

August 2016

Q. I am trying to understand the reasoning behind the bylaw that effectively introduces a two tier legal system into the park varying access rights for landowners as stated below while denying the same access rights to the general public.

Exemptions and Authorisations

(13)

These byelaws shall not apply to any:

landowner ; tenant; or connected person authorised by the relevant landowner or tenant using land within a Management Zone owned or leased by such landowner or tenant for any of the activities listed in these byelaws.

Q. Is the purpose of the camping bylaws intended to protect the environment from over access?"

A. The byelaws are one measure that the Park Authority will use to help manage the impacts of camping both in terms of helping protect the environment and other people's enjoyment of the National Park. More information on these proposals is contained on our website, including the reasons for the byelaws.

Q. If so why is there a demarcation between environmental issues created by those who live within the park boundary and those who live outwith the boundary?"

A. The byelaws apply to the general public, including those who live in the National Park and those who do not. The byelaws do have some exceptions, that is, in the case of a person who owns land in the National Park, including residential housing. The byelaws allow a person to camp on their own land, for example a family camping in their own garden.

The byelaws are intended to help manage visitor pressures as this is where we have evidence of issues.

Q. How does the LLTNPA authority justify creating this two tier system that goes against all principles of fairness and equality of access?"

A. The basis of the byelaws is evidence of a problem that the Park Authority has been unable to fully resolve. The Park Authority has no evidence of landowners camping on their own land, lighting fires and causing a detrimental impact on the environment or other people's enjoyment.

The Park Authority is legally permitted to create these byelaws under The National Parks (Scotland) Act 2000, under Schedule 2, Section 8, Byelaws. The legislation gives a clear definition in statute as to what circumstances the National Park Authority can make byelaws.

Q. If the purpose of the camping bylaws are not solely to protect the environment, then for what other purposes are they being implemented?"

A. This question has been answered in the response to your Q1 above.

Q. By what mechanism can a landlord, tenant or connected person authorise another unconnected person to also be exempt from the bylaws?"

A. The byelaws do not allow for an unconnected person to be exempted by a landowner, tenant or connected person.