



THE MOUNTAINEERING COUNCIL OF SCOTLAND

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Dear Mr. Duce

MCoFS Response to East Loch Lomond Camping Byelaws Consultation

Please accept these comments from the Mountaineering Council of Scotland (MCoFS). The MCoFS is the representative body for hill walkers, climbers and ski tourers, and is the only national representative body of the sport of mountaineering in Scotland. We have 10,500 members, and are recognised by the Scottish Government as representing the interests of all mountaineers. The MCoFS interest in this matter lies primarily in issues of public access for responsible camping to the area. Responsible law-abiding people may wish to legitimately camp in this area in order to gain early morning access to the nearby mountains, but we accept that East Loch Lomond is an extreme case of illegal behaviour associated with those that often camp in this area rather than the camping per se.

1. There is an argument that byelaws are necessary as a last resort. However, MCoFS has reservations in terms of this setting a precedent. This may not be an intended outcome, but defining an extreme case is very difficult, and already some areas experiencing considerably less impact are arguing that if LLTNP can do it, why can they not. An example that has already been raised in Cairngorm National Park is Glenmore / Loch Morlich where there is a low level problem currently, but byelaws have been proposed as a precautionary measure to prevent escalation. Action in such areas would be out of proportion to the issues in currently in other areas of Scotland. For this reason it is vital that LLTNP makes it absolutely and publicly clear that this was used as the very last resort. Although it is not LLTNP's responsibility to ensure other authorities do not use East Loch Lomond as an example in inappropriate circumstances, LLTNP do have responsibility to be able to show that this was not undertaken before all possible less serious measures were taken and that this must be transparent to other authorities, land managers, communities etc. The reasons that byelaws maybe appropriate in this area and not other areas have not been sufficiently publicly defined. Doing so would assist LLTNP at this stage as guidance for deciding whether they are appropriate in other areas of the Park in the future.
2. In order to be in a position to show that camping byelaws have been introduced as a last resort, and that it is irresponsible-style of camping that is the problem, then all efforts should be made to distance the issue from responsible access rights and the act of simply camping. To achieve this MCoFS would suggest reconsideration that the alcohol byelaws be permitted a period before the camping byelaw is introduced in order to gauge the effects on the irresponsible-style camping activities.
3. Displacement is a huge concern. The MCoFS welcomes the commitment to keep the impact of displacement within the Park under monitoring, but note with concern there is no reference to monitoring the issue outwith the Park at other accessible locations. It is displacement generally rather than displacement within the Park that is the fear. On this matter it would be appropriate to work with neighbouring access authorities, possibly with

the intention of drawing up a list of anticipated areas where displacement may occur outwith the Park, and focus monitoring on these in addition to those listed in the LLTNP. Such monitoring would need additional resources.

4. Should byelaws be introduced, there must be a provision that these be removed if, after an appropriate review period, they are not achieving the intended aims of preventing the problem, or have created equal problems elsewhere. Should these regular reviews justify byelaw continuation, then the results of monitoring should be made public in an effort to maintain the understanding that the problems in this area are in of a wholly different magnitude to those experienced across the rest of Scotland and provide a means of this continued comparison to reinforce the understanding that byelaws are only for extreme circumstances.

Please do not hesitate to contact me to discuss these issues further.

Yours sincerely

Hebe Carus
Access & Conservation Officer