

# National Park Authority Board Meeting

Agenda Item 5



## Your Park: transforming our lochshores

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### *Paper for decision*

#### 1. PURPOSE

- 1.1 In December 2013, the National Park Authority approved a board paper which recommended that comprehensive management proposals designed to address visitor pressures on the National Park's busiest lochshores were prepared for consultation during 2014. Since then officers have engaged informally with communities, landowners most affected by camping pressures and also developed proposals in partnership with key partner organisations such as Scottish Natural Heritage, Transport Scotland, Police Scotland and Forestry Commission Scotland. There have also been meetings with private land owners and national interest groups such as the Ramblers and Scottish Environment Link to share emerging thinking.
- 1.2 In March 2014, the National Park Authority also approved a report reviewing the first three years of the operation of the East Loch Lomond Camping Byelaw alongside a suite of other measures to enhance the visitor experience of the area. Delivered in partnership with Police Scotland and Forestry Commission Scotland and these included investing in new facilities such as parking, camping and toilets at Salloch Bay, significant ranger and Police patrolling presence, a campaign delivering focussed responsible behaviour messages, as well as the introduction of byelaws to regulate where camping takes place. Police confirm that reports of vandalism and antisocial behaviour were down 81%. The Park Authority's report, which has been submitted to Scottish Ministers, recorded the resounding success of these measures, with significant reductions in complaints to the police, litter and damage to the environment. This has now delivered a quality of visitor experience befitting of a National Park, and has brought significant associated benefits to the local community, who now feel safe and local businesses which are now thriving and investing. Visitors are now returning in significant numbers to enjoy the lochshore beaches, picnic areas, walks and access to the loch for kayaking, swimming and fishing.
- 1.3 The National Park Authority has been recording evidence over many years of the entrenched problems experienced during the summer season at other 'hot spot' locations in the wider Park area. These are where popular lochshores are easily accessible from a public road meaning they attract very high levels of car-borne camping use. Such heavy usage is causing environmental damage through loss of vegetation and habitats. This is significantly compounded by the antisocial and irresponsible behaviour of some visitors who leave behind significant amounts of litter, human waste, make excessive noise or behave in a way which intimidates visitors and residents. This antisocial behaviour also causes damage to the environment through cutting down live trees and irresponsible fire lighting.

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Partnership working with Police Scotland has ensured significant police and ranger patrolling presence, but this has not prevented some of the extreme antisocial and criminal behaviours that were once a feature at east Loch Lomond. The combination of these types of pressure repeated every season, mean the National Park's affected lochshores and visitor sites are in a very poor and deteriorating state. They do not represent a high quality visitor experience and despite significant resources to manage and maintain them, more measures are required to prevent these problems.

- 1.4 The vision set out in the National Park Partnership Plan is that *"the National Park will be a place for visitors to enjoy. There will be a variety of high quality campsites where people from all backgrounds can pitch their tents and enjoy the outdoors without degrading the environment."* This paper presents the consultation proposal to realise this vision across other areas of the Park. Branded as 'Your Park', the aim of the proposal is to deliver a wide range of quality camping experiences in the National Park while reducing the pressures and negative impacts on our busiest lochshores. At the same time the project offers a significant opportunity for landowners, businesses and communities to become involved in delivering or running facilities and for the National Park Authority to continue to promote messages about responsible camping and behaviour in the National Park.
- 1.5 This paper proposes that the National Park Authority undertakes a public consultation on the *Your Park* proposals. The consultation consists of two parts:
  - Setting out proposals for investing in new camping opportunities and motorhome sites
  - A statutory consultation proposing byelaws to manage camping volumes and irresponsible behaviour issues.

Members are asked to agree a 12-week consultation commencing 13<sup>th</sup> October 2014.

## 2. RECOMMENDATION

- 2.1 Members are asked to **approve** the *Your Park* consultation proposals attached as Appendix 1.
- 2.2 Members are asked to **agree** to progress with a 12-week public consultation to take place between 13 October 2014 and 12 January 2015. This includes a statutory consultation on the proposed camping management byelaws under the National Parks (Scotland) Act 2000.

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### 3. CONSIDERATIONS

- 3.1 The National Park Partnership Plan 2012 – 2017 describes a successful National Park as being one that *“is a place for visitors to enjoy. There will be a variety of high quality campsites where people from all backgrounds can pitch their tents and enjoy the outdoors without degrading the environment. Campervans have a place to stop that provides the right facilities all across the Park. All are provided at reasonable cost.”*
- 3.2 The National Park Partnership Plan includes visitor management policies which aim to ensure that pressures from overuse and misuse are tackled and that an excellent visitor experience is provided. Visitor Experience Policy VE1 states that an evidence-based approach will be taken to providing solutions in areas that are under significant visitor pressure. The Plan promotes multi-stranded approaches incorporating:
- Education, outreach and volunteering
  - Infrastructure and service improvements
  - Enforcement
- 3.3 Camping in the National Park area has been a very popular recreational activity for many decades but unfortunately the pressure of this largely unmanaged use has resulted in many of our lochshores becoming degraded and unattractive for others to visit. During busy summer seasons common features include abandoned tents and camping equipment, fishing tackle discarded on the shores and associated rubbish such as 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 and live trees are often cut down for firewood. Loud and aggressive behaviour from antisocial campers also intimidates other visitors and leaves local communities feeling unsafe. Despite increased patrolling by Police Scotland as part of Operation Ironworks, extreme antisocial and violent behaviour still occurs and every season there continue to be arrests. Dangerous road verge parking to access popular lochshores is also prevalent; obstructing the safe flow of traffic on some busy roads including nationally important A-roads.
- 3.4 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 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 appearance of private campsites 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.

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- 3.5 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.
- 3.6 Camping is a very affordable activity and a great way to enjoy the outdoors, often undertaken alongside other activities such as canoeing, fishing and walking. The National Park is within an hour's drive of 50% of Scotland's population and has the largest concentration of accessible highland lochs which offer a range of great camping experiences. Many lochshore locations where access by car is easy and the terrain is flat enough to pitch a tent receive high levels of use often creating a "ribbon effect" of tents and fires along the water's edge.
- 3.7 Campervan use in the Park has seen an increase with national sales on the rise and demand for basic stop-over facilities in a scenic location increasing. Research shows a 23% increase in the number of people interested in buying a motorhome. At present there are limited overnight facilities in the National Park to cater for this growth. Most motorhomes/campervans are fully self-contained with toilets and waste water tanks and so leave no impact from their visit.
- 3.8 The *Your Park* proposal is aimed at delivering 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 the dramatic changes. The area has seen environmental recovery in places that had been subject to the impacts of fires, vandalism and damage to trees and vegetation. This gives 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.
- 3.9 In December 2013 the board gave approval for officers to start developing options for managing camping pressures. An informal "listening phase" was progressed during spring/summer 2014 engaging with a wide range of stakeholders such as community councils, landowners, partner organisations and interest groups. This involved hearing stakeholder views on experiences of the problems and suggestions

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on potential solutions. This has been invaluable in informing the proposals being recommended for consultation.

### The *Your Park* Consultation Proposal

3.10 The *Your Park* proposals present the full scope of visitor management activity proposed to be taken forward in order to achieve the National Park Partnership Plan vision. This vision is **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.

3.11 The main elements of the consultation are:

- Our vision for transforming our lochshores
- Our proposals for delivering a wide range of new camping provision
- Our proposal for camping 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)

The *Your Park* consultation document provides the detail on our vision, the initiatives already in place, a case study of East Loch Lomond, the issues we still face from camping pressures elsewhere, and what we think the next steps should be.

3.12 The success of the proposed *Your Park* initiative will not be achieved without a co-ordinated response to address these problems. Any management of camping volumes will be balanced with investment in a range of camping provision in places which can successfully support a good camping experience. This will continue to be underpinned by continued communication through our ranger service with visitors and education on responsible camping as well as better quality visitor information on how and where to camp, including promoting the range of extensive privately managed sites that already exist within the National Park.

3.13 To tackle the locations which have the most acute problems it is proposed to prioritise new facilities and manage camping and irresponsible behaviour in two new proposed management zones encompassing:

- West Loch Lomond/north east Loch Long
- Wider Trossachs
- It is also proposed to make minor boundary amendments to the existing east Loch Lomond Zone.

3.14 These areas are proposed to be the focus for both investing in new camping facilities and introducing proposed camping management byelaws. The consultation

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is also looking for landowners, businesses and community organisations to put forward ideas or indicate interest in running new facilities in appropriate locations right across the area.

### Delivering New Camping Provision

- 3.15 To deliver the vision for an excellent camping experience, officers have been scoping out potential opportunities for additional or new camping or campervan/motorhome provision either in the proposed management zones. This involved ascertaining the range of camping facilities that already exist in the National Park to scope out where there are gaps in provision. The National Park Authority does not have land holdings to support new camping facilities, so investigations have initially looked at other land in public ownership, primarily that owned by Forestry Commission Scotland and Transport Scotland. In some areas, where no publicly owned land exists, some sites in private ownership have been through an initial assessment.
- 3.16 A provisional range of sites suitable for providing basic informal camping facilities have had their suitability assessed to replicate, as closely as possible, the lochshore experience that attracts so many people to the National Park. The Forestry Commission run campsite provided at Salloch Bay on east Loch Lomond has been successful in meeting such needs, and the aspiration is to provide more of this type of facility in the proposed management zones. In addition, the old stretches of public road and some existing laybys present the opportunity to provide basic facilities for campervans/motorhomes looking for accessible roadside lochshore or scenic locations for short stay stop-overs often as part of a journey through the National Park. Collaborative work is already underway with Transport Scotland to identify where such provision could be made, focussed on West Loch Lomond and North Loch Earn laybys.
- 3.17 Early findings suggest the broad areas with the potential for new camping provision, see *Your Park* consultation document Appendix 1. The majority of land in these areas is not in National Park Authority ownership so as well as working with partner public landowners, we would therefore be seeking interest from private landowners to help deliver sites.
- 3.18 It is anticipated that the new provision for camping and motorhomes will be delivered using different models, dependant on circumstances, with an expectation of both public and private funds being required. This may include:
- National Park Authority funded sites run on a not-for-profit basis
  - Joint initiatives delivered in partnership with public or private partners
  - New or expanded business opportunities based on new demand
  - Community-led enterprises to run or develop sites

The final programme for delivering new sites will be influenced by responses to this consultation. Once comments and suggestions have been received, the intention would then be to develop a camping investment plan. While the National Park

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Authority would invest in capital costs it is intended that the *Your Park* initiative would attract other funding, including from public sector partners, grant sources such as LEADER as well as private sector businesses developing their own facilities. If successful, it is envisaged that following site appraisal and preparatory work by the National Park Authority to date that a £10m programme could be developed over a 5 year period comprising all of these sources.

3.19 The consultation asks for views on the general areas identified as priorities for new camping provision and future investment. It also calls for any interested landowners, business or communities who may be interested in providing or operating sites.

3.20 The proposed questions around investment in facilities are:

### **Investment questions:**

- 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?
- Do you agree with the proposed areas of opportunity for additional camping provision (marked on map 4)?

### **The Proposed Camping Management Byelaws**

3.21 The initiative to provide new informal camping facilities must be supported by stronger management measures which deter some of the irresponsible behaviours regularly witnessed in these areas. The aspiration is for new measures to deliver the same transformational behaviour changes that have been witnessed on east Loch Lomond. It should be noted that only one byelaw breach has had to be reported on east Loch Lomond in the first three seasons of operation. This demonstrates the deterrent value of including such a measure. The focus in the proposed new management zones is to position new regulatory measures which will prevent damaging impacts both by limiting the volume of camping down to more sustainable levels and to deter irresponsible behaviour.

3.22 It is proposed to use byelaws to enable the management of these pressures as part of the package of measures designed to create a high quality camping and recreational experience of these lochshores.

3.23 It is proposed that such byelaws could also allow for flexibility for the National Park Authority to authorise camping and exemptions as new camping provision comes on stream, to introduce the use of camping permits outwith managed sites for lochshore camping in some areas.

3.24 The statutory consultation on byelaw proposals is undertaken using the National Park Authority's powers under schedule 2, section 8 of the National Parks (Scotland) Act 2000;

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“(1) 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

(2) In particular, a National Park authority may make byelaws under sub-paragraph (1)-

- 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 (other than the use of vehicles on a road within the meaning of the Roads (Scotland) Act 1984 (c.50)),
- e) To regulate the exercise of recreational activities.”

3.25 These powers require a number of statutory processes to be undertaken in order for byelaws to be considered by Scottish Ministers. The 12-week public consultation proposed in this paper is the first step in the process. Following its completion, and having considered responses, the National Park Authority is required to formally submit the byelaw proposal to Scottish Ministers for consideration. At this stage a further 28-day consultation would take place with responses being considered by Scottish Ministers prior to any Ministerial decision.

3.26 The drafting of the proposed byelaws has drawn significantly from the experience of operating the National Park Authority’s existing two sets of byelaws: the East Loch Lomond Camping Byelaws 2011 and the Loch Lomond (Navigation) Byelaws 2013 both of which operate successfully and promote a good well-managed recreational experience for many visitors.

3.27 In preparing byelaws the powers enshrined in the National Parks (Scotland) Act 2000 have provided the statutory basis for their drafting, and careful consideration has been given to ensuring a proportionate and justified basis for the proposals, both in terms of the written extent of the byelaws and the geographic areas to which they apply.

3.28 The byelaws can be summarised as follows:

- Encouraging responsible behaviour: it will be an offence to cause damage to the area and/or wildlife.
- Regulating when and where you can camp: camping in the zones only at authorised sites or by permit.
- Managing overnight use of informal parking areas: campervan/motorhome overnight stays at authorised provision or by permit.



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- 3.29 It is proposed that the operation of the byelaws is seasonal from 1 March to 31 October each year to allow for the full holiday season and taking in the Easter period. This would encompass the traditionally busiest times of year in the proposed areas.
- 3.30 The East Loch Lomond Camping byelaws 2011 would be superseded by the new byelaw proposals; however there would be no impact on current arrangements, other than a proposed minor amendment to the byelaw zone.
- 3.31 The proposed byelaw management zones have been carefully mapped using the following considerations:
- Where our patrolling data demonstrates significant and concentrated areas of entrenched pressures.
  - Where we anticipate the potential for local displacement based on demand for road accessible lochshores with flat areas to pitch tents and areas to park.
  - Where linking zones will help public understanding of where the byelaws apply.
- 3.32 The proposed new management zones are:
- West Loch Lomond
  - Wider Trossachs

A small variation is also proposed for the current east Loch Lomond camping management zone to manage potential localised displacement.

- 3.33 In total the proposed management zones (including the existing east Loch Lomond area) will cover less than 5% of the National Park's 720 square miles, ensuring minimal impact on the right to responsibly true wild camp across the majority of the park area away from busier roadside locations. The National Park Authority officers are not proposing that the camping byelaws would cover the Loch Lomond islands. The Loch Lomond islands are already covered by the existing Loch Lomond Navigation Byelaws and the National Park Authority is working closely with loch users to support a continued focus on enforcing existing legislation on the islands in conjunction with improved signage, education, increased patrolling and better joint working with user groups around the Loch. These efforts have seen recent improvements and further partnership working is being planned.
- 3.34 The proposed byelaw questions are:
- Byelaw questions:**
- Do you agree that these byelaws should be introduced?
  - Do you agree with the wording of the proposed byelaws?
  - Do you agree with the proposed zones for the byelaws?

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The full wording of the byelaw is included in the consultation document at Appendix 1. The drafting has been assisted by the informal advice from Scottish Natural Heritage, Police Scotland and Transport Scotland. The National Park Authority will continue to work with these organisations to review comments raised by the consultation and agree any refinements that may be desirable.

### The Proposed Consultation and Next Steps

- 3.35 The consultation format is designed to ensure that information is readily available for the public to view, easy to understand, and highlights the different ways for the public to respond to the specific proposals. The byelaw proposals are presented in easy to understand terms in the *Your Park* summary consultation document and this will also be replicated on the *Your Park* website with links to the full byelaw wording and supporting 1:25,000 ordinance survey maps of the zones, paper copies will also be available on request.
- 3.36 Responses and representations to the proposed byelaws will be encouraged via the on-line system accessible from the website as has been used successfully in the recent *Wild Park 2020* and *LIVE Park* Main Issues Report consultations.
- 3.37 Statutory public notices would be placed in local papers covering the National Park area, and at National Park Authority offices with copies of consultation documents being made available to view at National Park Authority offices. The statutory period for the consultation will commence on 13<sup>th</sup> October if members are minded to approve the consultation proposals.
- 3.38 A programme of local consultation events will be held during the early weeks of the consultation to help inform responses. As was the case with *LIVE Park*, officers will respond to requests for meetings and events as the consultation unfolds. This will include with organisations and interests with a national perspective as well as local communities, businesses and landowners. Extensive use will be made of the dedicated *Your Park* website and social media feeds to explain the proposals and engage with interested stakeholders.
- 3.39 The outcome of the consultation will be reported the Board as early as possible in 2015. Should the Park Authority wish to proceed with the proposals then it is envisaged that the Ministerial consultation and consideration of the byelaw proposals will continue during 2015. Officers will be preparing for the first new camping facilities to be in operation for the 2016 season. The timing of the introduction of any byelaw areas will need to have regard to these considerations.

## 4 CONCLUSION

- 4.1 The behaviours and impacts from excessive and often irresponsible camping experienced on and around our busiest lochshores every summer season requires further measures to be taken. The considerable resources that already go into managing these issues have not delivered sufficient behaviour change and cannot control the sheer volume of people camping in these fragile locations. The shared

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success of our east Loch Lomond initiative has shown that a package of measures can transform the area for visitors, residents and local businesses, and restore the environment to its former glory. Through investing in facilities and deterring antisocial behaviour the same successful transformation can be achieved in the other pressured areas in the National Park.

- 4.2 These proposals will lay the foundations for the same transformation in these other pressured areas in the National Park. This carefully planned package of measures to promote camping opportunities in these areas, alongside byelaws to manage numbers and deter inconsiderate behaviour, can rejuvenate these areas as perfect locations to undertake a wide range of recreation activities. There is a real opportunity to engage local communities, businesses and landowners to work with the National Park Authority to develop and operate appropriate facilities that deliver a dramatically improved camping experience whilst promoting other outdoor recreation activities. If successful in attracting partner and private sector funding this could amount to a £10m programme of investment over the next five years.
- 4.3 Members are therefore asked to approve the consultation proposal as the next step in achieving the National Park Partnership Plan vision.

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