

National Park Authority Special Board Meeting

Agenda Item 3



Your Park Recommendations

Paper for Decision

1. Purpose

- 1.1. In October 2014, the National Park Authority consulted on the *Your Park* proposals aimed at tackling the significant impacts of high levels of excessive and damaging camping activity on our busiest lochshores. This package of proposals was prepared following a lengthy period of extensive informal engagement to discuss these issues with a wide range of stakeholders comprised of both local and national interests. These informal discussions sought to gather opinions and suggestions on how the Park Authority should manage the very significant pressures and impacts being experienced in these sensitive places. The proposals also drew upon the very extensive evidence gathered over many years by both the National Park Authority and Police Scotland on the scale of use, environmental impacts and anti social behaviour experienced.
- 1.2. The *Your Park* proposals followed on from the experience of the dramatic success of the package of measures introduced in East Loch Lomond in 2011 that have transformed the visitor experience and radically reduced levels of criminal activity, anti social behaviour, damage to the environment and litter in the area, whilst providing excellent informal camping facilities.
- 1.3. The *Your Park* consultation set out proposals to tackle these issues comprehensively across all of the popular lochshore areas which experience these problems. It sought views on two main areas;
 - Proposals for investing in new camping opportunities and motorhome sites
 - Proposed byelaws to manage camping volumes and irresponsible behaviour issues within proposed management zones.

Following Board approval a 12-week consultation commenced on 13th October 2014, concluding on 12th January 2015.

- 1.4. This paper:
 - gives an overview of the consultation response received
 - outlines the progress that is being made to ensure sustainable levels of camping opportunities are available in the proposed management zones
 - summarises the proposed modifications to the proposals and why these are being recommended

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- asks Members to approve the amended byelaws and management zones to be presented to Scottish Ministers for approval
- 1.5 If Members are minded to approve the recommendations of this paper then the proposals will be presented to Scottish Ministers as soon as is practically possible. The Byelaw confirmation process under the National Parks (Scotland) Act 2000 requires a 30-day notice period which allows the opportunity for representations to be made to Ministers by those wishing to object to the proposals. The Scottish Ministers will duly consider the objections received before deciding whether to confirm, confirm with amendments or refuse to confirm the byelaws.

Recommendation

Members are asked to:

- a. **Note** the Report of Consultation attached as Appendix 2
- b. **Note** the progress being made to ensure that sustainable levels of camping opportunities are available in the proposed Management Zones
- c. **Approve** the proposed Byelaw text as attached as Appendix 3
- d. **Approve** the proposed Byelaw Camping Management Zones, where the proposed Byelaws would apply, as set out in Appendix 3
- e. **Authorise** officers to submit the proposed Byelaws and Camping Management Zones to Scottish Ministers for consideration, including commencing a 30 day notification period during which interested parties may make objections
- f. **Agree** that officers continue to develop proposals for camping opportunities which would provide for at least 300 camping places in the proposed management zones in addition to existing commercially operated sites.

2. Introduction and Context

2.1. The *Your Park* consultation proposals aimed to deliver the National Park Partnership Plan priority action VE 2 to review camping management, which states that *“informal camping in the National Park is an ongoing concern with many lochshore areas facing heavy use. The National Park Authority has introduced a camping byelaw at East Loch Lomond...the experience of this byelaw will be used as we develop solutions for other areas.”* The report submitted to Scottish Ministers on the first three years of the East Loch Lomond camping byelaws, alongside other visitor management measures, concluded that the visitors experience has been radically improved with the local community and businesses seeing

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the dramatic changes. The area has seen environmental recovery in places that had previously been subject to the impacts of fires, vandalism and damage to trees and vegetation. This experience gave a sound basis from which to develop solutions for the wider National Park area. The quality of life for the local community has transformed, with significant reductions in Police complaints, while local businesses now have the confidence to invest in expanding visitor offerings

- 2.2. The *Your Park* proposals were also based on significant evidence on the scale and type of visitor pressure and behaviour in the wider Park area which is damaging the Park's environment and visitor experience, and where infrastructure and education alone are not sufficient responses. This substantial evidence base and 13 years of experience of managing these issues under existing legislation has supported well-informed, proportionate and effective visitor management proposals that seek to enhance the visitor experience and protect the precious environment that so many people come to enjoy. An overview of the evidence base used is attached as Appendix 1.
- 2.3. Camping in Loch Lomond & The Trossachs National Park is one of the most popular outdoor recreation activities that visitors come to the Park to experience. With its easy to reach lochshores amongst high mountains and along wooded banks the National Park has some of the best places to pitch a tent in Scotland. However these spectacular areas can no longer withstand the relentless pressures of significant unmanaged camping activity during the summer months and further action is required.
- 2.4. During busy summer seasons common features include abandoned and burnt-out tents and camping equipment, fishing tackle discarded on the shores and associated rubbish including bottles, broken glass, food and packaging. Large numbers of people camping outdoors in the absence of toilet facilities results in human waste being visible around many sites. Irresponsible fires result in damage to trees and vegetation with live trees often cut down for firewood. Loud and aggressive behaviour from antisocial campers also intimidates other visitors and leaves local communities feeling unsafe. Despite increased investment by the National Park Authority in additional patrolling by Police Scotland as part of Operation Ironworks, extreme antisocial and violent behaviour still occurs and every season there continue to be arrests. An overview of the data provided by Police Scotland as part of the Operation Ironworks annual reporting is included within Appendix 1.
- 2.5. Along the sides of some of the Park's lochs, the improvement of the public highway has left stretches of former road being utilised as long off-road laybys offering great opportunities for visitors to park and enjoy these locations. However, over a number of

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years, these sites have become occupied by summer-long encampments where the same groups park their caravans or campervans for the majority of season, preventing others from accessing them. These encampments can take on the intimidating appearance of private camping areas which put off other visitors from using these locations. Again, the absence of proper facilities means there are impacts from irresponsible users. The extensive occupation of such laybys means that some stretches of lochside such as north Loch Earn and west Loch Lomond are often inaccessible for other visitors.

2.6. The repetition of this pattern of use every season is leaving a significant mark on the environment, progressively degrading what should be some of the most attractive locations in the National Park. It also prevents a wider range of people taking recreational enjoyment of these places. The local visitor economy suffers as people are put off visiting. Local communities are left feeling unsafe in the face of intimidating and sometimes criminal behaviour. Visitor expectations from around the world are that a National Park should showcase the best standards of care for the area's natural beauty and a high quality visitor experience. These locations are a long way from achieving such an aspiration and unless positive action is taken, will continue to damage the reputation of the National Park and Scotland as a highly desirable destination to visit.

2.7. The *Your Park* consultation proposals aimed to deliver a far better visitor experience of our busy lochshores through planning for a better managed camping experience. These proposals aim to tackle both the negative impacts of excessive and irresponsible camping alongside setting out significant plans to transform these special places through the provision of well managed and accessible informal camping opportunities.

2.8. The main elements of the consultation were:

- A vision for transforming our lochshores
- Proposals for delivering a wide range of new camping provision
- A proposal for camping management byelaws in two new areas of the Park, and an amendment to the management zone in East Loch Lomond, to manage volumes of camping and prevent irresponsible behaviour (statutory consultation)

It was made clear that these proposals can only be successful if delivered within the multi-stranded approach promoted in the National Park Partnership Plan and delivered on East Loch Lomond which incorporates:

- Education, outreach and volunteering
- Infrastructure and service improvements

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- Enforcement

2.9. The proposals to manage the amount of camping activity on pressured loch shores must be placed in the context of the National Park Authority's significant commitment to a wide range of projects and initiatives which enhance access and recreation in the Park. This includes both investing in high quality facilities and recreational routes and encouraging and facilitating a wide range of people to come to the Park to make the most of the outdoors.

2.10. The National Park Authority's £8.7 million 5 year Outdoor Recreation Plan is reaching its halfway point and has already opened up access to over 450 miles of pathways including extensive restoration work on miles of new paths, cycle routes and bridges, as well as the launch of an extended Waterbus service providing sustainable transport to recreation opportunities around Loch Lomond and Loch Katrine.

2.11. New and improved sections of paths have recently been built in the following areas:

- Duncryne Hill in Gartocharn,
- Links on the new John Muir Way - encouraging visitors to come off the main route and explore other surrounding areas of the Park,
- Links to the forest at Gartmore,
- New cycle path from Strathyre to Kingshouse,
- New off-road path between Drymen and Milton of Buchanan.
- Footbridges at St Fillans, Strathyre and Ardentinny;

2.12. The new Great Trossachs Path was officially opened this month. The outcome of a significant HLF bid is awaited which if approved will deliver £3million worth of repair work to many of the National Parks most popular mountain paths. The National Park Authority has invested heavily in improving many loch shore locations around the Park, most recently delivering the 5 Lochs Visitor Management Plan at Loch Lubnaig and Loch Venachar to support public enjoyment.

3. Overview of Your Park Consultation Responses

3.1. Following Board approval, a 12-week formal consultation on the proposed byelaws and management zones took place between 13th October 2014 and 12th January 2015. Alongside this statutory consultation, the National Park Authority chose to seek views on proposals to invest in improving camping facilities within the proposed management zones.

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The Park Authority invited responses from all interested parties including the general public and from interested agencies and organisations. A dedicated website (www.thisisyourpark.org.uk) was created to provide information about the Your Park consultation and to allow online submission of responses.

3.2. The consultation provoked significant discussion in the media and online, with strong views being shared both for and against the proposals. The consultation received widespread media coverage and the Park Authority used the Your Park blog and accompanying social media channels to share updates throughout the consultation. Over the 12-week consultation period, the Your Park website was visited more than 6000 times by 5000 users, who viewed more than 13,000 pages.

3.3. The questions asked in the consultation were:

Investment Q1: Do you agree that over the next five years the National Park Authority should invest in improving camping provision within the three proposed management zones?

Investment Q2: Do you agree with the proposed areas of opportunity for additional camping provision?

Byelaws Q1: Do you agree that these byelaws should be introduced?

Byelaws Q2: Do you agree with the wording of the proposed byelaws?

Byelaws Q3: Do you agree with the proposed zones for the byelaws?

A total of 248 people responded to the questions relating to camping investment and a total of 336 responses were received to the questions relating to the proposed byelaws and management zones. The consultation report that provides more detail on responses received can be found in Appendix 2.

3.4. The purpose of the consultation was to seek views on the proposals to help shape final recommendations. While the quantity of responses is welcomed, it is the quality of the arguments put forward and the content within them that were most valuable in helping inform recommendations.

Comments on Proposed Byelaws and Management Zones

3.5. Having considered all the points made in each consultation response, an overall assessment was made on each of the responses received; these were classified as supportive, objecting or neutral. Of the 336 responses, 165 (49%) were classed as supportive, 167 (50%) objecting and 4 (1%) neutral.

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3.6. Amongst the supportive responses received were key delivery partners Police Scotland, Forestry Commission Scotland and SNH. These key partners' consultation responses each provided guidance on areas they felt would improve the proposals further. These can be summarised as:

Police Scotland

- Review nuisance, damage and litter byelaw wording
- Query over Forest Drive inclusion in Wider Trossachs zone
- Police will continue to utilise current laws and support collaborative approaches e.g. Operation Ironworks

Forestry Commission Scotland

- Camping provision essential
- Request additions to zones
- Prepare management plan for areas outside zones e.g. Argyll
- Need to consider resources to help with management

SNH

- Camping provision and plan is essential
- Review nuisance and damage byelaw wording
- Minor zone reductions and amendments
- Management Plan for Loch Lomond islands
- Keen to support further work

3.7. All 14 Community Councils who responded were in support of the proposals – this includes 3 Community Councils from outside the National Park. A total of 14 businesses/interest groups including the Friends of Loch Lomond, Love Loch Lomond & the area's Destination Group all submitted responses in support of the proposals. In addition, responses received from 111 individuals (including 6 landowners) supported the proposals.

3.8. This significant support from key delivery partners alongside helpful and constructive suggestions for improvements has helped shape the recommendations in this paper.

3.9. There was opposition to the proposals from a range of interested parties including 155 individuals and 12 organisations representing local and national interest groups. Reasons for objecting to the proposals and suggested alternatives can be classified into 4 key themes:

- Additional policing and use of existing legislation
- Additional education to change behaviour
- Fear of displacement of problems elsewhere
- Impacts on recreational activity

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3.10. In addition to these specific reasons for opposing the proposed byelaws, a key objection was that in principle these proposals were felt to be against the spirit of the Land Reform (Scotland) Act 2003. This argument in principle was the focus of much of the media attention the consultation gained.

Responding to objections/suggested alternatives

3.11. In preparing the Your Park proposals, and having spent time working with a broad range of stakeholders and interest groups, the key objections/suggested alternatives to byelaws that came through the consultation had already been considered, or already form part of our integrated approach to visitor management. Based on experience of these issues the responses to these arguments are:

Additional policing and use of existing legislation

- Since 2007, the National Park Authority has spent in excess of £400,000 on additional policing over the summer season
- Using existing legislation, an arrest can only be made once the crime is committed (hence the damage is done)
- Existing legislation (including any alcohol byelaw) requires Police to enforce, witnesses, then court time to prosecute and does not address unsustainable volumes of camping
- Luss and the surrounding areas has an alcohol byelaw in place yet the area continues to suffer from problems of over-use and from antisocial behaviour
- Significant additional resource would be required to ensure the heavier Police presence that some are asking for. Additional Police presence has not deterred the problems.

Additional education to change behaviour

- Since the National Park was created, time and resources have been dedicated to educating people about how to act responsibly in the National Park, through the Education & Inclusion team and via the Ranger service
- Education continues to be a cornerstone of the Your Park plans
- Education alone is not making enough of an impact in these problem areas
- In some areas damage is being done by the sheer number of people visiting not just by those behaving irresponsibly. Education cannot tackle this unsustainable level of demand/pressure.

Fear of displacement of problems elsewhere

- Displacement within the Park was taken into account when the management zones were being drawn up
- There is no evidence to suggest that the introduction of the camping byelaw on East Loch Lomond has created problems where there were none before

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- The proposals include investing in additional camping facilities (via pitches and permits) to help manage demand and keep camping at a sustainable level within the management zones.

Impacts on recreational activity

- Camping is just one form of recreation that is popular in the National Park
- The proposals seek to enhance access by providing a better, safer experience on and around these easily accessible lochshores
- The proposals include investing in additional camping facilities that will be available at a low cost

3.12. Many of those who responded in objection to the proposals considered them to be an unacceptable infringement of access rights under the Land Reform (Scotland) Act 2003. These comments are considered to overlook the fact that the activities that are being managed (largely car-borne camping) do not fall within access rights and that central to the Your Park proposals is to promote access and a higher quality and safer visitor experience that is not damaging to the environment. More specific responses to the comments made are as follows:

- the proposed Management Zones will continue to be freely accessible to the public
- the car-borne and sometimes long-duration camping activity occurring in the affected areas, which the byelaws seek to manage, is not 'wild camping' as defined in the Scottish Outdoor Access Code
- dealing with these problems will encourage people currently deterred by irresponsible behaviours to enjoy access recreation in the affected areas
- the proposals are considered proportionate and only affected less than 5% (now 3.7%) of the Park, with the remaining area freely available for true 'wild camping'
- a sustainable amount of informal camping opportunities are proposed within all of the management zones

4. National Park Authority Responsibilities

4.1. The Your Park byelaw proposals are made under the National Park (Scotland) Act 2000. The National Park Authority has a statutory duty to exercise its functions to achieve the four statutory aims in the National Parks Act. Namely;

1. *To conserve and enhance the natural and cultural heritage of the area.*
2. *To promote sustainable use of the natural resources of the area.*
3. *To promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public.*
4. *To promote sustainable economic and social development of the area's communities.*

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4.2. In pursuance of these aims, the Act also confers and number of powers and functions on the Park Authority. Section 8 of Schedule 2 of the Act sets out the circumstances where National Park Authorities may consider the making of byelaws to ensure that National Park aims are achieved. This states;

“A National Park Authority may make byelaws for the National Park for the purposes of-

- (a) Protecting the natural and cultural heritage of the National Park,*
- (b) Preventing damage to the land or anything in, on or under it,*
- (c) Securing the public’s enjoyment of, and safety in, the National Park.*

In particular, a National Park authority may make byelaws-

- (a) To regulate or prohibit the lighting of fires,*
- (b) To prohibit the depositing of rubbish and the leaving of litter,*
- (c) For the prevention or suppression of nuisances,*
- (d) To regulate the use of vehicles,*
- (e) To regulate the exercise of recreational activities.”*

4.3. Section 9(6) of the Act also states that in exercising its functions a National Park Authority must act to ensure Park aims are collectively achieved, but if in relation to any matter, it appears to the Authority that there is a conflict between any aim and the first (conservation) aim, **the authority must give greater weight to conservation.**

4.4. The Your Park camping byelaw proposals seek to resolve the evidenced conflicts between promoting enjoyment and recreation in these heavily used lochshores and conserving and enhancing their natural heritage. The duty to give greater weight to conservation where there is conflict places a distinct responsibility on the National Park Authority compared to other access authorities fulfilling their responsibilities or proposing byelaws under the Land Reform (Scotland) Act 2003. The proposals now being recommended seek to give greater weight to conservation by proposing a more managed approach to ensure more sustainable camping activity on the Park’s sensitive loch shores.

5. Delivering Camping Provision

5.1. Our vision for camping is set out in the National Park Partnership Plan 2012 – 2017 which guides everything we do. It sets a clear vision with specific reference to camping provision:

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“The National Park is a place for all to enjoy

- *There will be a variety of high quality campsites where people from all backgrounds can pitch their tent and enjoy the outdoors without damaging the environment.*
- *Campervans have places to stop that provide the right facilities all across the National Park*
- *All are provided at a reasonable cost.”*

5.2. The NPA is well advanced with preparing a camping development plan which will ensure that within the proposed management zones there are a good range of sustainable informal camping opportunities. The key to ensuring a sustainable level of camping activity is through defining maximum numbers which are compatible with protecting and conserving the fragile environment of our busiest loch shores. The National Park Authority cannot control the amount of camping that takes place in these areas without camping management byelaws which can regulate numbers and where camping can take place.

5.3. The proposed byelaws are an essential means for the National Park Authority:

- To support camping to take place at new campsites
- To support camping permits to be issued for specified lochside areas within the proposed management zones
- To enable permitted camping to be managed to ensure there are no damaging impacts from over-use or irresponsible behaviour

5.4. The provision of camping opportunities will take two forms:

- 1) campsites with low-cost bookable pitches and basic facilities
- 2) a permit system to allow informal camping within defined areas of management zones with limited or no formal facilities.

5.5 Providing for camping opportunities of this kind within the management zones will support those visitors looking for a safe but wilder experience as well as those looking to enjoy camping as part of other recreational activities such as fishing, kayaking, cycling or walking or simply the enjoyment of a night under canvas in the outdoors.

Current formal camping facilities in the National Park

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5.6 It should be noted that within the National Park area there are currently 26 commercially run sites providing for camping, motorhomes and caravans, of which 19 sites cater for tents. Between them they provide 580 camping pitches and 820 caravan/motorhome pitches. These are operated by a number of different providers, but all as paid-for camping on a managed site with associated facilities.

5.7 These sites are provided by:

- Public agencies: Forestry Commission Scotland and National Park Authority
- Private businesses
- Organisations: The Caravan and Camping Club and Camping in The Forest

Within the areas covered by the proposed camping management byelaws there are 15 existing sites already providing for camping and motorhomes.

Camping Permit Scheme

5.8 A camping permit scheme will provide the opportunity for sustainable levels of informal camping within a camping management zone. This form of provision requires minimal capital investment, little or no new development of facilities, allows for a reasonable level of provision subject to a defined maximum number and would be centrally administered by the National Park Authority with a small administration charge for booking a permit.

5.9 The benefits of a permit scheme are that it can provide for a reasonable camping volume, at a low cost to visitors and could be delivered relatively quickly. The NPA would develop a permit booking system to allow on line booking, whilst also ensuring opportunities for local outlets to provide permits. Conditions would be part of any booking to ensure that camping activity takes place responsibly and 'leave no trace' principles are adhered to.

5.10 Officers have been in extremely positive discussions with the landowners who own the areas currently under consideration for a camping permit scheme, and this includes Forestry Commission Scotland. It is expected that the proposed permitted areas will be agreed during this summer and that if byelaws were introduced in the 2016 season around 220 permits could be provided across the management zones per night. The number of permits issued would be subject to regular review and done so in conjunction with landowners and could be varied upwards or downwards dependent on how environmentally sustainable numbers were considered to be.

Campsites and pitches

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- 5.11 The development of basic low cost campsites will provide opportunities for visitors looking for a slightly more managed facility whilst retaining the feel of a wilder camping experience. The NPA will also develop a small number of seasonal sites of a similar style to existing sites at Sallochy and on Inchcailloch. These sites would have on-line bookable pitches, toilet provision, water supply waste disposal point and car parking as a minimum. The charges for the sites would be low and in line with equivalent provision typically £5 per adult per night. The operation of sites could also be undertaken in partnership with the private sector or in conjunction with landowners.
- 5.12 In the first year of any byelaws being introduced there will be provision for 80 campsite pitches (including the 20 existing at Sallochy and 9 at Loch Lubnaig) across the four zones. This is in addition to the proposed permit-based camping and over and above formal provision already available through existing commercially operated sites.
- 5.13 Discussions to date with landowners have continued the commitment to work with the National Park Authority declared in their *Your Park* consultation responses. This positive engagement means that there is a high level of confidence to secure the necessary agreements to deliver the campsites envisaged. However, until final agreements have been reached, details of new sites being proposed cannot yet be set out. The National Park Authority has also received full support from Forestry Commission Scotland to work closely together to maximise the opportunities available on the forest estate, in particular in the two Trossachs zones and East Loch Lomond. Any proposed campsites would also be subject to the usual public consultation through the planning process. An illustration of the form of facilities envisaged is provided at Appendix 4.
- 5.14 A one stop web-based information point will be developed for camping in the National Park, sign-posting visitors to campsite operators or to the permit booking system and making people aware of the full range of camping experiences available across the whole National Park area.

Finalising a Camping Development Plan

- 5.15 The delivery of managed camping within the proposed camping management zones will be detailed in a finalised Camping Development Plan. This will contain the detail on permitted camping areas and sites, their capacity, site designs and operation of permit schemes as a prioritised and costed action plan. Work will be ongoing to further develop this through Summer 2015 and the Plan will be finalised once the timescales for the introduction of any camping byelaws is known. This is envisaged to bring more campsite opportunities on stream beyond 2016.

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5.16 At this stage, Members are asked to agree that work should continue on the Camping Development Plan and that this should be focussed on delivering 300 pitches and permits within the proposed camping management zones to coincide with the potential introduction of byelaws in 2016.

6. Your Park – Recommended Byelaws and Management Zones

6.1. The consultation responses to the Your Park proposals included very constructive contributions on how the proposals could be improved to ensure their success in addressing camping impacts as well as their smooth operation in practices. A thorough analysis has been made of all the detailed comments made in respect of byelaw wording and the boundaries of the proposed management zones.

Recommended Changes to Byelaws wording

6.2. There were three byelaws which were the focus of comment and suggested change in the consultation.

Byelaws 8 and 9 (Causing Nuisance and Damage)

6.3. These two byelaws gave powers to deal with the causing of nuisance or damage within a management zone. A number of responses to the consultation were concerned about the precision of the wording, the difficulties that might arise in respect to proving nuisance, and the wide range of relatively minor incidents that might fall within this definition with the potential to raise unrealistic expectations from the public. *Police Scotland* and *SNH* both recommended removing these byelaws and instead focus on managing the camping pressures which will in turn reduce any associated issues of damage or nuisance. It is therefore recommended in this paper that these byelaws are removed and are not included in the final recommendations. This change will mean that any anti social behaviour of this nature will be dealt with by *Police Scotland* using existing laws such as vandalism, criminal damage and breach of the peace.

Byelaw 10 (Litter)

6.4. This byelaw gave powers to deal with the leaving of litter and waste in a management zone. On further consideration and also in the light of responses to the consultation this byelaw is also recommended to be removed from the final proposals. The National Park Authority has now been conferred new powers under the *Regulatory Reform (Scotland) Act 2014* to be able to issue Fixed Penalty Notices for littering offences and these are accepted as being a more appropriate means to deal with littering issues.

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Minor byelaw changes

- 6.5. A number of minor changes are also recommended to improve the operation of the byelaws, these include:
- Deleting any references to “*is about to commit*” and “*is committing*” and simply using “*has committed*”
 - The byelaw on unauthorised camping has been split giving a clearer references to sleeping overnight in a stationary vehicle. In particular providing a clearer definition of “public road” and what that includes ie roads authority controlled laybys and car parks. This will ensure no conflict with the purpose of official laybys as rest points for drivers. The offence to sleep overnight outdoors has also been deleted.
 - Including a definition of “landowner” to help clarify the landowners’ rights relative to the effects of byelaws on enjoyment of their own land.
- 6.6. The final suite of byelaws and recommended final wording is included as part of Appendix 3 of this paper and Members are asked to approve this for submission to Scottish Ministers for approval.

Recommended Camping Management Zones

- 6.7. All of the comments and suggestions made in the consultation responses for zone changes were each carefully considered on their merits. In reviewing these suggestions an assessment was made of any new evidence or supporting information to justify any changes alongside the Park Authority’s own data and knowledge. It was also important to retain an overview that the proposed Management Zones continued overall to represent a justified and proportionate approach to addressing camping issues.
- 6.8. There were three categories of response:
- Extension to one or more of the proposed zones
 - Reduction to one or more of the proposed zones
 - Creation of a new zone
- 6.9. These ranged between very minor changes to much larger scale inclusions or exclusions. The majority of suggestions were for the West Loch Lomond zone and the wider Trossachs zone, with the proposed East Loch Lomond amendments receiving the fewest comments. The final recommended Camping Management Zones are attached as part of Appendix 3 of this paper.

- 6.10. Extensions have been recommended for two areas

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1. Coileissan on the western side of Loch Long in the *West Loch Lomond Management Zone*.
2. North shore of Loch Arklet in Strathard in the *Wider Trossachs Management Zone*.

6.11. The main argument made for these extensions is the concern about anticipated local displacement from the within the Management Zones as previously proposed. In the case of Coileissan this area fits the main criteria for roadside lochshore camping and does have evidence of use and associated problems. Representations were received from the Community Council, local residents, and Forestry Commission Scotland. The Loch Arklet extension fits the same criteria with small scale camping issues occurring, and an anticipated local displacement from Loch Chon which currently experiences extreme levels of misuse. Representations were received from Community Council, local residents, businesses and Forestry Commission Scotland as the land owner.

6.12. A significant reduction is recommended in the Wider Trossachs Management Zone:

1. Remove the settlement of Aberfoyle and area towards Cobeland in the wider Trossachs zone
2. Remove the majority of the Dukes Pass north of Aberfoyle in the wider Trossachs zone.

6.13. On further consideration of the issues along the Dukes Pass and in the stretch of land around Aberfoyle and towards Cobeland the area was considered to be at low risk from local displacement. While some issues are experienced at Leamahamish near Cobeland, it is felt that these are isolated, site specific and could be locally managed in conjunction with the existing campsite and by Forestry Commission Scotland. The Dukes Pass was initially included to create a connected link to support easy to understand management zones. A number of responses have questioned this inclusion and on further reflection the removal of this stretch of road and 200m buffer is not seen as problematic. The Forest Drive is still retained in the zone as are the main Forestry Commission Scotland car parks south of Loch Achray.

6.14. The result of these changes is to divide the previously proposed Wider Trossachs zone into two areas to be referred to in the recommended byelaws as *Trossachs (West)* and *Trossachs (North)*.

6.15. There have also been a number of practical minor amendments made to the zones including the addition of Brig O Turk school road, a short stretch along the south East shore of Loch Ard and some minor redefining of boundary lines around Luss and Arrochar.

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6.16. A number of suggestions were not taken forward these included suggested new areas such as Duck Bay, Lake of Mentieth, Loch Eck and the Loch Lomond islands. In all of these cases it is recognised that they do experience visitor pressures but the evidence does not suggest that the scale of camping problems or locations of any camping activity warrants extending the byelaw zones.

6.17. The Loch Lomond islands already have byelaws, *Loch Lomond Byelaws 2013*, to help manage disturbance and damage to the natural and cultural heritage as well as a boat registration scheme that helps identify users on the loch. The National Park Authority will continue with monitoring of use and impacts and the promotion of responsible access and will keep the situation under review. Duck Bay, Lake of Mentieth and Loch Eck have isolated site-specific issues which would be best managed using site specific approaches along with continued monitoring to assess any changes in use and impact.

6.18. The recommended changes have taken into account many of the responses made during the consultation. It is recognised that those objecting to the Your Park proposals in principle clearly wanted to see no byelaws and therefore no camping management zones. The recommended changes have sought to make the byelaws more focused and practical to enforce with a clear purpose that will empower the NPA ranger service to support the prevention of many of the issues as well ensure that Police Scotland and any other law enforcement organisations can support their enforcement where this is required. Further informal advice and input from key delivery partners particularly Police Scotland and SNH has been invaluable in refining the proposals.

6.19. With these recommended changes, only 3.7% of land in the National Park will be subject to the proposed Byelaws leaving the rest of its 720 square miles as available for wild camping as defined by the Scottish Outdoor Access Code.

7. Next Steps

7.1. If Members agree to approve the revised Byelaws and Camping Management Zones then the National Park Authority will immediately begin the confirmation process where the Scottish Ministers are asked for approval. As part of this process the National Park Authority must give the public one month's notice of its intention to apply to Scottish Ministers for their approval. Notices will be placed in local newspapers and copies of the byelaws will be made available at National Park offices and local libraries in the area (and

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also electronically on the dedicated *Your Park* website). Interested parties have one month from the notice to make representations to the Scottish Government if they have objections. Having considered objections received, Scottish Ministers may decide to confirm the byelaws as submitted, confirm with modifications or refuse to confirm. If approved, the Scottish ministers will determine the date at which the Byelaws should come into effect.

8. Conclusion

- 8.1. The primary purpose which the revised Your Park proposals recommended in this paper seek to achieve is the better conservation and protection of our busiest and most heavily used lochshores which experience significant damage and degradation from unmanaged camping use every summer. The proposals also seek to deliver significant behaviour change by replicating the preventative effect that has been seen now for four summers on East Loch Lomond. The proposals will strengthen the role of National Park Rangers to deal with some irresponsible camping behaviours such as irresponsible fires and felling trees for firewood. By introducing Byelaws the Park Authority can control the amount and location of camping that takes place, ensuring it is sustainable and promotes a safe and high quality recreational experience for all visitors who come to these areas. It also removes a serious blight from our local communities and businesses who bear the brunt of irresponsible and antisocial behaviours every summer. It will allow previously overused and abused lochshore habitats and vegetation to recover to a healthier natural condition. Ultimately it means that the National Park Authority is meeting its statutory aims by giving due weight to conservation while managing and promoting recreational enjoyment and supporting the socio-economic development of communities.
- 8.2. Among the many magnificent landscapes in the Park, the lochs and loch-shores stand out as perhaps our most distinctive and memorable natural attractions and, therefore, deserve particular attention and care. These proposals recognise our responsibility to promote access and recreation in the Park and take a measured and proportionate approach, designed to protect the loch shore environments under threat, while delivering enhanced camping provision and facilities for visitors who will continue to want a camping experience in the outdoors. The proposals recommended in this paper build on the significant success of the balanced package of measures to tackle the same issues on East Loch Lomond coupled with years of evidence gathered from Ranger patrols and from the Operation Ironworks with Police Scotland

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- 8.3. The final recommended proposals have also been informed by a lengthy period discussing the issues and possible solutions with local communities, businesses and our key local and national partners. They are supported in writing by all 4 Local Authorities, all Community Councils who responded to the consultation, local tourism Destination Groups and many tourism businesses, Police Scotland, Scottish Natural Heritage and Forestry Commission Scotland. In the light of experiences over 13 years, the arguments which many of the objectors have made, that the National Park Authority should continue to enforce existing laws and rely on education are not accepted as tenable in the light of the entrenched behaviours and high volumes of use routinely experienced. Nor is the concept that building campsites alone are the answer, as this would not deal with the unsustainable volumes of use that would still prevail and will not deliver the significant behaviour change required to reduce crime, damage and disturbance.
- 8.4. The proposals are modest in scale, affecting 3.7% of the Park's 720 square miles and only apply during the busiest periods of the year. The proposed approach seeks to achieve prevention of the issues through managed use and behaviour change rather than continuing with the current scenario of enforcement and prosecution and clearing up extensive waste and degradation after the damage is done. The evidence of East Loch Lomond demonstrated what can be achieved by putting in place a comprehensive regulatory and management framework, supported by good low cost camping facilities alongside friendly visitor communication, advice and engagement from our Ranger service. Consequently the need to enforce has been minimal and the National Park Authority can now contemplate introducing more camping opportunities.
- 8.5. The emerging Camping Development Plan is a crucial part of delivering a successful outcome which ensures sustainable camping opportunities across the proposed management zones. The proposal for camping permits means that there will be opportunities to camp outwith formal sites. The National Park Authority will continue to work with both public and private sector partners and landowners to deliver a range of informal and affordable campsites over the next few years. The emphasis is on imaginative, affordable provision in attractive locations which offers the essence of a true National Park experience. This will also help the National Park Authority deliver a full range of responsible leisure and recreation activities, including camping, on and around our loch shores in ways which secure and protect these highly valued, special places for this generation and the next.

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Appendices:

1. Overview of Evidence Base
2. Consultation Report
3. Camping Management Byelaws and Zone Maps
5. Campsite Illustrative Designs
6. Byelaw Camping Management zones – Overview Map

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