



# CEO Report

## Agenda Item 8

### National Park Authority Board Meeting

11 September 2023

Paper for information

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#### 1. Purpose

1.1. To provide updates on significant developments affecting the strategic context in which the National Park Authority operates as well as progress on the strategic areas of work not already reported elsewhere on the Board agenda.

#### 2. Recommendation(s)

2.1. Board Members are asked to **note** the contents of this report for information.

#### 3. Scottish Government

3.1. Consultation On Biodiversity Framework And Natural Environment Bill (including The Future for National Parks): Members will recall approving the National Park Authority response to a consultation undertaken by NatureScot on the future of National Parks at our Board meeting in December 2022. This consultation formed part of delivering the Scottish Government's commitment to designate at least one new National Park within this parliamentary term. As part of this Ministers wish to explore whether elements of the National Parks (Scotland) Act 2000 could be strengthened to reflect the priorities that National Parks are now expected to deliver.

- 3.2. At the same time the Scottish Government published the Scottish Biodiversity Strategy which sets out a clear ambition: for Scotland to be Nature Positive by 2030, and to have restored and regenerated biodiversity across the country by 2045. It is proposed that a new Natural Environment Bill will strengthen the legislative framework setting out a framework for statutory targets and new legislation to support the delivery Scottish Government commitments to conserve 30% of land for nature by 2030, strengthen the powers of national parks and drive a sustainable reduction in deer numbers.
- 3.3. The next step for this work is to set out a proposed delivery plan for the next 5 years and to legislate to set out statutory changes and in particular to set out specific targets for restoring nature for 2030 and 2045 as statutory commitments in the same way as has previously been done for climate change targets. This and other commitments will be progressed through the introduction of the Natural Environment Bill to the Scottish Parliament during the course of 2024.
- 3.4. It is expected that by the time of the Board meeting, a 12 week consultation on the overall biodiversity framework will have been launched. This will contain a comprehensive and interlinked package of proposals including potential changes for National Parks. The consultation document will include;
- The final draft of the Scottish Biodiversity Strategy
  - A draft of the first five-year Delivery Plan
  - A set of principles to guide the delivery of key commitments including 30 by 30 and nature networks
  - Provisions to be included in the Natural Environment Bill specifically statutory targets for nature restoration and
  - Amendments to the aims, purpose, powers and functions of National Parks.
- 3.5. The consultation is expected to set out proposed changes to the national parks legislation to strengthen the leadership role of National Parks in tackling the climate and biodiversity crises whilst also welcoming visitors and supporting local communities and businesses. It is also understood this will include proposed changes to the size and composition of National Park authority boards in order to provide bold leadership on nature restoration and climate action, and to maximise their efficiency, diversity and relevant skillset.

- 3.6. Once the consultation has been published and the closing date known, the Board will be fully briefed on its contents and arrangements to consider a formal response will be finalised if the current planned Board meeting in December does not fit with these timings. Given that the proposals will affect stakeholders and communities in the Loch Lomond and The Trossachs, there will also be a role for the National Park Authority to facilitate the consultation in the local area and details on this will be shared as soon as they are clarified.
- 3.7. Visit by Lorna Slater MSP, Minister for Biodiversity, Green Skills and Circular Economy: Our Minister visited the National Park on a two-day visit on 16<sup>th</sup> and 17<sup>th</sup> August. The visit included experiencing ranger patrols at East Loch Lomond and on Loch Lomond, announcing our £1.5M investment at our Tarbet visitor site, meeting representatives of our National Park destination business group, visiting a recent INNS removal project at Inversnaid and hearing about tourism developments in the Loch Katrine area. There was also an opportunity to update on progress with our National Park Partnership Plan.
- 3.8. The Visitor Levy (Scotland) Bill : The Bill was introduced to the Scottish Parliament in May 2023. Now that the Parliament is back in session the Bill is going through its first stage of scrutiny. It proposes to give councils powers to introduce a visitor levy, sometimes known as a 'tourism tax'. This will generate funds to invest in local visitor facilities and services. If passed, the legislation will give local councils the ability to add a tax to overnight accommodation if they wish to do so. This will be based on a percentage of the cost, with the rate set by individual councils. Councils could choose to apply the levy in all or part of their area - but will have to consult with local communities, businesses and tourist organisations before introducing a levy. Funds raised must be reinvested in local facilities and services used by visitors.
- 3.9. An expert group, led by national tourism agency VisitScotland, has been set up to consider how a visitor levy could best work. The group will bring together representatives from the tourist industry, local government and other partners. It will develop national guidance and best practice for councils in using the new discretionary power, if the legislation is passed.
- 3.10. The National Park Authority would not have powers to raise a visitor levy if the legislation is passed as it is not a tax raising body. As the Bill is scrutinized and guidance developed there is a need to consider how any levies that are raised within the boundary of a National Park are then invested in visitor facilities and services. It is at the discretion of a local authority to decide whether to raise a levy or not and so it is possible that

levies could be introduced only in some areas of a National Park. At present there is no clarity how levies raised within a National Park would be expended.

3.11. The National Park Authority has been approached to share views on these issues with Parliament's Local Government, Housing and Planning Committee which is responsible for Stage 1 Scrutiny of the Bill. A meeting has also been arranged with the responsible Minister, Tom Arthur MSP. Officers are currently considering what the appropriate mechanisms could be for reinvesting visitor levies in a National Park context and will report further to the Board once a fuller understanding of options is developed.

#### **4. Loch Lomond Navigation Byelaw Review**

4.1. Formal approval has now been received from Scottish Ministers for the set of proposed changes to the Loch Lomond Byelaws, approved by the National Park Authority Board on 30th January 2023.

4.2. We had originally aspired to have the new byelaws in force for the beginning of the 2024 visitor season however the approved implementation date set by the Minister is 1st November 2024. This timing will allow us sufficient time to begin transitioning towards the new byelaws next season. This will include installing new Loch infrastructure (particularly to mark out the low speed activity areas) and the new digital systems which will support the implementation of our new Loch User Registration Scheme will be introduced.

4.3. The additional time will allow us to raise awareness with Loch user groups to become familiar with the new restrictions and processes. This will include far better digital services which will be more convenient for those registering with us. We will be communicating regularly with visitors and Loch users about the new byelaws in an advisory capacity until the implementation date.

4.4. Officers are confident that the changes coming into force next year will influence behaviours and provide a clear and understandable set of rules for people to follow, as well as an effective deterrent to irresponsible behaviour and a tool for enforcement when necessary.

4.5. This review of the Loch Lomond Byelaws has been a significant endeavour for the project staff and stakeholders involved in the project to date and this momentum will be maintained as we move toward implementation in 2024.

## 5. Local Place Plans

### *Four Local Place Plans Registered*

- 5.1. It is pleasing to advise that Callander, Drymen, Luss & Arden and Arrochar, Tarbet & Ardlui Local Place Plans have recently been registered. These can be read in more detail on the [LPP Register webpage](#) on our website. We would like to acknowledge the considerable time and effort undertaken by community volunteers to lead on preparing these plans.
- 5.2. Each plan covers a wide range of subjects such as transport, housing, recreation and access, nature and the environment, climate, land use, infrastructure, culture, economy, and community wealth building. Notably, each Plan submitted includes proposals to inform the content of our next Local Development Plan – including both spatial and policy proposals relevant to their area.
- 5.3. Until the next Local Development Plan is published, and thus informed by Local Place Plans we have received and registered, they will be considered as material considerations in planning decisions. This means that registered Local Place Plans will be given consideration and weight when taking planning decisions.

### *What is a Local Place Plan*

- 5.4. Local Place Plans were introduced by the Planning (Scotland) Act 2019, which contains a new right for communities to produce their own plans as part of the new Scottish planning system. Local Place Plans contain the community's proposals for the development and use of land and provide a new opportunity for communities to feed into the planning system with ideas and proposals. One of the main differences between registered Local Place Plans and Community Action Plans (which most National Park communities are used to preparing and using) is that there is a new legal requirement for Local Development Plans to 'take account' of Local Place Plans.
- 5.5. Regulations to support Local Place Plans came into force on 22 January 2022 ([Circular 1/2022: Local Place Plans](#)). In order to support communities we established a Local Place Plan Programme to coordinate community support, ensure legal requirements were met and maximise impact by integrating these plans with the National Park Authority's strategic plans review process. A steering group comprising community representatives and Park Authority staff was established to guide and inform this work and all communities were invited to prepare a local place plan with in kind and financial support provided. So far all

communities except for five either have prepared or are in the process of preparing a Local Place Plan and we are hopeful that the remaining communities will decide to do so.

#### *Local Place Plan Register*

5.6. The Scottish Government requires planning authorities to establish, maintain and publish a register of Local Place Plans. For a Local Place Plan to be registered as valid it must comply with specific technical requirements around engagement and spatial content. It should be noted that it is not the role of the planning authority at the point of registration to assess the proposals contained within the Local Place Plan for their planning merit or deliverability. This will be done later as part of the wider Local Development Plan process, when we must give reasons if we are not including a Local Place Plan proposal within the Local Development Plan.

#### *More than a Plan*

5.7. Local Place Plans are more than just a plan: they increase community capacity, collaboration and enhance social capital. They help communities understand what they want to be like in the future and stimulate community-based change. We have already used available Local Place Plans to inform the preparation of the draft National Park Partnership Plan as they provide a rich source of detailed community-level information. We will look to communities and their Local Place Plans to help us deliver the National Park Partnership Plan and respond to the climate and nature emergencies.

#### *What next?*

5.8. We continue to support four communities prepare their Local Place Plans and are helping four more community bodies to complete the submission process for validation. If anyone would like further information about our Local Place Plan Programme, please contact Susan Brooks, Communities and Place Manager. There will be a full briefing provided to the next Planning and Access Committee meeting as well as an informal *Lunch 'n Learn* session in a few weeks to which all staff and Board members will be invited.

**Executive Sponsor:** Gordon Watson, CEO