

December 2016

Q. “all versions of the Board Questions and Answers.”

A. There are two versions held, a draft and a final version. These are attached in Appendix A. The ‘lines to take’ which are also referenced in this slide, were produced and are attached in Appendix B.

Please note that personal information, namely the name and personal contact details for two former members of staff have been redacted from this document, in accordance with Regulation 11(2) of the EIRs and Data Protection Principles.

We have considered the public interest in respect of the withholding of this personal data and have determined that the public interest in withholding this specific information outweighs the public interest in its release in to the public domain. Please note that we have not withheld complete documents which contain such personal data and have released all other information within the document which is not subject to requirements of the Data Protection Act 1998.

Your Park Board Decision Q&A

Response to the consultation

Why have suggestions and recommendations made by Community Councils been ignored by the National Park?

- All consultation responses received from Community Councils across the Park supported camping byelaws. Suggestions by the Community Councils have not been ignored, all responses were considered and changes made where justified. Some areas suggested by Community Councils include Lake of Menteith, Jubilee Point, Duck Bay and Glen Douglas did not get included and there are different reasons for their exclusion.
 - *Lake of Menteith* – this is an isolated and single site issue which does experience problems, but does not have a significant scale to justify byelaws. Monitoring of the site and consideration of infrastructure changes may be the best way forward.
 - *Jubilee Point* - this is an isolated and single site issue which does not have a high volume of visitors – the measures we plan to put in place here include new infrastructure, landscaping as well as monitoring.
 - *Duck Bay* – this has little or no camping issues compared to the proposed management zones and a low risk of displacement from the high pressure areas. Therefore in this area we plan to monitor the site and review it to check if there are any impacts on the environment in the future.
 - *Glen Douglas* – there are no issues in this area currently, it has a clearway designation.

Timings/next steps

What happens now?

- The full recommendations will be sent to Ministers at the Scottish Government. They will then review them and undertake a 30-day notification period. The Park Authority will notify the public of when this begins. Interested parties will have one month from the notice to make representations to the Scottish Government if they have objections.

When will this happen?

- The Park Authority will forward their recommendations for consideration by the Scottish Government in early May 2015. Once they are received, the timetable will be set by the Scottish Government.

If the Minister approves the use of byelaws when will this happen?

- It is proposed that the byelaws be used in the busy summer months and it is anticipated that this could commence in summer 2016.

Access rights

Ramblers Scotland and the Mountaineering Council of Scotland have opposed the proposals, saying they would undermine the right to wild camp enshrined in the Land Reform (Scotland) Act and the Scottish Outdoor Access Code. What is your reaction to this?

- The Scottish Outdoor Access Code promotes responsible behaviour in the countryside - which is exactly what we want to achieve in the National Park. Currently in these very focused hotspots on the loch sides is a situation where people who are not camping cannot access them because it's already busy with campers. We must manage the volume of one recreational use of the Park to allow access and other recreational activities to take place.
- We are taking a wider view of our responsibilities and are acting in the interests of the walkers, picnickers, and canoers, who simply cannot access these places. The environment in these hotspots is being totally degraded by the sheer wear-and-tear of the volume of camping, week-in, week-out, with human waste, and irresponsible behaviour.
- The Land Reform Act gives powers to access authorities, such as the Park, to make byelaws (for land over which access rights apply) which provide for order and safety, preventing damage, preventing nuisance or danger and the conservation or enhancement of natural or cultural heritage and also allows for prohibiting or regulating recreational activities in the interests of persons exercising access rights.
- We also have a responsibility under the National Park (Scotland) Act (2000), to protect the special qualities of the area when they are under threat. The National Park is using its byelaw-making powers under the National Park (Scotland) Act 2000 to help people exercise their right of responsible access.
- No other access rights would be affected in the management zones which make up 3.7% of the National Park.

Changes to the zones

What changes have you made to the proposed byelaw zone following the consultation?

- We have removed part of the wider Trossachs zone, the Aberfoyle settlement and the Dukes Pass have been removed from the proposals. We have also amended the zones to include the following sites:
 - Coileasan - There is existing evidence of increasing use and the site has been identified as a potential area for displacement from other parts of the National Park.
 - Loch Arklet - There is a risk of local displacement from Loch Chon area immediately to the west of Loch Arklet, which has public road adjacent to loch shore and also experiences issues at its western end.

Why are you adding more zones?

- We have not added any new zones, but have extended two of the zones. There were three zones originally proposed, after feedback during the consultation, we are now splitting one of these zones into two and taking out the Aberfoyle settlement. The proposed byelaws cover only 3.7% of the total National Park area.

Why has the Cobleland to Aberfoyle settlement zone been taken out?

- On further investigation the issues reported in this area, Leamamahish, are now being tackled by the neighbouring camp site, leading to a reduction in the zoning around Aberfoyle and Cobleland.

Who suggested the proposed changes and why?

- The changes have resulted from a combination of evidence provided through the consultation, existing National Park ranger patrols and Police Scotland statistics.

Why are only these areas being considered?

- In the 12 years since the Park was established we have been collecting a growing body of evidence that these areas are the worst affected from the relentless pressure on the environment caused by the sheer volume of people visiting the same areas.

Have you evidence to back up the proposed changes?

- Yes, we have presented an overview summary appendix as part of the board papers.

Byelaws

Why do we need more byelaws?

- We've reached a tipping point where we must take action to tackle the relentless pressure on the environment caused by the sheer volume of people visiting the same areas. The proposals include input from local people, businesses, visitors, partners and other parties interested in the Park and followed requests for action from the local communities who were suffering as a result of the current situation.
- The key to this issue is changing the behaviour of irresponsible campers to make our lochshores better places to visit for everyone. The proposals recommend introducing byelaws as part of the solution, alongside other measures such as investment in additional camping facilities – anticipated to be 300 camping places, a mixture of camping permits and low-cost campsites, in the first year; continuing to work with Police Scotland and continuing our education campaigns.

Why don't you introduce an alcohol byelaw, which has worked well elsewhere?

- At east Loch Lomond the alcohol byelaw was part of a suite of measures including camping byelaws, an alcohol byelaw would not be enough on its own. The National Park does not have the statutory powers to introduce alcohol byelaws. This would be the responsibility of the four local authorities that the cover the Park. Alcohol byelaws are also only enforceable by the Police, leaving our Rangers powerless to deal with common problems as they find them. Further, an alcohol byelaw restricts drinking outdoors and does not extend to inside tents.

How will the new east Loch Lomond byelaws work with the existing 2011 east Loch Lomond Camping Byelaws?

- The proposed new East Loch Lomond byelaw zone is being extended to Crom Mhin and the Endrick bridge field and there are some changes to the wording in order to bring consistency to camping byelaws for all three management zones. Subject to

Board and Ministerial approval, the current byelaws would be revoked as the new ones we introduced to ensure constant coverage.

Enforcement

How will the new byelaws be enforced?

- The new byelaws will be enforced through a combination of National Park Ranger and existing Police Scotland patrols.

Will Rangers have powers to give out fixed penalty notices for litter?

- Last year, The Scottish Government granted the National Park Authority (and its Rangers) the power to issue fixed penalty notices for littering and fly-tipping. These new powers will be introduced alongside any new byelaws and will be the subject of a targeted awareness raising campaign with priority being placed on prevention and encouraging compliance. The power to issue fixed penalty notices will always be a last resort. It is anticipated that the new powers will help protect some of the most precious lochshore sites and stop people destroying scenic views across the National Park.

How much will the fine be?

- Depending on the offence a fixed penalty notice fine for littering is £80 and fly-tipping (including leaving abandoned campsites) is £200. Failure to pay the fine could result in prosecution and a significant increase in fines up to £2,500 for littering and £46,000 for fly-tipping.

Is there an agreement from Police Scotland to enforce the proposed byelaws in each of these zones?

- The National Park Authority will continue to provide funding for additional Police resources as part of Operation Ironworks. The byelaws are another tool to help tackle these issues.
- In their official Your Park consultation response, Police Scotland stated:
"Police Scotland is generally supportive of the introduction of a byelaw replicating the purpose and spirit of the existing east Loch Lomond byelaw in other parts of the National Park where visitor pressure, crime and antisocial behaviour is affecting safety, quality of life and the environment. This support extends only when implemented as part of a suite of wider measures such as those introduced from 2011 in east Loch Lomond."

How many prosecutions have there been since you introduced east Loch Lomond byelaw?

- There have been 349 infringements of the camping byelaws since they were introduced. 341 of these were resolved by education and conversation by rangers and Police Scotland without the need to report to the Fiscal. There has only been one report to the Procurator Fiscal during the three years. The report included eight individuals and the outcome is, as yet, unknown. In 2014, there were 69 infringements.

Camping

Surely a camping ban goes against National Park aims to encourage recreational enjoyment and promote tourism?

- We want to ensure visiting the Park is a special experience for everyone. Unfortunately, the environmental damage caused by the sheer volume of people visiting the same areas and the antisocial behaviour by a minority of irresponsible campers is adversely affecting visitors whatever the reason for their trip and – from evidence collected (see evidence summary appendix). We are not banning camping, we are proposing regulating camping in our most pressured visitor hotspots. We welcome responsible campers who treat other people, and the environment of the Park with respect, including those who are true wild campers. We're working with businesses and landowners to make sure there are enough managed campsites in the proposed management zones where investment will be made in extra facilities to meet demand- anticipated to be 300 camping places, a mixture of camping permits and low-cost campsites, in the first year and true wild camping will be able happen in 96.3% of the Park.

How will you manage camping problems or displacement out with the byelaws?

- Problems elsewhere are small and manageable through, for example, Forestry Commission Scotland sites being gated and locked and additional provision of dedicated campsites elsewhere. We have recommended including some road corridors in the byelaw zones to help deal with the possible issue of displacement and consistency of information for the public to inform visitors they are in a managed zone.

How will any infrastructure be funded?

- The funding for these improvements will be a combination of NPA/Partner funding, private sector investment and other grant sources.

Will camping be allowed in the proposed zones?

- Yes, within existing campsites and investment will be made to meet demand anticipated to be 300 camping places, a mixture of camping permits and low-cost campsites, in the first year.
- We are developing an online user friendly system where you will be able to book a pitch and buy permits.

What is the difference between a pitch and a permit?

- A pitch is an allocated space on a managed campsite with facilities
- A permit enables people to camp in a designated area of the managed zone without contravening the byelaws

Do you intend to build any new campsites?

- Working with a range of parties, our proposals include supporting investment in additional and improved camping facilities across the National Park, anticipated to be 300 camping places, a mixture of camping permits and low-cost campsites, in the first year. We also want to hear from anyone who is interested in setting up or

running new camping facilities. People can get in touch by emailing yourpark@lochlomond-trossachs.org

Are you going to stop caravans and motorhomes from parking?

- Caravans and motorhomes can generally park and stay overnight on the public road network. Public car parks run by local authorities have differing approaches to overnight stays. However, sleeping overnight in the proposed management zones would not be permitted under the new proposals unless the location was designated for that activity or the driver had obtained a permit to stay overnight.

Will the byelaws cover the Loch Lomond islands?

- No. The islands are already covered by the existing Loch Lomond Navigation Byelaws 2012, which cover damage to the natural and cultural heritage, as well as damage to property. Through increased working with visitors to Loch Lomond, we are comfortable we've got measures in place that are beginning to pay off. However, we will continue to patrol and monitor the situation and promote responsible behaviour messages to visitors on the islands.

Are you going to charge for car parking?

- We already charge for car parking at some sites, like Loch Lubnaig. This is in line with partner organisations such as Forestry Commission Scotland. Payment for parking helps us to maintain a high standard of visitor facility.

Effect on businesses

Won't local businesses suffer if you ban camping from some areas?

- On the contrary; The Park Authority is concerned that unchecked the effects on the environment caused by the relentless pressure of the sheer volume of people visiting the same areas and a minority of irresponsible campers will put visitors off returning to the Park. We hope by making changes we will encourage people to visit again and again, rather than being put off after one visit. Evidence from east Loch Lomond suggests this would be the case.

Your Park Board recommendation phase Q&A

Board Members

Response to the consultation

How many responses did you receive to the consultation?

- We received more than 300 responses which contained over 800 individual comments.

What have the responses been like, has any particular theme or consensus emerged?

- Generally everybody supports better and more camping. There is consensus with our main partner public bodies and our communities at the centre of these issues who have all written in support of the proposals. Many individual members of the public have also contributed with a range of differing opinions in support and against. We also received feedback from some of the prominent outdoor organisations opposing byelaws. A few think we should continue to enforce existing laws, despite the fact that that's clearly not resolving the issue because that's what we're currently doing.

Why have suggestions and recommendations made by Community Councils been ignored by the National Park?

- All consultation responses received from Community Councils across the Park supported camping byelaws. Suggestions by the Community Councils have not been ignored, all responses were considered and changes made where justified. Some areas suggested by Community Councils include Lake of Menteith, Jubilee Point, Duck Bay and Glen Douglas did not get included and there are different reasons for their exclusion.
 - *Lake of Menteith* – this is an isolated and single site issue which does experience problems, but does not have a significant scale to justify byelaws. Monitoring of the site and consideration of infrastructure changes may be the best way forward.
 - *Jubilee Point* - this is an isolated and single site issue which does not have a high volume of visitors – the measures we plan to put in place here include new infrastructure, landscaping as well as monitoring.
 - *Duck Bay* – this has little or no camping issues compared to the proposed management zones and a low risk of displacement from the high pressure areas. Therefore in this area we plan to monitor the site and review it to check if there are any impacts on the environment in the future.
 - *Glen Douglas* – there are no issues in this area currently, it has a clearway designation.

Access rights

Ramblers Scotland and the Mountaineering Council of Scotland have opposed the proposals, saying they would undermine the right to wild camp enshrined in the Land Reform (Scotland) Act and the Scottish Outdoor Access Code. What is your reaction to this?

- The Scottish Outdoor Access Code promotes responsible behaviour in the countryside - which is exactly what we want to achieve in the National Park. Currently in these very focused hotspots on the loch sides is a situation where people who are not camping cannot access them because it's already busy with campers. We must manage the volume of one recreational use of the Park to allow access and other recreational activities to take place.
- We are taking a wider view of our responsibilities and are acting in the interests of the walkers, picnickers, and canoers, who simply cannot access these places. The environment in these hotspots is being totally degraded by the sheer wear-and-tear of the volume of camping, week-in, week-out, with human waste, and irresponsible behaviour.
- The Land Reform Act gives powers to access authorities, such as the Park, to make byelaws (for land over which access rights apply) which prohibit order and safety, preventing damage, preventing nuisance or danger and the conservation or enhancement of natural or cultural heritage and also allows for prohibiting or regulating recreational activities in the interests of persons exercising access rights.
- We also have a responsibility under the National Park (Scotland) Act (2000), to protect the special qualities of the area when they are under threat. The National Park is using its byelaw-making powers under the National Park (Scotland) Act 2000 to help people exercise their right of responsible access.
- No other access rights would be affected in the management zones which make up 3.7% of the National Park.

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What changes have you made to the proposed byelaw zone following the consultation?

- We have removed part of the wider Trossachs zone, the Aberfoyle settlement and the Dukes Pass have been removed from the proposals. We have also amended the zones to include the following sites:
 - Collessan - There is existing evidence of increasing use and the site has been identified as a potential area for displacement from other parts of the National Park.
 - Loch Arklet - There is a risk of local displacement from Loch Chon area immediately to the west of Loch Arklet, which has public road adjacent to loch shore and also experiences issues at its western end.

Why are you adding more zones?

- We have not added any new zones, but have extended two of the zones. There were three zones originally proposed, after feedback during the consultation, we are now splitting one of these zones into two and taking out the Aberfoyle settlement. The proposed byelaws covers only 3.7% of the total National Park area.

Why has the Cobleland to Aberfoyle settlement zone been taken out?

- On further investigation the issues reported in this area, Leamahamish, are now being tackled by the neighbouring camp site, leading to a reduction in the zoning around Aberfoyle and Cobleland.

What sort of behaviour are you experiencing in these new proposed areas?

- We are experiencing the same behaviour in these new areas as we have already witnessed in the original proposed sites in the National Park – a combination of the relentless pressure on the environment caused by the sheer volume of people visiting the same areas, coupled with some irresponsible behaviour.

Do any board members have interests in the proposed zones?

- All members have to declare any interests and should any member have a commercial interest, they are required to remove themselves from any decision being made.

Byelaws

Why do we need more byelaws?

- We've reached a tipping point where we must take action to tackle the relentless pressure on the environment caused by the sheer volume of people visiting the same areas. The proposals include input from local people, businesses, visitors, partners and other parties interested in the Park and followed requests for action from the local communities who were suffering as a result of the current situation.
- The key to this issue is changing behaviour of irresponsible camping to make our lochshores better places to visit for everyone. The proposals recommend introducing byelaws as part of the solution, operating alongside other measures such as investment in additional camping facilities; continuing to work with Police Scotland and education campaigns.

Why don't you introduce an alcohol byelaw, which has worked well elsewhere?

- At East Loch Lomond the alcohol byelaw was part of a suite of measures including camping byelaws, an alcohol byelaw would not be enough on its own. The National Park does not have the statutory powers to introduce alcohol byelaws. This would be the responsibility of the four local authorities that cover the Park. Alcohol byelaws are also only enforceable by the Police, leaving our Rangers powerless to deal with common problems as they find them. Further, an alcohol byelaw restricts drinking outdoors and does not extend to inside tents.

Are you still intending to launch the proposed byelaws in 2016?

- There are a number of decision stages for the proposal to go through before any suggested byelaws could be implemented. If the board approves our recommendations following the consultation, these will be presented to Scottish Ministers for a further 28-day confirmation consultation. If approved by Scottish Government, byelaws normally take up between 12 and 18 months to implement.

How will the new east Loch Lomond byelaws work with the existing 2011 East Loch Lomond Camping Byelaws?

- The proposed new East Loch Lomond byelaw zone is being extended to Crom Mhin and the Drymen show field and there are some changes to the wording in order to

bring consistency to camping byelaws for all three management zones. Subject to Board and Ministerial approval, the current byelaws would be revoked as the new ones introduced to ensure constant coverage.

Enforcement

How will the new byelaws be enforced?

- The new byelaws will be enforced through a combination of National Park Ranger and existing Police Scotland patrols.

Will Rangers have powers to give out fixed penalty notices for litter?

- Last year, The Scottish Government granted the National Park Authority (and its Rangers) the power to issue fixed penalty notices for littering and fly-tipping. These new powers will be introduced alongside any new byelaws and will form part of a targeted awareness raising campaign with priority being placed on prevention and encouraging compliance. The power to issue fixed penalty notices will always be a last resort. It is anticipated that the new powers will help protect some of the most precious lochshore sites and stop people destroying scenic views across the National Park.

How much will the fine be?

- Depending on the offence a fixed penalty notice fine for littering is £80 and fly-tipping (including leaving abandoned campsites) is £200. Failure to pay the fine could result in prosecution and a significant increase in fines up to £2,500 for littering and £46,000 for fly-tipping.

Camping

Do you intend to build any new campsites?

- Working with a range of parties, our proposals include supporting investment in additional and improved camping facilities across the National Park. We want to hear from anyone who is interested in setting up or running new camping facilities. People can get in touch by emailing yourpark@lochlomond-trossachs.org

The area affected is 3.7% of the National Park, however there are claims that outside this 3.7% there is very little land to camp on which is below 300 metres?

- The National Park covers a huge area over 720sq miles with plenty of opportunities to camp responsibly. People can still wild camp in more than 96.3% of the Park. Not everyone who chooses to visit wants to camp below 300 metres and we have many wild campers enjoying the stunning locations the National Park has to offer.

Are you going to stop caravans and motorhomes from parking?

- Caravans and motorhomes can generally park and stay overnight on the public road network. Public car parks run by local authorities have differing approaches. However, sleeping overnight in informal parking areas in the proposed management zones - such as car parks, laybys or pull-offs – would not be permitted under the new

proposals unless they have lawful authority i.e. roads authority layby or rest area, permission from the Park Authority or by the local authority.

Will the byelaws cover the Loch Lomond islands?

- No. The islands are already covered by existing Loch Lomond Navigation Byelaws, which cover damage to the natural and cultural heritage, as well as damage to property. With increased working with visitors to Loch Lomond, we are comfortable we've got measures in place that are beginning to pay off. However, we will continue to patrol and monitor the situation.

Effect on businesses

Won't local businesses suffer if you ban camping from some areas?

On the contrary; The Park Authority is concerned that unchecked the effects on the environment caused by the relentless pressure of the sheer volume of people visiting the same areas and a minority of irresponsible campers will put visitors off returning to the Park. We hope by making changes we will encourage people to visit again and again, rather than being put off after one visit. Evidence from east Loch Lomond suggests this would be the case

For information: Your Park and Live Park Board recommendation phase

22 April 2015

Your Park and Live Park Lines to take – National Park Authority Board Members

As there are two controversial items on the agenda, Our PR agency, The BIG Partnership, will be attending on the day to co-ordinate any media liaison and manage media requests on our behalf. Please be advised that Gordon and Linda are the only approved spokespeople for the Park Authority. Should you be approached for comment prior to the meeting taking place in relation to the Your Park or Live Park proposals, please find detailed below guidance on how to respond:

'We will be considering the recommendations put forward by the Park Authority at a Special Board meeting on Monday 27th April. Full and due consideration will be given to the proposals. Until those discussions take place, it would not be appropriate to comment. A statement from the Park Authority will be issued after a decision has been made at the meeting.'

Any media enquiries should be directed to: