaningful opportunities to examine and understand the potential costs and benefits of various initiatives, including how these might impact on personal lifestyles and freedoms.

Lastly, these modifications may also allow the management agencies to more usefully lever its scientific studies and scientists in resource decision making. In the

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[12] A Canadian and a Scottish informant said nearly the same thing about their observations of the public consultation process:...from the field, it would appear that people have so many other things they are concerned about that in public consultation, most are interested in what you are doing and how it will impact them but their interest stops there. On the most part, they say "protection is your job – make a decision and get on with it – stop asking me how you are doing." C2 and S16.

[13] It is assumed here that a limited purpose land use agency, such as PC, SNH or NPB exists so that local or jurisdictional governments may concentrate on health, social and transportation issues. As these issues are impacted by land use (and vice versa), these agencies would need to conduct planning in a wider area context.

past, these have been used, but more to discourage development rather than to promote wise use thus this potentially powerful counterweight to excessive local community influence has been limited at best. Such changes would require that the agencies be more proactive in dealing with both the media and with conservationists in creating a climate more favourable to collaborative park land use management.

8.3.2 New thinking for old problems

Turning back to the original objective of the study, to understand how agencies formulate and translate land use objectives into budgets and spending priorities...and to provide insight into how various influences may be usefully levered upon, there are a number of areas where small changes could result in better value in resource allocation decisions. In general the changes centre around better use of existing systems and processes, including a more structured planning cycle, more detailed management plans with costed options and a better set of evaluative tools with proper incentives for managers.

Land management driven by prescriptions backed up with compulsory powers (fines, purchases etc.) will likely cost more in the long run as the agencies will have to track and charge the land owners/occupiers. If systems are developed which bring a greater accountability to the way land is managed under an overall strategy, the cost will likely be more on an annual basis but be less overall than the cost of remedial actions.[14]

D. Partnerships and public consultation

Recommendation: Critically review partnerships and public consultations to ensure their use is appropriate to the situation.

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[14] It is often suggested that government agencies be given last resort powers, however they rarely use them. Whether or not they are necessary or serve to foster mistrust would be an interesting study in itself.

There is little doubt that partnerships and public consultation contribute as much as they detract toward achieving desired land use management within the study areas. However, the management agencies have been limited in their effectiveness in using these tools due to a variety of factors, including planning for who should contribute, what is needed in the contribution and making the contributors accountable. It is doubtful that policy changes for any of the study areas will result in fewer partnerships being formed thus the challenge is making those partnerships more effective both in resources allocated (time and money) and output. A few recommendations for making partnerships more effective include:

Recommendation D.1 Increased use of contributions in kind

That is, obtaining the best advice and expertise in an area on a long-term basis from experts. To an extent, both PC and SNH use experts, but normally these are in the form of consultants. The use of consultants may give the appearance of an unbiased review however, there are inherent problems including the review having too narrow (or too broad) of a focus, asking the wrong questions and not fully comprehending the local influences.[15] While the use of consultants is appropriate in some cases, they should be used sparingly.

With contributions in kind, the agencies need to seek out experts in various fields, including law, real estate, financial management, negotiation, etc. and invite them to provide their advice and expertise to the management of the area. Given "fee for advice" from such experts might prove prohibitive to agency budgets, there would need to be appropriate incentives offered to these experts to encourage them including a partial tax remission for billable hours, publication of the experts name/firm in annual reports and in/on public information. The downside to use of experts is that they may of course provide the same services to private firms who wish to develop or bring forth proposals in which the expert

[15] Seven informants were critical about perceptions - that the agency was trying to make the review look impartial but in fact had led the consultant to ask questions for which there were only certain answers thus giving the agency the answers that they wanted anyway.

would now have "insider information". If there was potential for a conflict, the agency could require the expert to sign a noncompetition waiver and or prohibit them from providing such services to outside clients for a certain period.

Recommendation D.2 Provide transferable tax credits for innovative developments that have long term sustainability.

In both countries there is little initiative to be innovative in land management given the grant programs and subsidies in place. Many authors have advocated the use of transferable tax credits for various initiatives and this too could prove beneficial for the study areas, particularly of these credits could either be applied to other income outside of the study areas or could be sold.

There are both positive and negative aspects to tax credits. Firstly, there would need to be changes to the Income Tax Acts in both countries which would allow these tax credits to be freely bought or sold (thus being immediately valuable whether or not the recipient was able to use them) and for these credits to be applied to various types of income. The feasibility of such changes, along with valuing the amount of the tax credit that should be granted is beyond the scope of this thesis.

Recommendation D.3 Treat all citizens, both within the study areas and in the surrounding jurisdictions, as stakeholders and provide them with voting rights on the general direction of the areas.

If the agencies increase the use of experts advice for enhanced management in these areas, it may also be advisable to have a board of directors to advise the superintendent/manager or Minister on the progress of the area and provide an independent review of the experts advice and council. The disadvantage of an advisory management board is that it represents a further layer of bureaucracy and may result in various jurisdictions or stakeholders striving to further their

own personal causes. In some ways this criticism was addressed by Frentz et al. (see footnote 11 of this chapter).

Recommendation D.4 Actively seek the input of public interest groups

Overtly and covertly this resource has been actively resisted by both PC and SNH even though such groups may have correctly identified management problems. Substantial effort from all the agencies and the interest groups will be required in order to build the trust and relationships needed to usefully lever their strengths. Development of processes which encouraged both communication and accountability for both management bodies and interest groups would help re-establish these relationships to a functional level. Thus PC, SNH, LLPA and CGP would need to change to a more proactive management approach. That is, using suggestions from interest groups when appropriate, acknowledging publicly both the objections made by these groups and the rationale or criterion for the decision made while ensuring that the decision followed the guidelines given through public consultation and through the legislation. Transparency in the process, combined with proactive collaboration, should help reduce any incentive for either side to "dig in their heels".

A counter argument to such a recommendation might be that the interest groups have little accountability to the general public. In many cases these interest groups have memberships and some may receive a small amount of government funding. Regardless of their resource base, by encouraging their participation, and potentially offsetting some of their participation costs through government funds or resources and providing a public accounting of their activities alongside the activities of the management bodies, the effect these groups have on the management of these areas will become more transparent.[16]

Recommendation D.5 Promote sustained stakeholder involvement and support for collaborative management

The lack of meaningful evaluative processes in both countries, with regard to achieving desired land use objectives, has contributed to the lack of support for collaborative management efforts at higher levels of government. As well, as discussed earlier this too has manifested itself as frustration by those involved in the public consultation processes. In order to sustain interest in collaborative management initiatives at both levels, there needs to be an ability to demonstrate progress. As Hartig et.al (1998:73) found, there should be an emphasis on a step wise approach to goal attainment and demonstration of both long and short term incremental progress. If progress towards clearly defined long and short term milestones is documented and celebrated, together with rewards for increased collaboration between the various levels of government, interest in the processes will be sustained, both within and outside the agencies.

Along side the promotion of collaborative management there needs to be better education, not only of the managers but also of the public and partners. PC and SNH policy documents advocate a partnership approach and, to an extent, SNH has done a better job simply because they have not had the luxury of legislative regulations fall back on. By the same token, given PC has been a relative newcomer to the collaborative management process, they have shown that they have been somewhat effective in promoting collaboration but only if the manager has the requisite skills to make the partnership work. Given the interjurisdictional problems and the federal/provincial friction, encouraging partnerships may not be easily done.

Lastly, there needs to be a shift in the way partnerships or collaborative management is viewed and measured. That is, rather than compromising to the

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[16] One informant had the following comment on partnerships: Partnership has been the name of the game for a long time, the government wants to make things less sectoral.... but also instinctively we would want to do this – you don't get far by throwing stones across the fence, you gain more by engaging with the enemy. It also forces us into new modes of thinking but the counterbalance to this is

lowest common denominator,[17] management bodies must search for positive compromises where the participants to the collaborative process can see how the essence of their position can be achieved while still contributing to the overall vision. In doing so, the resource intense compromise processes may be avoided in favour of more proactive plans which consider how other groups impact the plan and how those impacts can be mitigated without compromising their overall objectives.

Recommendation D.6 Improve evaluation processes and incentives

This last recommendation actually needs to be developed on two different levels, the landowner/occupier level and the agency level.

D.6.1 Landowner/occupier

Given the differences in land tenure, it is difficult to devise a single process that would address the distinctive needs in each of the study areas. However, there are a few areas for improvement.

In the case of BNP, there is little likelihood that the lease system will be changed in the short term however, there is some flexibility. Given the perpetual nature of many of the leases and that many would be up for renewal in any given year, the federal government would need to be an extremely long notification period for changes to the general terms of the lease.[18] By serving notice of the proposal now, there would be time for the federal government to determine what those changes should be and perhaps employ leading experts in these areas for early development of what these changes might be. This work would also give the lessees time to determine what the impact of those

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that it is quite slow going and usually you have to surrender something. There are compromises along the way. S16

[17] Usually reluctant cooperation or agreed consensus.

[18] This study did not look at the lease documents in detail and the assumption is here that even if perpetual, there is an ability at maturity for certain terms and conditions to be amended.

changes might be. Concurrently with this work could be further investigation of various incentives which could be offered to the lessees for not simply meeting but exceeding environmental standards with further incentives for inclusion of socio-economic considerations, if suitable. Part of the incentive program could not only include financial incentives but to some extent use typical recognition incentives such as early renewal of a lease, publication of a list of "ultra responsible" citizens/corporate entities, annual awards for the most innovative/advanced contributor and so on.

In the case of LLT and CGA, the new proposals for land reform would indeed impact on some of the rights of land owners however, what is at issue is how to develop or streamline the incentives and programs now in place. Streamlining would be facilitated in part by having a better vision of what the area means to those most directly affected and directing the incentives to achieve these. This of course would require major shifts in departmental thinking and territory and thus would be subject to the degree of political will. Nevertheless, if the proposal for national parks proceeds, what could be implemented is similar to that proposed for BNP. That is, SNH could consider providing top up incentives for those land owners/occupiers which exceed environmental standards and address various socioeconomic issues. The reward system could include many of the suggestions given in the previous section.

These rewards and incentives are feasible in terms of the cost but administering them could be troublesome in terms of determining which contributor should be recognised and how to make the awards differentiate between different levels of contribution in meaningful ways. Initially the cost to establish such a reward system could be high if the agencies chose to seriously examine different systems and

include stakeholder groups in designing and implementing a customised package.

D.6.2 Agency

Agency evaluation has been discussed and must be done at least two levels.

i. Agency cooperation

Agency cooperation in the form of formal and informal[19] partnerships were commonplace in both Canada and Scotland although none of the departments recognised the costs as a line item and thus there was little evaluation of their effectiveness overall. If the cost of participation in various partnerships were recognised, in conjunction with having a coordinated planning cycle and implementation plans, the end result may be a cost saving in management manpower and increased overall effectiveness by reallocating partnership resources to on the ground activities.

ii. Achieving desired outcomes

PC and SNH both have objectives that have very long-term implications but the budgeting and resource allocation systems are based on short-term measures. At the same time, the managers are rewarded based on short-term rather than long-term, and difficult to measure objectives. Both agencies have begun to move their evaluation systems, at least for the agency itself to a benchmark system,[20] but there has been little progress in terms of how to reward the managers based on those benchmarks given the results

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[19] Informal could include ad hoc groups which had formed, usually out of exasperation or desperation.

of those decision will not be visible for some period. Thus the managerial incentive programs might best be based upon a) was there movement toward the target, b) what were mitigating influences and c) was the decision made the best one even given those mitigating factors. The next step of the evaluation process could then address whether or not the manager was in a position to control or mitigate those particular influences in a way that was beneficial overall to the objectives.

Recommendation D.7 Improve education and incentive programs

This needs to be done for all stakeholder groups, including management. In Chapter 5, informants had identified that there was no reason for them to collaborate with each other – they were not rewarded, other than for their own personal satisfaction, and in many cases they were penalised. Thus the general consensus was "why would effort be expended on work which did not provide measurable results?"

In order for these collaborative approaches to truly work, the managers in PC and SNH do not necessarily need to follow the old management model of "working your way up." These areas need management expertise that equals that of the stakeholders who operate within and surrounding these areas; a national park is a big business.

Management of these areas are complex, not only from an environmental view point but as a economic and social institution. Although the management bodies have various in-house expertise, it is unreasonable to expect that a field manager or superintendent can adequately manage these areas without both internal and external expertise.

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[20] This is where we are now, this is where we want to go.

8.4 Conclusions

As discussed throughout this chapter, there are the political realities which must be dealt with and such realities can easily render any of these recommendations impotent. As Deitz and van der Straaten (1992), Cairncross (1992) and others have warned, society is now wrestling with environmental problems in a manner which resembles the way the "social question" was handled around the turn of the century.[21] Does this mean that the policies and processes cannot change before we get to the brink of disaster? Hopefully not.

A political objection to the recommendations in this chapter might be the resources needed to implement such recommendations. The counter to such an argument is actually two fold. Firstly, the governments in both countries already provide the funding to these agencies but by allowing the agencies to follow sectoral planning practices actually encourage wastage of administrative effort. Both central and federal governments have gone half way, in terms of requiring collaborative management however, they have not encouraged any of the agencies to consider how this could be accomplished through budget and resource allocation processes. Secondly, both governments have sufficient fiscal and regulatory power to direct how money flows through the economy thus annual operating budgets do not need to be deployed for funding new initiatives and bureaucracies. If the funds are deployed on a large-scale, and used to "top up" collaborative efforts, the likely result will be larger projects and initiatives launched.

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[21] Basically the conflict revolved around the rights of workers and this was "solved" after a considerable shift in the balance of power in society, which took several decades. These authors maintain that the old balance of power must be broken down before the principle of sustainable development can penetrate in all branches of society and a strict environmental policy can be designed and executed.

9 Critique and reflections

A complex portrait of history, values, politics and precedent is shared by Canada and Scotland when discussing land use issues in the context of protected areas. Should national parks be in charge of planning or management? Where is their expertise? This has long been challenged and debated. Cherry (1975:93) quoted what Lord Birkett, Chairman of the Standing Committee, had to say to Lord Silkin in 1948:

> the first duty of the National Parks Commission is in planning (protection) not in "management".

This comment is as relevant today as it was in 1948. Central to the problems of PC and SNH has been the constraints and influences upon their decision making processes. But these are only symptoms, the main failure may be that neither agency has been able to adapt successfully to its political environment. That is, perhaps PC and SNH and the various management bodies should concentrate their efforts on planning and protection, leaving the management of the areas to another body which can take the restrictions placed upon them, make plans and carry them forward.

9.1 Discussion of the contribution made by these results

As discussed in Chapter 5, management partnerships are often advocated as a solution to problems which transcend administrative boundaries but there is little understanding of the organisation, administration and success of these partnerships (see also Williams and Ellefson, 1997). This study strongly suggests that, although the organisational structures and administrative processes have substantially changed and evolved over the past twenty years resulting in today's Parks Canada and Scottish Natural Heritage, the tools used by these agencies to translate land use objectives into budgets and spending priorities have not. As a result, external

influences that could be anticipated and planned for are excluded along with recognition of any potential benefits these influences could bring. Further, efforts to facilitate collaborative management have had only limited successes due on the most part to the constituent authorities using these antiquated tools and the lack of a meaningful evaluation process to measure the success of collaborative management efforts. That is budgeting and planning/resource allocation processes do not reward or encourage collaboration and may, in fact, inhibit such efforts at a management level.

9.2 Strengths and weaknesses of the study

9.2.1 Reflections on methodology

The quality of qualitative research is often called into question given the inherit temptations for introducing bias and difficulty in replicating results. Certainly this study had to address these weaknesses given the research basis was primarily qualitative, with a heavy reliance on secondary data sources for the historical comparison. As discussed in Chapter 2, an interpretative approach was chosen for this study which meant that theories and concepts were allowed to emerge from the enquiry thus the research was "hypothesis generating." The danger with such an approach is that the hypotheses may be made to "fit the data." To address this potential weakness, many qualitative researchers (Yin, 1994, Marshall and Rossman, 1995, Robson 1993 and others) suggest that the quality of the research be tested in various ways, including addressing validity, generalisability[1] and trustworthiness.

Evaluating the qualitative research of this type requires a different understanding of the trustworthiness or credibility of the study than the concept of reliability and

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[1] Robson (1993:66) provides a good general description. In analysing validity, are the findings "really" about what they appear to be about. Are the relationships established in the findings "true," or due to the effect of something else? In terms of generalisability, to what extent are the findings of the enquiry generally applicable, for example in other contexts, situations or times, or to persons other than those directly involved.

validity in positivist research approaches. Generally, research soundness must respond to "How credible are the particular findings and by criteria can we judge them?", "How transferable and applicable are these findings to another setting or group?", "Can the findings be replicated if the study were conducted with the same participants in the same context?" and of course "Can we be sure that the findings are reflective of the subjects and the inquiry itself rather than a creation of the researcher's biases or prejudices?" (Marshall and Rossman 1995:143).

Reliability and validity are debated in the context of qualitative research, Robson (1993:66), Lincoln and Guba (1985:290), and others provide a number of useful techniques to address the issue of trustworthiness. Addressing the issue of validity first, Yin (1994:9) is critical of sloppy investigations where the researcher has allowed equivocal evidence or biased views to influence the direction of the findings and conclusions. Certainly the informants had views on the problems in these study areas but in the selection of these informants, effort was made to ensure that they were selected from a broad range of interests.

In terms of generalisability, the major strength in this study is the breadth and richness of the data and the examination at both the organisational and individual level. What has emerged from the analysis is a textured portrait of organisational experience that recognises the simultaneous existence of organisational and individual interests that are at some times congruent, at other times conflicting. This systematic analysis of complexity enriches understanding of the reality of collaboration for public officials and the obstacles to its successful institutionalisation. Given the complexity of the organisations and the influences, breadth of understanding was pursued at the expense of some degree of depth. Given the breadth of the inquiry, there also were practical considerations that affected the researchers' ability to generate thick description on all categories. However, the benefits of breadth and the resulting integration of complexity outweigh the disadvantages of the research strategy. Thus, the findings could be generally applicable to other settings.

In addressing trustworthiness, the question becomes "Have the results been explained in an open and unbiased way or is the researcher trying to deliver a required answer or selecting the evidence to support the case"? Certainly with the historical overview, trustworthiness is not an issue; however, how informants' responses were analysed may be called into question. As discussed in Appendix A.5.5, only portions of the interviews and field notes were recorded verbatim. Such a process was elected given the rather sensitive nature of the questions and to help economise on the cost and build-up of data. It is recognised that without complete transcription and with some responses there is a potential for data bias. Through revisiting the initial interviews and secondary data alongside the main interviews transcripts used, there is evidence that some loss of data occurred however, given the size of the sample and the generalisability sought, it is doubtful that such loss affected the trustworthiness of the data. Most of what was not included in the transcripts was a description of processes that were already recorded in secondary data sources thus, by in large, what is recorded is the personal perceptions of the informants 'reality" with regard to priority setting and resource allocation. As such, some of the numerical information may not be truly reflective of the number who answered a specific question but rather, they would reflect those who commented on the phenomenon or issue as it related to land use priority setting, decision making and resource allocation.

9.2.1.1 Scope and limitations

Given the relatively small sample size of the informants and the limited number of cases investigated, an argument could be made that there the study is insufficient in scope to generalise from one case to another. However, this study followed Yin's (1994:44) argument that problem lies in the very notion of generalising to other case studies and thus the analyst should try to generalise findings to "theory."

A further limitation to the effectiveness of the methodology was that the researcher was relatively new to the idea of continuous interaction with theoretical issues being studied and the data being collected. Undoubtedly the skill level increased during the interview process and also during the analysis process. However, the

researcher's inexperience may have limited her ability to take full advantage of unexpected opportunities during the interview process. The combination of conducting the interviews over a short time period could have resulted in researcher fatigue and less than optimal listening and interpretation of the information. That is, given the sheer size of the issues raised and the fact that many have been studied in depth by well funded groups and consultants, there are some issues which the researcher was unable to address and some clues, contradictions or corroborating evidence may have been missed.

Lastly, the researcher has extensive experience in inquiry and negotiation but did find some difficulty in interpreting some non-verbal responses, particularly by Scottish informants. Taping of the interviews did help deal with problems in understanding some of the Scottish accents and terminology.

9.2.1.2 Cross cultural comparisons

As discussed in Chapter 1, there are numerous difficulties in cross cultural comparisons, not the least of which is the mix of functions of the management bodies and the protected areas. Knoepfel et al. (1987:183) suggests that the policy relevance of cross national research is limited and depends to large degree on the conceptual soundness of the research. The actors need to know the political characteristics of the issue to be addressed, who is involved and in what way, and what are the implications for different groups of a particular issue and its resolution. This thesis has tried to address these questions using a structured comparison as a framework to see which aspects are due to unique circumstances and which ones are more generally applicable and thus have the potential to transfer to other contexts. As discussed in Chapter 2, identifying the differences among various national approaches to a given policy problem can bring to light often unquestioned premises.

9.3 Suggestions for further research

Throughout this study many other related issues related to the study areas, management structures and general policy development/deployment were raised. Each of these issues alone could warrant an in-depth study.

1. Decision making analysis for each area and management structure – to identify costly routines which do not provide value added or do not meet with stated objectives.

2. The feasibility of charging for review of development permits and licences according to the work required by the managing body.

3. The suitability of various evaluation tools to measure effectiveness of resource allocation – by using similar measures or processes applied to health care and education.

4. The suitability of applying evaluation tools for public consultation – is it effective and to what extent (for example what is the value of the information, are there decreases or increases in appeals, what makes effective public consultation). Some work has been done by Cragg, 1998.

5. If time and money are not an issue, a further study of along the same line could be done investigating whether the decisions made follow the objectives set out by requesting and comparing archival materials to the objectives – useful for further triangulating the results.

6. Is gender and/or age an issue? Nearly all the informants were male, between the ages of 30 – 60. Most had in excess of 10 years experience in the organisation or with other governmental organisations. Would female decision makers/influencers or would younger/older decision makers/influencers provide a different perspective?

7. Is conservation really a drain on the community – an analysis of managing a piece of ground as an estate or farm (in terms of output, use of local resources – social and economic and overall addition to wealth of an area) and managing for conservation (outputs, jobs created, use of social resources, alternate use of resources such as selling of water, holidays, etc.). On a quantifiable basis, does a consumptive use produce more economic output than a conservation use?

8. The effectiveness of partnerships is far from proven – when it comes to setting objectives, addressing them and evaluating progress along with an analysis of the manpower and resources required vis doing it "yourself" within an integrated strategy.

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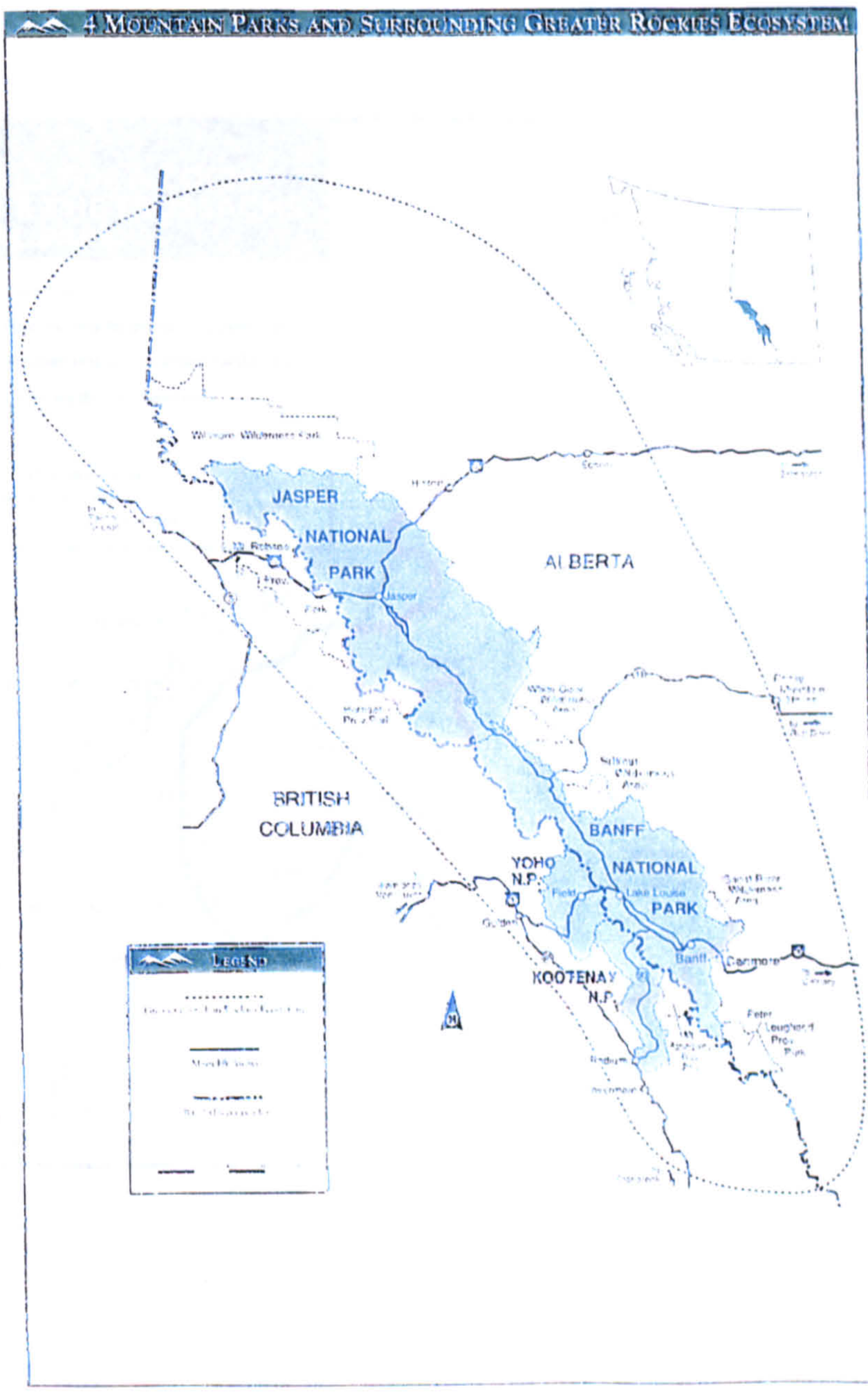
11 Appendices

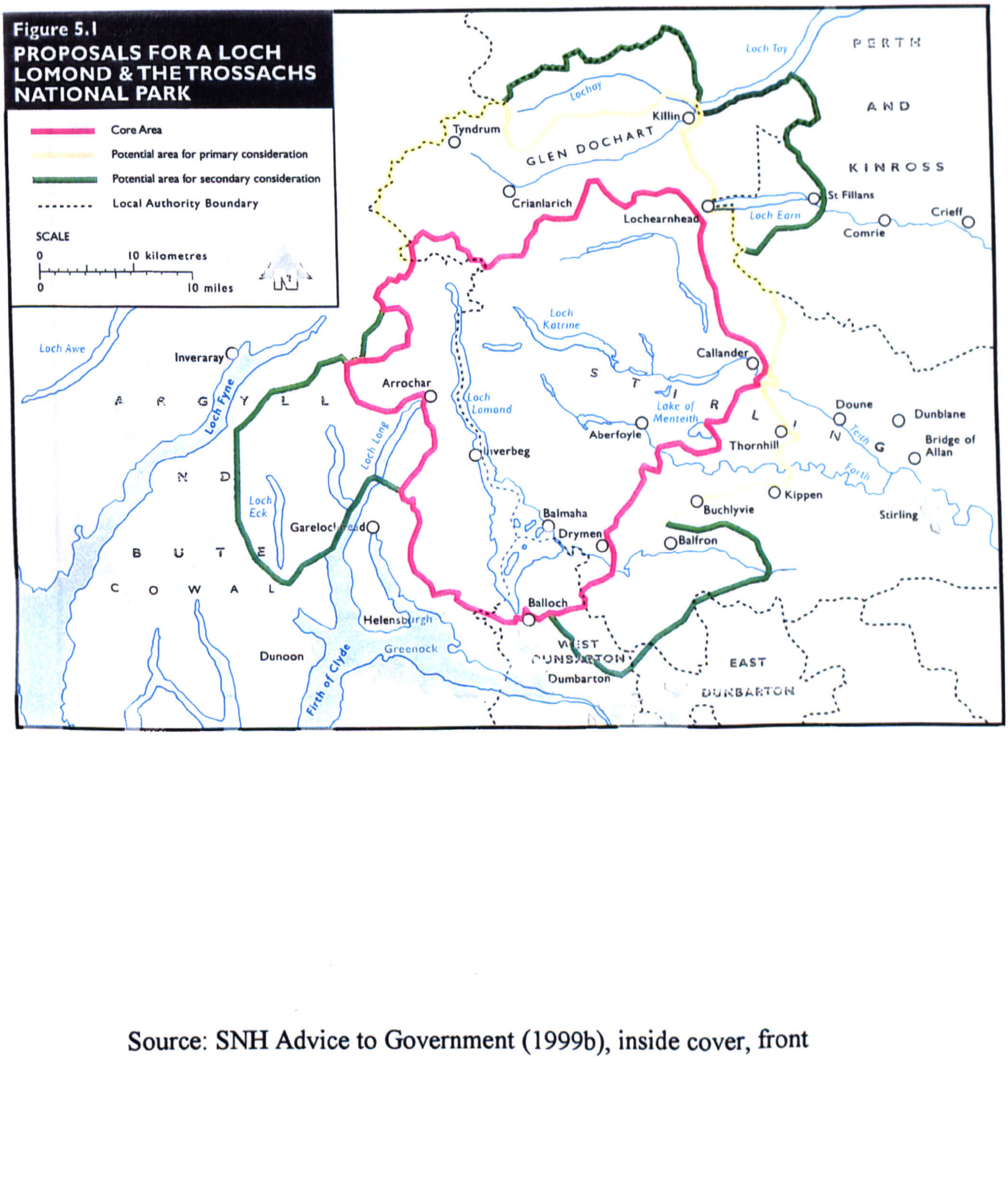
A.1 Maps of study areas

Banff National Park



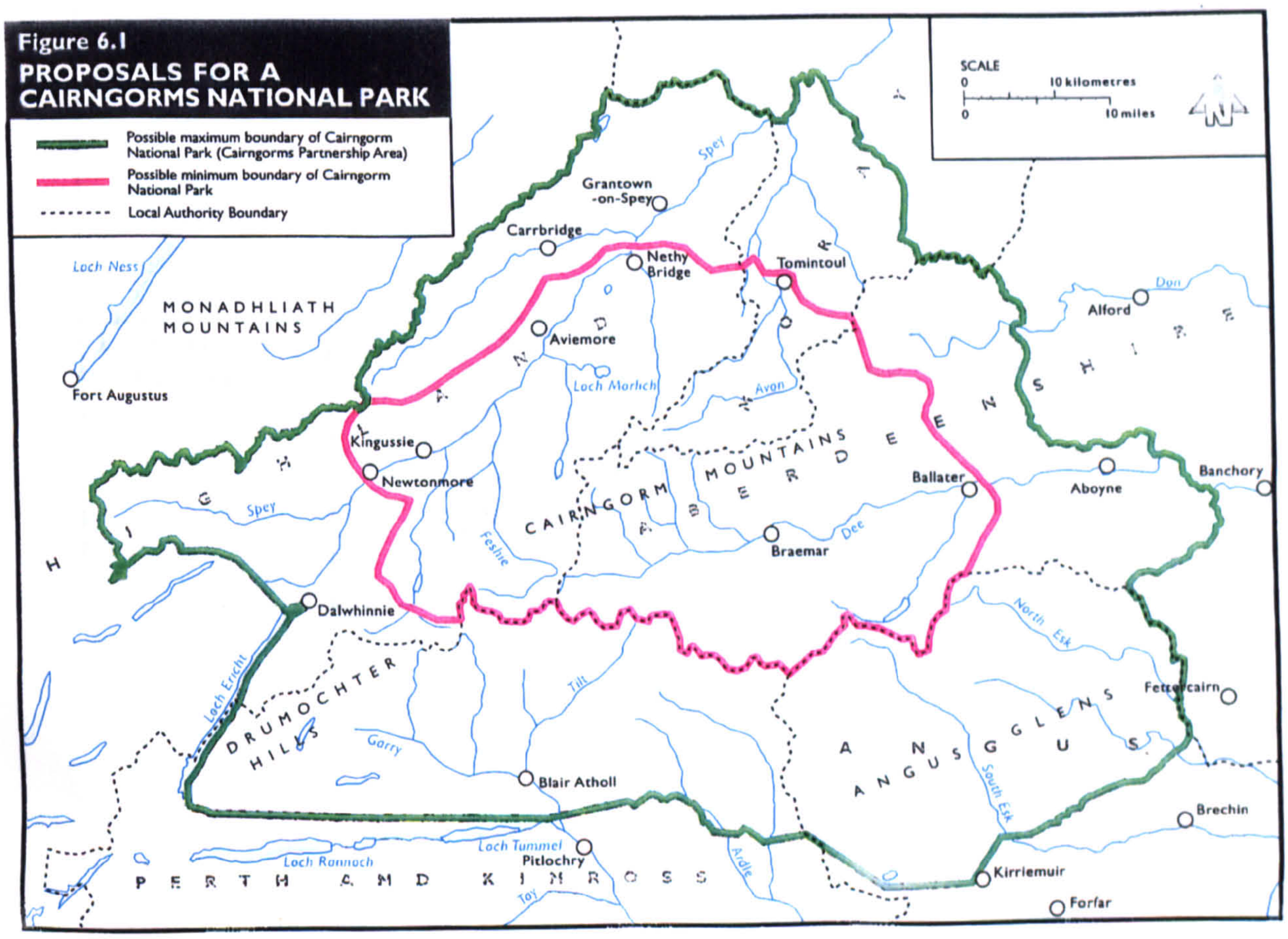
Source: Canadian Heritage, Parks Canada, "Four Mountain Parks, Five Year Plan Update", Spring 1994

Loch Lomond and Trossachs proposed area



Source: SNH Advice to Government (1999b), inside cover, front

Cairngorms proposed area



Source: SNH Advice to Government (1999b), inside cover, front

A.2 Summary of study areas

	Size (km^2)	Resident population	Proximity to major urban centres/visitation estimates	Major land uses
Banff National Park	6,641	7,600 Banff 1,560 Lake Louise 25% transient (1995)	120 km from Calgary (pop 756,000 and major international airport). 1995 tourism estimate – 5 million visitations	Zoning (BMP 1997:77) 4% special preservation (I) 93% wilderness (II) 1% natural environment (III) 1% outdoor recreation (IV) 1% park services, including townsites (V) *4% of the total area is montane, suitable for wildlife, human development and transportation corridors have extensively impacted this area*
Cairngorms	5,160	15,000 (1994) Propose 8 – 9 communities within the area (SNH proposal)	Within two hours of Glasgow and Edinburgh. 1989 - 1.9 million bed nights (CGWPR 1992:56)	Cairngorms Partnership recognises multi use of the area for forestry, agriculture, country sport and tourism. 23 major land owners within the core area (850 km^2)
Loch Lomond and Trossachs	1,574	15,000 (1993) Propose 8 – 9 communities within the area (SNH proposal)	Within one hour of Glasgow and Edinburgh. 1991 – 2 million visitors (LLTWPR 1993:33)	66% of area is farmed (488 farms)

A.3 National Parks and Protected Landscapes: the differences

IUCN Category II National Parks (the Canadian model)	IUCN Category V Protected Landscapes (the UK/Scottish model)
Extensive natural area	Outstanding semi natural landscapes
Protected from exploitation	In productive use
Protected from occupation	Inhabited
Responsibility of Government	Mainly responsibility of local government
Land publicly owned	Land mainly privately owned

Source: Lucas (1992:5)

A.4 Summary of management agencies

	Purpose	Number of employees	Structure
Parks Canada	To protect and present nationally significant examples of Canada's natural and cultural heritage and to foster public understanding, appreciation and enjoyment in ways that ensure their ecological and commemorative integrity for present and future generations. (RPP 1999:1)	3,387 FTE (Roughly 7% in national office, 20% on term contracts, 33% seasonal) BNP field unit 180 FTE	Parks Canada Agency CEO reporting to the Minister 2 regional offices, 3 policy directorates and 2 support offices. 32 field units comprised of national parks, national historic sites, historic canals and national marine conservation areas in relatively close geographic proximity. Professional and technical support provided by 4 main and 2 smaller service centres. Parks Canada – BNP field unit Superintendent 10 site sector managers
Scottish Natural Heritage	To conserve and enhance the richness of Scotland's natural heritage. To advise on policies and promote projects which aim to improve the natural heritage and support its sustainable use.	530 permanent	Chairman appointed by the Secretary of State, the Board is supported by 3 area boards (which represent 11 area teams), these are then supported by six operational groupings. The staff is headed by a Chief Executive.

	Purpose	Number of employees	Structure
Cairngorms Partnership	Promote sustainable development. Develop measures to protect and enhance conservation and manage recreation pressures. Work with local communities. Coordinate protection and management. Facilitate the work of SNH in developing national park guidelines for the area	7 plus admin. Staff, 5 unpaid advisory groups	Partnership board for the Cairngorms Partnership, as proposed by the CGWP, 1993:97 Chairman and Deputy Chairman appointed by SOS 9 local authority elected members 2 other community members 3 land managers 2 tourism/business 4 environmental interests 2 recreation In the April 1998 edition of "The Claik The Cairngorms Partnership Newsletter" issue number 4 a new board was announced which followed roughly along the lines of the breakdown suggested in the CGWPR.
Loch Lomond Park Authority	Conserve and enhance natural beauty and heritage of area. Promote public enjoyment Promote social and economic wellbeing of local communities	33	Joint Executive Committee 12 local authority elected members 6 non elected members (LLPA information letter, September 25, 1995)
Proposed Scottish National Park Body(ies)	Conserve and enhance natural beauty and heritage of area. Promote public enjoyment Town and country planning Land and water management	LLTA 33 rising to 98. CGA 68	LLTA – independent authority with the majority of representatives from the community and local authorities. CGA - – independent authority with the majority of representatives from the community and local authorities.

A.5 Interview protocol and materials

Interviews

The size of the population was not considered a factor as the study was exploratory in nature and was interested on perceptions of the process. In subsequent studies, the population size should be increased so that more specific theories and practices may be developed.

A.5.1 Choice of informant

Interviews were conducted with a variety of influencers and decision makers in Canada and Scotland. In Scotland, influencers included landowners and managers (private and on behalf of a constituent group), decision makers and planners (central, local), interest groups and promoters (environmental, recreational, tourism and commercial interest).

Much the same groupings were interviewed in Canada although the structure of some groups differed substantially. A total of 20 interviews were conducted in Scotland and 24 in Canada. All interviews were conducted in person with the exception of two Canadian ones that were done by telephone due to great distances and the economic reality of travelling such distances for one relatively short meeting. As a result these interviews are missing the personal observation of the interviewer in the informants non-verbal signals however, these two interviews were done near the end of the interview cycle and really did not add further information to the overall study but did confirm some areas of concern.

All but three informants allowed their interviews to be audio taped on the condition that the tapes would not be transcribed. Some informants signed the formal consent letter (appendix A.5.7) but most were content with the assurance in the contact/confirmation letter (see appendix A.5.6). Two informants requested colleagues join them during the interview to provide further input.

Most had a minimum of 10 years (with the mean at around 15 years) experience in planning, management or in a position of influence in a interest group. Although no analysis was done of the experience, it is estimated that most had been in their present position for at least 3 to 5 years and those in government agencies had worked their way up within the organisation.

A.5.2 Time period over which interviews were conducted

The main interviews were conducted over a two-week period in both Canada and Scotland between mid August and mid October 1998. The time period used was short and both sets of interviews were conducted within a few weeks of each other. This was done firstly to ensure informants had been more or less exposed to the same pressures and factors and secondly due to financial and time constraints of the

researcher. Given that most informants that were considered essential to the research were interviewed, it is doubtful that the short time period used decreased the effectuality of the data collected.

A.5.3 Interview structure

Basically two interview structures used.

With the initial interviews, an in depth, open ended or unstructured approach was used in which the interview proceeded more like a conversation than a formal event with predetermined response categories. This allowed the exploration of a few general topics to uncover the perceived issues and allow observation of how the informant framed and structured their response. Yin (1994:84) categorised the participant in such a role as an "informant" rather than a "respondent" thus, all participants will be termed "informant" for the purposes of this study. Further, such an approach allowed what Marshall and Rossman (1995: 80) advocated: " the participant's perspective on the phenomenon of interest should unfold as the participant views it, not as the researcher views it." This approach allowed the informant to suggest sources of corroboratory evidence.

For many of the same reasons stated above, the main interviews generally followed an in-depth, semi structured approach (Robson, 1993:231). For the most part, the approach was still open ended but the interviews required some degree of systematisation in questioning given the number of interviews conducted and the topic to be discussed (resource allocation).

Earlier interviews in both Canada and Scotland were conducted on an open – unstructured basis. Their primary function was to establish who the major influencers and decision makers were, and explore the issue, similarities and differences. With that information, the questionnaire used in August – October 1998 was developed.

A.5.4 Observations

It was interesting to note in both the initial and main interviews, it was necessary to convey an attitude of acceptance and reassure many of the participants that their views were valuable and useful. As well, in the initial interviews, there was some suspicion from some of the Canadian informants as to the sincerity of the research and what the final results might be used for. In one interview, the informant repeatedly stated that any of the information requested would have to be requested through the "Freedom of Information Act." To allay these fears on the main interviews, all new informants were sent an introductory letter on University letterhead, given contact names at the University and a business card that had the University information on it. As well, the letter of introduction provided a brief summary of the research aims and disposition of the interview material and assurance confidentiality. In scheduling the interviews, it became apparent that

confidentiality of informants could not be guaranteed as many of those contacted insisted on arranging a meeting for with someone they felt would have valuable information. In most cases, these people were already on the interview list and had been or were to be interviewed. As a result, the researcher began to admit whether or not they intended on interviewing that person and began each interview by correcting the confidentiality of the responses to "non attributable". There were no concerns voiced by any of the participants with this change.

With regard to the honesty of responses, after conducting analysis of secondary data (documents), it was felt that many of the informants had been truthful in their responses – in so far as they related to the subject material. With some of the decision makers who were involved with strategic planning, the answers given may have been politically couched but most provided an example if they felt that they had been obscure with their answer. Furthermore, some of the responses were confirmed by others involved in the decision making process. If a personal opinion was given, most admitted it was not the agency's view.

As Marshall and Rossman (1995:81) note, there are limitations to personal interviews. Interviews involve personal interaction and as such, cooperation is essential. Both the interviewer and interviewee may not comprehend what the other is answering or asking and, at times, interviewees may have good reason not to be truthful. However, they suggest that if interviews are used as the sole data source, the researcher should demonstrate through the conceptual framework that the purpose of the study is to uncover and describe the participants' perspectives on events; that is, that the subjective view is what matters. This study makes more objective assumptions and triangulates interview data with data gathered through other methods.

A.5.5 Interpretation of the interview

Although only one hour was requested, most interviews lasted for 90 minutes. The shortest was 50 minutes and the longest 2.5 hours. As well, one to two weeks prior to an interview, an outline of the interview questions was sent to each informant. The actual questionnaire which was to be used was much longer, but in both Scotland and Canada, the informants wanted to follow the outlines they had received earlier (appendix A.5.8) and none objected to having their responses probed (actual questionnaire in appendix A.5.9). No interviews were conducted with select regulatory bodies in Scotland – they acknowledged their impact on land use but felt they simply fulfilled their mandates. To them, there was no impact on budgetary decision making or priority setting.

How were the interviews analysed? The tapes were used to enhance the field notes taken during the actual interviews. In most cases, only key words or question prompts were written down during the interview. Early in the process, it was found that writing down too much tended to make the interview not only go slow but the writing seemed to constrain the informant by making them wait before proceeding to

their next idea. The informant tended to be more conversational in their approach when little was written.

Upon listening to the tapes, any response made directly to a question or general conversation which occurred prior to or during the interview was entered into a word processing template and then imported into a qualitative analysis software package (NUD*IST). These responses were then coded according to themes and analysed for patterns to establish commonalties in issues and potential solutions (appendix A.6).

A.5.6 Contact letters for main interview

University letterhead

Date

{Name}
Organisation
Address
Address

Dear {participant},

Thank you for agreeing to meet with me at {time} on {month}{date}. As I had explained on the telephone, I am conducting research to gain insight into how management structure and land tenure affect the decision making and spending priorities of organisations charged with managing protected areas. Your contributions to this study are valued based on your knowledge.

Please be assured that your responses will be kept completely confidential. I will be taking notes during the interview and request permission to audio-tape the interview. Access to the audio tapes and notes will be restricted to myself and both will destroyed one year after the completion of the research project. The audio tape will not be transcribed, its only purpose is to ensure that I have an accurate record of your responses. You are not compelled in anyway to agree to the audio taping of the interview.

The results of the study will be available to you in a variety of formats that <u>may</u> include the final dissertation, articles published as a result of the research, and/or data summaries and recommendations. You will be notified when this information is available

If you have any questions concerning matters related to this research, please contact me at {telephone} (Canada) or my research supervisor Brian Parnell {telephone}(UK).

Yours truly,

Peggy Hedges
Ph.D. Candidate
Department of Environmental Planning
Internet: {address}

A.5.7 Consent letter

University Letterhead

Date

Dear Participant,

I am conducting research to gain insight into how management structure and land tenure affect the decision making and spending priorities of organisations charged with managing protected areas. Your contributions to this study are valued based on your knowledge.

You may ask for clarification or more information at anytime throughout the project.

Your responses will be kept completely confidential. I will be taking notes during the interview and request permission to audio-tape the interview. Access to the audio tapes and notes will be restricted to myself and both will destroyed one year after the completion of the research project. The audio tape will not be transcribed, its only purpose is to ensure that I have an accurate record of your responses. If you would prefer not to be audio taped, I will certainly respect your wishes.

If you have any questions concerning matters related to this research, please contact me at {telephone} (Canada) or my research supervisor Brian Parnell {telephone}(UK).

Thank you for taking the time to participate.

Yours truly,

Peggy Hedges
Ph.D. Candidate
Department of Environmental Planning
Internet: {address}

Based on the above description, I give my informed consent to participate in this study.

_____ _____

(Signature) (Date)

A.5.8 Interview outline – sent to participants with confirmation of interview letter

Interview outline

I am studying the following questions and would appreciate your opinion on those relevant to your work or experiences.

Budgeting and priority setting

- How land use objectives are translated into budgets and spending priorities.
- Influence that outside pressure has on spending priorities.
- Whether successes and failures to meet land use objectives relate to the money provided.

Management structure

- Shortfalls in existing land use management systems.
- How land tenure or ownership affects land use management.
- What motivates land use managers to achieve the sustainable land use objectives that society demands of them (for example, recreation, conservation, economic development).

Influences

- Administrative control versus economic incentives, their effectiveness in motivating and controlling.
- In what way are individuals or organisations, using financial clout, manpower and legal authority, able to influence land use decisions.
- To what extent is management approach affected by interest group (economic, conservation, social) support or criticism.

A.5.9 Interview questions (not given to participants)

Interview Questions (Canadian version)
Organization_____

This study examines the effect that management structure and land tenure has on the actual decision making process concerning budgetary/spending priorities.

I am interested in who is influential in the process, who affects effectiveness and whether the money spent is matched with the objectives.

I would appreciate your opinion on those questions relevant to your work or experiences.

Background - Please tell me about yourself...

Position/Occupation

Brief description

Number of years

Previous experience

Budgeting and priority setting

1. Can you explain to me the process by which area land use objectives have been translated into budgets and funding priorities? Who are the principal negotiators? Are there written guidelines or criteria?

2. In your experience, what is determined first in the budgeting cycle – the amount of funding or the objectives to be achieved over the time period? Please explain.

3. Were the funding priorities and objectives guided by a long-term land use plan implemented by either federal or provincial or municipal governments? (is there economic analysis support?)

4. Was the funding or priorities influenced by outside pressure? Please explain.

5. Overall, do you feel the resources (money, manpower, etc.) allocated reflects the importance of the land use objectives? Please explain.

6. Do you think the successes or failures to achieve the desired/legislated land use objectives relate to the money provided? Why or why not?

   How do you think the successes could be increased, given the budget realities?

7. Do you see {shared /joint venture/cost shared} funding or budgets affecting an organizations ability to achieving long run land use objectives?

   Why or why not?

If there is {shared} funding, how do you think the objectives should be set for each funding partner? (ie. each to spend money in separate programs under their own responsibility?) Do you think this would result in duplication of effort? Please explain.

Management structure

8. Given the management structure or organization now in place and the {existing} protected area designation, what are its shortfalls?

   What do you believe are the underlying causes of the shortfalls?

   How do you think land ownership/tenure affects overall land use management in these areas?

9. Given your experience, what type of management structure or organization should be established to administer the {existing} objectives?

   Do you think this structure would be more or less susceptible to various interest group pressure? Why or why not?

10. What do you see as the shortfalls in the internal and external working environment of the organization now in place?

    What do you believe are the underlying causes of the shortfalls?

    How do you think land ownership/tenure affects overall working environment of the organization?

    How do you think the working environment could be improved, given the budget realities?

11. From your perspective, what do you think is the main challenge in the {Banff National Park} area in achieving the {existing} land use objectives?

    Why do you think this is the major challenge?

12. Do you know if there are any incentives (or disincentives) to the land use managers for achieving or not achieving the sustainable land use objectives (recreation, conservation, economic development) that society demands of them within a reasonable time frame? Please explain.

    clarification - (what motivates the land manager to achieve the policies set forth)

    If there are none of which you are aware, what do you think would be a good reward or punishment system?

Influences

13. To what extent have economic incentives (grants, subsidies, monopolies, etc.) motivated or assisted you in achieving the desired/legislated land use policies for the area? Please explain.

    Can you think of any better incentives? Please describe.

14. To what extent have administrative controls (planning restrictions, easements) restricted you from achieving the desired/legislated land use policies for the area? (ie. any conflicting controls?)

    Can you think of any examples to support your opinion?

    Do you have any suggestions for improvement?

15. Can you think of a specific example where the land use policies or objectives have resulted in conflict? If yes, please describe the policy and the event?

Do you think this problem could have been avoided? How?

What organizations or individuals were involved? Please describe the extent of the direct and indirect costs to these organisations or individuals in resolving this conflict?

16. To what extent do you think that {you/your organization} has the ability to influence land use decisions? Please explain.

Example- {what about your legal powers
- {financial clout
- {manpower (numbers or technical expertise)

17. To what extent do {you/your organization} {policies/land use activities} receive attention from interest groups (either support or criticism)? What effect, if any does this have on your management approach?