



Consultation Response Form

Please use the form below to give your views on:

1. Our proposals for improving the visitor experience through investment

And our statutory consultation on:

2. Our proposed camping management byelaws

Returning Your Response

Please return completed forms to the Park Authority by
Monday 12th January 2015

By email

feedback@thisisyourpark.org.uk

By fax

+44(0) 1389 722 633

By post

National Park Headquarters
20 Carrochan Road
Balloch
G83 8EG

For Official Use Only

Response number:

Date response received:

Acknowledged by: Email Letter

Date acknowledged:

For more information

If you have any questions about the documents, please contact the Visitor Management team at the National Park Headquarters by phoning 01389 722600 or by email at the above address.

Title: Miss	First Name: Catherine	Last Name: Ronald
Organisation/Agent (if applicable): Scottish Sports Association	Job Title (if applicable):	Policy & Communications Officer
Representing (if applicable):		
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Signature: Catherine Ronald		Date: 12 th January 2014

If you are submitting this form electronically and are unable to include an electronic signature, by inputting your name below you are confirming that you are the person detailed above:

Catherine Ronald

1. Comment on our proposals for improving the visitor experience:

Q1: Do you agree that over the next five years we should invest in improving camping provision within the proposed management zones? Yes

Q2: Do you agree with the proposed areas of opportunity for additional camping provision (see proposed areas of opportunity for additional camping provision map). Yes

2. Comment on our proposed camping management byelaws

Q1: Do you agree that these byelaws should be introduced?

Comments: No, not at this particular time as there are several other avenues to be further explored first (e.g. expanding camping provision, improving landscape design, making better use of already existing police powers across the whole of Scotland – see overall comments at end of this response).

Q2: Do you agree with the wording of the proposed byelaws?

Comments: No, our members have various concerns in regard to this:

- The title itself is misleading (“Camping Management Byelaws”) as various features of the proposed byelaws would affect many on day visits too – e.g. nuisance, damage, litter and fires can surely be done by all visitors, not just those camping. The number of people affected by this proposed byelaw is therefore much greater than the name suggests.
- The definition of ‘nuisance’ is far too vague (“any unreasonable act or omission which causes or is likely to cause annoyance, disturbance or damage”) and relies too strongly on individual perception. This would raise question as to how it could be consistently implemented.

Q3: Do you agree with the proposed zones for the byelaws?

Comments: No, the zones proposed are overly extensive in area and seem to go well out with the scope of those ‘close-to-roadside’ areas which the National Park has highlighted as key problem areas. Although the Park has drawn on a number of areas where anti-social behaviour and irresponsible camping has taken place, our members would like stronger evidence of the extent of this if these examples are to be used to warrant byelaw implementation in a significantly increased area of the Park.

Overall Comments

The East Loch Precedent

SSA members are respectful of the process the National Park has gone through in collating evidence to support the proposals put forward in this consultation. It is clear that in certain areas and due to certain users, there are various issues that need addressing.

Based on its report of the East Loch Lomond Byelaws, it seems that there have been visible and recognisable improvements since implementation. It of course makes sense to use the East Loch situation as precedent for any future proposals, however our members would raise question as to whether the camping byelaws alone (if at all) have been the impacting factor. The SSA would like to state that its members are not against byelaws as a management tool where the situation warrants it. However, in this particular case, it is believed that a move in this direction would be very premature.

To take the example of the Respect the Park initiative, it effectively brought various agencies together to jointly work on ensuring the East Loch area was used responsibly and the right facilities were provided. Could it be the case that part of the East Loch success was more a result of multi-agency collaboration as well as the ban on the public consumption of alcohol, rather than the camping byelaw?

Our members would raise question too over what lies behind these byelaw proposals when much of what's proposed should already fall within the remit of Police Scotland. Is it that lack of police resource requires a byelaw to duplicate this remit in order for Park Wardens to have similar powers? This would not be sufficient reason to warrant a byelaw and our members would question too whether the Park is convinced that it can train its wardens to effectively act as police.

Policing – a nationwide approach

Given that anti-social behaviour in the Park is caused by a minority of users, would it not be better to ensure that the law as it stands allows Police Scotland to manage and where necessary, remove those disrupting the responsible-using majority? If the law doesn't allow this already then perhaps a nationwide review and amendment to existing relevant law is what is required, rather than a Park-specific approach. There are various locations throughout Scotland which lie out with National Park territory but would still benefit hugely from a consistent management approach when it comes to responsible usage of the outdoors.

A system where police have appropriate powers, accompanied by the knowledge, education and management that Park staff provide, seems much more favourable to a byelaw which affects all (including day visitors) and could potentially be grossly disproportionate given the minority it is targeting.

It'd seem backward too, to restrict Park usage for the majority and potentially penalise them, when, without being given access to the right facilities (e.g. increased camping provision, litter bins, toilets), users may be forced to breach byelaw conditions out of no choice of their own. Increased facilities and provision, well thought-out landscaping and better use of existing police powers, must surely pre-date any move towards implementing a byelaw.

Scottish Outdoor Access Code (SOAC)

Our members would endorse the point highlighted by our members at RYA Scotland in emphasising the importance of the SOAC. Tourists and locals alike are attracted to Scotland's outdoors, and in particular its National Parks, due to its generous access rights which enable various forms of recreation to happen freely across the country. These rights make Scotland a unique place for recreation. Any authority should think very carefully about proposals which seek to limit these rights, especially when part of that authority's *raison d'être* is to encourage outdoor recreation.

It is for this reason that our members would oppose a ban on **all** camping in the proposed zones and would not support any new measures in the Park which limit these access rights, including the right to wild (informal) camping.

Wild (informal) Camping

Our members would similarly have concerns that the extension of byelaws which allow for camping bans in the proposed zones, would inhibit the right to wild camping outlined in the SOAC. Unlike the irresponsible and anti-social camping behaviours which have prompted the above byelaw proposals, wild camping is typically 'lightweight, done in small numbers and only for two or three nights in any one place'. We note too, that all of Scotland's already existing byelaws which restrict informal camping, lie within the Park. Given the low impact of such campers, our members would urge that the Park does not further extend this restriction.

The Proposed Zones

The proposed zones outlined in the consultation, mark a significant increase in the area of Park which would be controlled by byelaws. As outlined in earlier comments in this response, our members appreciate that the East Loch example has demonstrated a potential positive impact where byelaws are in place. However, given the extensive area included in the proposed zones, our members would have a number of concerns:

- A vast amount of the proposed zones includes land which is well beyond 200 metres from the roadside (particularly areas in the wider Trossachs zone). This seems somewhat contradictory to the evidence which has suggested that byelaw requirement is most needed near roadside areas. Our members would have concern that if this zone was to remain as proposed, light-weight recreational campers camping well away from roadside areas, would be unduly punished and their activity restricted.
- Given the considerable area of Park which would be under byelaw control, should these proposals go ahead, does the Park have sufficient Ranger resource to support implementation? Rangers will be vital as part of the educational aspect of informing users in byelaw-affected areas of the Park.
- As is always the case with such proposals, displacement of the problems or issues elsewhere is an ongoing risk. Our members would again emphasise our earlier point about the benefit of bringing forward camping provision prior to byelaws, since the Park and its users, do not want to see any camping-related issues moving elsewhere when they could have been managed and resolved with education, facility expansion and improvement.
- Our members note that the proposed byelaws are to be seasonal and recognise the reasoning behind this – we'd be curious why this seasonal approach was not taken with the already existing water byelaws and would welcome feedback on this.

- Given recent tightening of local authority budgets, our members would be cautious of the risk of the 'creep' effect of extending use of byelaws where there is lack of resource to manage camping in other ways.

To echo previous comments, our members would very much only support any byelaw proposal where other measures have been exhausted.

The SSA would like to thank you for the opportunity to respond to this consultation. We'd be very keen to hear back from you on the various suggestions we have noted on behalf of our members in this response and would welcome any questions, should you require more information.

Equal Opportunities Monitoring Form

The National Park is committed to Equal Opportunities. We will use this information to monitor the diversity of the reach of our consultation.

The equal opportunities monitoring form is optional. This section will not be attributable to your response; it is for monitoring purposes only.

This is sensitive personal data and will be treated with confidentiality in line with the requirements of the Data Protection legislation. The data on this page will only be used for general statistical and monitoring purposes.

Gender: Male

Female *

Ethnic Origin is not about nationality, place of birth or citizenship. It is about colour and broad ethnic groups. UK citizens can belong to various groups.

How would you describe your ethnic origin?

Age: 0-15

16-24

25-44*

45-64

65-74

75+

Do you have a health condition or disability as defined by the Equality Act 2010?

Yes

No*

Do not wish to disclose

The Equality Act 2010 states that a person has a disability if they have a physical or mental impairment and the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. A 'substantial disadvantage' is a disadvantage which is more than minor or trivial. 'Long-term' means that the effect of the impairment has lasted or is likely to last for at least twelve months (there are special rules covering recurring conditions.) Further guidance in relation to the meaning of disability is accessible on the Equality and Human Rights Commission website

<http://www.equalityhumanrights.com>

Do you consider the Your Park consultation documents to be discriminatory in terms of age, disability, race, religion or belief, gender or sexual orientation? Yes No *

If YES, please detail why they are discriminating.

Your Park Consultation

The National Park Authority developed the facility to publish plan text and interactive maps online as part of the Scottish Government's e-Planning initiative. The National Park Authority has since expanded the use of this facility to further their aims of making information more accessible to the public.

You can now view the text and maps associated with the Your Park consultation online.

You can submit formal consultation responses on our byelaw proposals via:

- our website; www.thisisyourpark.org.uk
- a hard copy form which can be downloaded from www.thisisyourpark.org.uk & sent back electronically or posted

These responses will be attributed to the person or organisation submitting the response.

You can also submit informal feedback on our plans to provide or enable new camping facilities via:

- our website; www.thisisyourpark.org.uk
- a hard copy form which can be downloaded from www.thisisyourpark.org.uk & sent back electronically or posted
- our face book & twitter accounts
- events & meetings

This feedback will not be attributed to the person or organisation submitting the response.

If you make a contribution to the Your Park consultation, you are deemed to have accepted the Conditions below. Please note that the Conditions supplement the National Park Authority's [Terms and Conditions of Website use](#) and the [Privacy and Cookie Policy](#)

Privacy in respect of survey responses

In order to gather information from the public, as part of the consultation process for our plans, we are requesting some personal data along with your comments, including your name, contact address and/or email, and organisation details if applicable.

All personal data will be processed securely and in accordance with the Data Protection Act 1998. Personal data will be processed by the National Park Authority for the purposes of

gathering feedback as part of the consultation process on our plan.

Following the end of our consultation process, we shall publish a summary of responses received. Information that people provide in response to our consultations, including personal details, may be disclosed in accordance with the Freedom of Information (Scotland) Act 2002, the Environmental Information (Scotland) Regulations 2004 and the Data Protection Act 1998. If you want the information that you provide to be treated as confidential please tell us, but be aware that we cannot guarantee confidentiality.

Please note that any libellous, defamatory, or offensive comments will not be taken into account as part of the consultation and will be discarded.