

National Park Authority Special Board Meeting



**Final Minutes of Meeting held at
11:00am on 27th April 2015
National Park Headquarters, Balloch**

Present:	Linda McKay (Convener) William Nisbet (WN) (Vice Convener) Colin Bayes (CB) Angus Allan (AA) David McKenzie (DMcK) James Robb (JR) Martin Earl (ME)	Owen McKee (OM) Petra Biberbach (PB) David McCowan (DMcC) George Freeman (GF) Hazel Sorrel (HS) David Warnock (DW)
In Attendance:	<u>Park Authority Staff:</u> Gordon Watson (GW) Jaki Carnegie (JC) Stuart Mearns (SM) Bridget Jones (BJ) Anna MacLean (AM)	Charlotte Wallace (CW) Tony McInnes (TM) Mairi Bell (MB) Sandra Dalziel (SD) Sharon McIntyre (SMcI)
Apologies:	Lindsay Morrison (LM) Bob Ellis (BE)	James Stuart (JS) Fergus Wood (FW)

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1	<p>Welcome and Apologies</p> <p>The Convener opened the Special Board Meeting by welcoming members of the public. SMcI confirmed that there were apologies from LM, JS, BE and FW.</p>	
2	<p>Declarations of Interest</p> <p>The Convener invited declarations of interest.</p> <p>The Convener declared a potential interest in agenda items 3 (Your Park) and 4 (Live Park), as she owns a residential house within the Park.</p> <p>OM declared a potential interest in agenda items 3 (Your Park) and 4 (Live Park), as he owns a residential house in Lochearnhead where he runs the Village Shop and also owns an adjoining area of land.¹</p> <p>OM also advised that he sells fishing permits from the shop. In relation to agenda item 4 (Live Park), OM also noted a potential interest as the Vice Chair of the Management Committee of Rural Stirling Housing Association.</p> <p>¹Additional Information Note: The properties declared by the Convener, OM and ME are located within the Trossachs North Management Zone proposed under agenda item 3 as detailed in the Register of Interests.</p>	

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	<p>DMcK declared a potential interest in agenda item 4 (Live Park), as the owner of a residential property in Blairmore, he is Secretary of the Benmore & Kilmun Community Development Trust which has funded a study regarding acquiring land for sheltered or affordable housing and he is Director of the Blairmore Village Trust which is looking to acquire land to utilise for camping purposes.</p> <p>DMcC declared a potential interest in agenda item 4 (Live Park) as he has a residential property and land within the Park.</p> <p>ME declared a potential interest in agenda items 3 (Your Park) and 4 (Live Park) proposals, as he owns a residential house which is within the Park¹. DW declared a potential interest in agenda item 4 (Live Park) as he owns a residential house within the Park.</p> <p>GW declared a potential interest in agenda item 4 (Live Park) as he owns a residential house within the Park.</p> <p>SD advised that those with any property, including residential property within the Park will not automatically be excluded from any items on the agenda, as at this stage, these were only potential conflicts. She reminded Members of their obligations under the Code of Conduct to remove themselves from the room should any actual conflict arise.</p>	
3	<p>Your Park</p> <p>The Convener invited GW to introduce the Your Park report.</p> <p>GW advised that the Park Authority received 336 responses to the Your Park consultation. 20% of these were from organisations and 80% of these were from individuals, including land owners.</p> <p>The purpose of the consultation was to seek views on the proposals to help shape the final recommendations.</p> <p>Of the 336 responses, 49% which equates to 165 responses were supportive, 50% which equates to 167 responses were objecting and 1% which equates to 4 responses were neutral.</p> <p>Of the organisations which responded 79% were in support. Of the individuals who responded, 58% objected, 41% were in support and 1% gave</p>	

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	<p>a neutral response. 14 community councils responded, all in support of the proposals, three of these were based outside the Park boundary.</p> <p>The four main reasons consultees did not support the proposals were:</p> <ul style="list-style-type: none"> - additional policing could resolve issues; - the issues could be tackled through education; - the risk of displacement of problems elsewhere; and - impacts on recreation in the National Park. <p>GW noted that the Park Authority would continue to work closely with Police Scotland and that Operation Ironworks has been a successful operation. However, additional policing would not address the high volume of use at sites and this issue requires urgently to be managed to conserve these lochside environments.</p> <p>GW advised that in relation to tackling the issues through education, both Police Scotland and the Rangers undertake an educational role with regard to encouraging and promoting responsible behaviour in the National Park. The Park Authority is very committed to its education role and will continue to fulfil it however this approach alone will not tackle the unsustainable volume of use at specific sites.</p> <p>In relation to potential displacement of problems, GW advised that this had been carefully considered when developing the proposals. This was raised as a concern when the East Loch Lomond byelaw was introduced, there is no evidence to suggest that the problems were displaced to other areas of the National Park or beyond.</p> <p>In relation to the concern about the proposals having a negative impact on recreation within the Park, GW explained that the proposals were intended to promote recreational use and access by a wide range of users. Concerns had been raised by a small number of consultees that that the proposals infringe upon access rights under the Land Reform Act. GW explained that much of the camping and campervan activity that the Park Authority is seeking to manage would not be classified as 'wild camping'.</p> <p>In response to the consultation the management zones have been amended and as a result the area proposed for byelaw implementation has been reduced to 3.7%.</p> <p>GW explained that under the National Park (Scotland) Act, the Park Authority was set up to achieve four aims, which include a duty to (a) conserve and enhance the natural and cultural heritage of the area; and (b) to promote</p>	

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	<p>sustainable use of the natural resources within the area. The National Park (Scotland) Act makes clear that where there is a conflict between aims the conservation aim must prevail. The Your Park byelaw proposals seek to further these aims.</p> <p>GW advised that the camping development plan referred to in the proposals would be further developed and that it will include a combination of permits and new sites. In the first year, 300 camping places are proposed to support camping experiences within the zones.</p> <p>GW advised that the Park Authority has listened, reflected and where possible taken on board the points raised during the consultation and have worked with key partners to reach the finalised Your Park proposals. For example:</p> <ul style="list-style-type: none"> • Police Scotland queried the inclusion of the Forest Drive zone in these proposals therefore this area has been reviewed and Police Scotland will continue to enforce existing laws in certain areas; • Scottish National Heritage identified that we should review the byelaw wording in relation to ‘nuisance and damage’, so we have revisited this wording; and • Forestry Commission suggested additions to the zones and have indicated that they are keen to work with the Park Authority in relation to the management of various sites. <p>GW noted that following the consultation, changes have been made to the proposed byelaw to include new wording and associated definitions in relation to sleeping overnight in a vehicle which does not interfere with the operation of laybys. The definitions of public road and roads authority have been further clarified.</p> <p>The scope of the byelaws has been reduced with references to ‘nuisance and damage’ and to ‘litter and waste’ being removed altogether.</p> <p>The definition of “Connected persons” has been added for clarification.</p> <p>GW highlighted that the proposed byelaws identify areas where individuals can and can’t camp, for example in laybys and not on public roads. The proposed byelaws also seek to manage irresponsible fire lighting.</p> <p>The abandonment of campsites and litter will be managed through fixed</p>	

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	<p>penalty notice powers and not through the byelaws. The Authority will continue to work with Police Scotland in relation to issues of vandalism and criminal damage, these are not matters encompassed by the proposed byelaws.</p> <p>GW referred Members to an update on the changes to the proposed management zones, as outlined in the report.</p> <p>Members queried whether the Loch Lomond islands were included in the proposed management zones. GW confirmed that the Loch Lomond islands were not included within the current Your Park proposals, but the area would continue to be monitored by the Park Authority's Ranger Team and the need for further management kept under review.</p> <p>GW explained that, if Members are minded to approve the recommendations outlined in the report, the proposals will be presented to Scottish Ministers as soon as it is practically possible. A thirty day notice period will then take place which allows the opportunity for representations to be made to Ministers by those wishing to object to the proposals. The Scottish Ministers will consider the objections received before deciding whether to confirm, confirm with amendments or refuse to confirm the byelaws.</p> <p>The Convener thanked GW and the team for their efforts and invited GW to introduce the officers present.</p> <p>GW identified the officers present and available for questions on this project as BJ, Head of Visitor Management, CW, Visitor Policy and Engagement Manager and AM, Marketing Manager.</p> <p>The Convener invited comments and questions from Members which correspond to the sequence of issues presented firstly to consultation responses, the camping development plan and amendments to the proposed management zones.</p> <p>Several Members highlighted that the problems which the proposals seek to address do not solely relate to irresponsible camping, but also to the environmental impacts of unsustainable levels of camping on specific sites.</p> <p>GW advised that 300 tent permits or pitches reflects a sustainable level of camping activity in the management zones and clarified that in addition to tackling irresponsible camping, these measures are required to prevent further degradation of the environment and habitats.</p>	

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	<p>Several Members indicated that they were in support of the proposals and congratulated officers on the high quality of the consultation documentation and analysis.</p> <p>Members highlighted the number of positive responses received, including from major partner organisations and highlighted that over 96% of the Park would remain unaffected by the proposals.</p> <p>Members noted that, with formal and semi-formal options available in the 300 places, visitors would be able to choose their preferred option and this would encourage people to camp, providing a pathway to the outdoors.</p> <p>Members highlighted the statistic on page ten of appendix 2, that 73% of individuals from inside the Park were supportive of the proposals.</p> <p>The Convener invited questions in relation to the camping development plan and plans for provision.</p> <p>Members queried whether new areas such as Loch Eck could be included in the management zones if there is evidence to support inclusion.</p> <p>GW advised that the Park Authority will be ensuring that there is a robust monitoring framework within the zones and other areas. Loch Eck was reviewed when developing the proposals and in comparison to other areas was not assessed as being a priority management zone.</p> <p>Members asked how the administration system for the pitches and permits was to be organised. GW advised that this would be set up centrally by the Park Authority.</p> <p>The Convener enquired as to whether the Forestry Commission and Scottish National Heritage were content with the camping development plan. GW confirmed their support for these proposals and explained that the Forestry Commission are one of our key partners and one of the most significant land owners within the Trossachs management zone. As the project develops he would hope to be able to provide further information on the sites that have been made available. Scottish National Heritage is content with the number of sites offered. The Convener commended officers for strong partnership working.</p>	

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	<p>GW indicated that the scope of the Minister's consultation will be exclusively in relation to the proposed byelaws.</p> <p>There was some discussion on how the proposals would deal with access by campervans to the Park. GW advised that, within the proposed management zones, some sites would provide access for campervans. Out with the management zones it was intended that existing car parks or sites across the Park would continue to be available for visitor use as overnight stay locations for campervans. GW advised that the intention is to have a network of opportunities for campervans that could be promoted as part of the overall package.</p> <p>There was some discussion regarding the introduction of the byelaws at East Loch Lomond and the positive impact that these have had as a result of close partner working. GF noted that community councils in West Loch Lomond are keen to see development within their areas which would offer the same improvement that they have seen at East Loch Lomond.</p> <p>In response to Board member questions GF noted that the alcohol byelaw alone has not stopped the problems relating to anti-social behaviour that the community of Luss has experienced over many years. In comparison the camping byelaws that were introduced in East Loch Lomond have brought about major improvements.</p> <p>The Convener invited discussion in relation to the adjustments in zoning and the technical working of the byelaws.</p> <p>Members asked about arrangements for signage to clearly identify zones and in particular zone boundaries.</p> <p>GW advised that the width of the zones covers road to loch shore and is approximately 200m from the roads on the non-shore side. Where possible these lines have been proposed in line with geographic features. GW indicated that this would be more user friendly and would facilitate management by Rangers and Police.</p> <p>BJ agreed that GPS will be used to set these zones although, where possible, the zones would be linked to identifiable features that are already in place such as fence lines. BJ advised that signage which is similar to that used currently at East Loch Lomond would be appropriate.</p>	

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	<p>There was some discussion about potential displacement in the glens within the Luss area. GW advised that camping at the sites of Glen Luss and Glen Douglas would continue to be monitored and reviewed in terms of sustainability.</p> <p>There was some discussion about the process necessary to change the camping management zones. In the future GW confirmed that, if the Park Authority identifies other areas that should be included in management zones, this will require further consultation and ministerial approval. The Convener confirmed that there were no further questions or comments. She then outlined the recommendations in the report and asked whether Members supported them.</p> <p>DECISION: Members unanimously agreed to the recommendations to:</p> <p>a. Note the Report of Consultation attached as Appendix 2.</p> <p>b. Note the progress being made to ensure that sustainable levels of camping opportunities are available in the proposed Management Zones.</p> <p>c. Approve the proposed Byelaw text as attached as Appendix 3.</p> <p>d. Approve the proposed Byelaw Camping Management Zones, where the proposed Byelaws would apply, as set out in Appendix 3.</p> <p>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.</p> <p>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.</p> <p><i>A comfort break took place at 12:10pm the meeting resumed at 12:20pm. Members of the public left the meeting at this point.</i></p>	

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4	<p>Live Park</p> <p>The Convener introduced agenda item 4, Live Park. The Convener highlighted that an exemplary consultation has taken place and welcomed SM to introduce the Live Park report.</p> <p>SM advised that an updated appendix nine had been issued to members and included on the website, as the original version had some text omitted.</p> <p>SM highlighted that this is the first time that there has been discussion and engagement regarding a Local Development Plan. It is hoped that by engaging with communities as early as possible that future issues are minimised.</p> <p>SM noted that in section 2, under 2.1 this highlights that there has been engagement and discussion through the formal consultations last year, new points cannot now be introduced. SM detailed that, out of courtesy the communities of Drymen, Port of Menteith and Callander, where the proposals were more contentious were given early notice of the key recommendations.</p> <p>SM noted that the key themes reflect Government outcomes for planning, focusing on sustainability, climate change, design and place-making. SM advised that having the documents fully designed will make the documents more user friendly. SM displayed examples of the visual style that the documents will take when designed and published for the consultation</p> <p>For the site in Drymen, it has not been agreed that the site is unsuitable for development but it has been agreed that a lower scale of well-designed housing would be appropriate. To ensure this, we have included site specific design guidance on the site map. It continues to be important to include a range of options for new housing in Drymen.</p> <p>The proposed visitor accommodation at Braeval, near Aberfoyle, is not included to allow for further review of options in this area.</p> <p>SM noted that Balgibbon Drive, Callander, is still included as a long term site maintaining its current status.</p> <p>The expansion of Callander to the South is a notable element in the Local Development Plan, as a result of its scale and of the fact that it originated in the innovative 2011 Charrette.</p>	

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	<p>SM advised that a draft of the Buchanan South Rural Development Framework has been shared with the community prior to being finalised.</p> <p>SM indicated that the Draft Guidance, including detail that once might have been in the Plan itself, will be included within the Proposed Plan.</p> <p>SM outlined the recommendations and invited comments and questions from members.</p> <p>DMcK highlighted that there was no sewage treatment at Loch Long north of the Holy Loch and queried whether there is a way the Park Authority could resolve this issue with SEPA.</p> <p>SM advised that, for new properties built, the use of sewage facilities would need to comply with our current requirements. The Park Authority responsibilities in the Local Plan carry over at the request of SEPA to include pre-treatment given that there is a limited public sewer.</p> <p>GW advised that the Park Authority can't impose retrospective standards on properties. CB noted that legislation has changed to address this issue regarding single dwellings in the future. GW noted that previously Scottish Water had invested in the west side of Kilcreggan to Cove to reduce the discharge into the loch although did not have funds to expand this project.</p> <p>Members sought clarification on whether responses were now being sought in relation to the Local Development Plan. SM advised that individuals concerned will be alerted formally of the process and again community councils will be informed. SM encouraged individuals to contact the Park authority for further information.</p> <p>Members suggested that prominence should be given in the documentation to the fact that this is the last opportunity to receive comments in relation to the Local Development Plan.</p> <p>Members were pleased to see on appendix 2, part 1, page 51, the importance of infrastructure such as telecommunications and broadband to support communities in the future. A typo was identified on page 35 where it says 'land' instead of 'lack' in the section of text 'existing tourism use due to land of demand and lack of an open market buyer'.</p> <p>ACTION: SM to update typo on page 35 of appendix 2, part 1, where this details 'land' instead of 'lack' in the section of text 'existing tourism use due to land of demand and lack of an open market buyer'.</p>	<p>SM</p>

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	<p>SM highlighted that in relation to telecommunication infrastructure this will be reviewed on a case by case assessment based on the outlined criteria.</p> <p>A question was asked about updating listed buildings in ways which owners maintaining their properties would find affordable in the context of the wider role of Historic Scotland. SM advised that clear guidelines are provided for listed buildings.</p> <p><i>Hazel Sorrell left the meeting at this point.</i></p> <p>The Convener asked Members to indicate whether they supported the recommendation outlined in the report.</p> <p>JR noted that in iii the word ‘accompanying’ should be removed. Members agreed to the revised wording as follows:</p> <p>iii. Agree to delegate responsibility to the Head of Planning & Rural Development for finalising the Strategic Environmental Assessment, Appropriate Assessment and the draft Action Programme; and,</p> <p>DECISION: Members unanimously agreed the recommendations to:</p> <p>i. Approve the Proposed Local Development Plan – Appendix 2 to this report - for a 6 week consultation starting on the 18 May and finishing on the 29 June 2015;</p> <p>ii. Approve the following Draft Supplementary Guidance for consultation</p> <ul style="list-style-type: none"> • Design and Placemaking • Housing Development • West Lochlomondside Rural Development Framework • Buchanan South Rural Development Framework; <p>iii. Approve the following Draft Planning Guidance for consultation</p> <ul style="list-style-type: none"> • Callander South Masterplan Framework 	

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	<ul style="list-style-type: none"> • Visitor Experience • Developer Contributions • Listed Buildings and Conservation Areas; <p>ii. Agree to delegate responsibility to the Head of Planning & Rural Development for making any final minor editorial amendments and desktop publishing with the use of drawings, illustrations or diagrams in the consultation documents;</p> <p>iii. Agree to delegate responsibility to the Head of Planning & Rural Development for finalising the Strategic Environmental Assessment, Appropriate Assessment and the draft Action Programme; and,</p> <p>iv. Approve Section 4 as an updated Participation Statement and publish an updated Development Plan Scheme.</p>	
5	<p>Any Other Business</p> <p>GW advised that the next Board meeting scheduled for Monday 15th June will take place off site at Clydebank Town Hall.</p> <p>GW advised there would be a morning briefing session on 15th June where senior colleagues at West Dunbartonshire Council would join National Park Authority Members, with an aim that discussions would include partnership working with the Authority and the themes of inclusion, education and diversity.</p>	

Signed: _____

Linda McKay
Convener