

# Notice of meeting and agenda

## Pentland Hills Regional Park Joint Committee

**4.00 pm Thursday, 27th January, 2022**

Virtual Meeting - via Microsoft Teams

This is a public meeting and members of the public are welcome to watch the webcast live on the Council's website.

### Contacts

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## **1. Order of Business**

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- 1.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

## **2. Declaration of Interests**

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- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

## **3. Deputations**

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- 3.1 If any.

## **4. Minutes**

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- 4.1 Minute of the Pentland Hills Regional Park Consultative Forum – none.
- 4.2 Minute of the Pentland Hills Regional Park Joint Committee of 23 August 2021 – submitted for approval as a correct record 7 - 16

## 5. Regional Park Issues

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- 5.1 Operational Update - Verbal Report by the Senior Natural Heritage Officer
- 5.2 Operation Boxy - Verbal Report by Inspector Patricia Clark, Community Policing Team
- 5.3 Car Park Improvements and Traffic management - Verbal Report by Darren Ryan, Project Centre
- 5.4 Visitor Management Plan for the Pentland Hills Regional Park - report by the Executive Director of Place 17 - 98
- 5.5 Budget Update - Verbal Report from Local Authorities and Scottish Water
- 5.6 Revised Minute of Agreement - report by the Executive Director of Place 99 - 144

## 6. Any Other Urgent Committee Business

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- 6.1 Farmers and Landowners – Any Other Items they would like to see in the Consultative Forum Agenda

## 7. Dates of Next Meetings

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- 7.1 Dates for future meetings –
  - PHRP Consultative Forum T.B.C.
  - PHRP Joint Committee T.B.C.

**Nick Smith**

Service Director, Legal and Assurance

## **Membership Panel**

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### **Voting Members**

The City of Edinburgh Council: Councillors Neil Gardiner (Convener), Graeme Bruce, and Ricky Henderson.

Midlothian Council: Councillors Russell Imrie, Kelly Parrie and Pauline Winchester.

West Lothian Council: Councillor Damian Timson.

### **Non-voting members:**

Scottish Water: Alan Fail.

Scottish Natural Heritage: Janice Winning.

East Lothian Council (to be nominated).

Farming: Bob Barr (NFU).

Landowning: Clare Sturla (SLE).

## **Information about the Pentland Hills Regional Park Joint Committee**

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The Joint Committee is responsible for the funding and governance of the Regional Park and comprises elected members from the constituent local authorities covering the area of the Regional Park, and other public bodies with an interest in the area, and a representative each from the farming and landowning interests. The Joint Committee meets at least twice each year.

### **Further information**

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If you have any questions about the agenda or meeting arrangements, please contact Blair Ritchie, Committee Services, City of Edinburgh Council, Waverley Court, Business Centre 2.1, 4 East Market Street, Edinburgh EH8 8BG Tel 0131 529 4085, e-mail [blair.ritchie@edinburgh.gov.uk](mailto:blair.ritchie@edinburgh.gov.uk)

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# Minutes

## Pentland Hills Regional Park Joint Committee

2.00 pm, Wednesday 23 August 2021 – Held by Microsoft Teams

Present:

**Voting Members:**

**City of Edinburgh Council** – Councillors Gardiner (Convener), Bruce, and Henderson.  
**West Lothian Council** – Councillor Timson.

**Non-Voting Members:**

**National Farmers Union** – Bob Barr  
**Scottish Land and Estates** – Tony Stevenson

**In attendance:**

Justin Venton (Midlothian Council), Charlie Cumming (Edinburgh and Lothians Greenspace Trust), David Jamieson, Jessica Morgado, and Blair Ritchie (City of Edinburgh Council).

### 1. Minutes

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#### Decision

To approve the minute of the Pentland Hills Regional Park Joint Committee of 20 January 2021 as a correct record.

### 2. Operational Update

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Jessica Morgado (The Senior Natural Heritage Officer) provided a verbal operational update. She outlined the following issues:

#### Current Staffing Levels

- There were five full-time and part-time Senior Natural Heritage Officers and Natural Heritage Officers.
- Following the departure of one member of staff, PHRP were currently recruiting for a replacement Natural Heritage Officer.
- There were six seasonal positions provided through NatureScots Better Places Green Recovery Fund.
- The team was also supported by:

- 25 Volunteer Rangers who patrol at weekends
- Estate Team (2.5 permanent plus four seasonal staff)
- Friends of the Pentlands
- Natural Heritage Officers from the City team at weekends

### **Covid-19 Update**

- All staff continued to work from home. Hermitage of Braid had been partially opened to allow access to welfare facilities. Harlaw House had been opened to provide a base for seasonal rangers. The Service was looking into reopening the Bavelaw Bird Hide following repairs to the boardwalk.

### **Funding Update**

#### **NatureScot's Better Green Places Recovery Fund**

#### **SEASONAL RANGERS**

- The seasonal rangers were now well bedded-in to their roles. Each ranger had their own electric vehicle for travelling around the Park, plus access to our 4x4s if necessary. They had been assisting with education of campers / recreational water users, rubbish clearance, and maintenance of gates, boardwalks, fences and access tracks. There had been lots of feedback from the public about the value of the rangers, and requests for the service to be continued. There had also been uptake from land managers on an offer of our seasonal rangers to assist with visitor management when land management operations were underway. PHRP had re-joined the Scottish Countryside Rangers' Association.

#### **TOILET FACILITIES**

- 3 x standard and 1 x accessible portaloos had been installed at each of three sites: Threipmuir, Harlaw and Bonaly. These were cleaned to a covid-19 acceptable standard four times a day by a team. Flotterstone public toilets now had extended opening hours and an improved cleaning regime through funding from the same source (last year during the pandemic only one toilet was open when the café was open). The Service were seeing a notable reduction in human toilet waste at all sites as a result.

#### **CAR PARKING WARDENS**

- An application to provide six Seasonal Car Parking Wardens was unsuccessful.

#### **Rural Tourism Infrastructure Fund**

- Funding was awarded for two applications: 1) car park infrastructure improvements and 2) public toilet provision. Funding was not awarded for the proposed campsite at Harlaw Reservoir. The Service was awaiting confirmation of planning permission before they could start work on these projects.

#### **Visitor Management Prevention, Regulation and Reassurance Sub-group**

- The Senior Natural Heritage Officer had been attending this national group, formed to create a visitor management strategy in the wake of notably increased footfall in rural areas due to the covid-19 pandemic.

## **PHRP Visitor Management Group**

- As a result of attending the above group, a local group has been formed by PHRP, comprising interested parties such as angling, police, fire and land management representatives. This group had worked together to ensure all users and residents of the Regional Park were updated on recent visitor management efforts.

## **Police Liaison**

- PHRP had increased communications with the Police, with regular updates between Penicuik Police, Edinburgh SW Community Police and the service shared before, during and after each weekend. This improved communication had helped PHRP officers report and follow-up on incidents.

## **Events**

- Public events in Edinburgh's Parks had been largely postponed throughout the pandemic. There had been discussions with the Pentland Land Managers' Association (an organisation representing many land managers in the Regional Park) about the potential of restricting the number of large events in the Regional Park. This followed concerns about increased footfall during the pandemic. These proposals would be shared with relevant stakeholders for comment in due course. Meanwhile three of the annual events which had run for several years were being organised to run in October and December.

## **Reservoir Safety**

- There were ongoing meetings with Scottish Water around improving public safety and reducing conflict between users at their reservoirs in the Regional Park. Some of these initiatives may well also be adopted by CEC at their reservoirs. The Service had assisted with and attended multi-partner events promoting water safety and clean camping, at Harlaw and Glencorse Reservoirs. The Service would like to thank Police Scotland, the Ambulance service, and the Fire service for all their efforts at Threipmuir Reservoir following the tragic drowning of a person using an inflatable craft on the reservoir.

Discussion took place and the following points were made:

- Whether the toilets could open earlier.
- It might be possible to open the toilets earlier than 10.00 am, but not later in the evening, because of the cleaning regime.
- Using the Ranger Service was a possible solution.
- The Convener indicated that the funding from the Scottish Government was welcome and discussions had taken place.
- In the year of the Covid Pandemic, there should be more emphasis on the value of the park, for the mental and physical health of visitors and land managers.

## **Decision**

To thank the Senior Natural Heritage Officer for the verbal update and to note the update

### 3. Projects and Staffing Update

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Jessica Morgado (The Senior Natural Heritage Officer) reported on the Projects and Staffing Update. She indicated that Regional Park Officers had been very busy securing funding and support to deliver the anti-social behaviour, structural and visitor management issues discussed at the last Joint Committee meeting. This Bulletin provided a summary of this activity which included the following:

- £75,000 grant had been received from NatureScot for six seasonal Park Rangers, who would be working a shift pattern with a focus on providing duty cover at hot spots between 7am and 10pm on Fridays-Saturdays-Sundays until 31 October, establishing a seven-day service over the summer months.
- £71,000 grant had been received from NatureScot for twelve temporary toilets at Bonaly and Threipmuir car parks and Harlaw in front of Harlaw house.
- Application had been made to NatureScot for £44,000 to fund seasonal car park Marshalls. However, the submission was unsuccessful.
- £31,000 grant had been received to appoint four Estate Workers and a Supervisor until 31 October to support the existing Estate team across the Regional Park and wider city outdoor estate.
- £35,000 funding received from Visit Scotland to develop a strategic plan for the Development of key routes entering the Regional Park from Currie, Balerno and Penicuik.
- £421,000 conditional grant had been received from Visit Scotland towards the costs of creating an additional 140 car parking spaces, including more for blue badge holders, and installing electric vehicle charging points in the four main car parks at Harlaw, Threipmuir, Bonaly and Flotterstone. Cyclists would also benefit from additional bike stands and public bike pump and repair stations.
- Three new unisex and accessible toilet facilities would also be built at Bonaly, Threipmuir and Harlaw car parks and an extra set of toilets near Harlaw reservoir.
- Police Scotland ran 'Operation Boxy' in the Pentland Hills Regional Park during July, with a focus on the Edinburgh side of the hills: Bonaly Country Park, Harlaw, Torduff, Clubbiedean and Threipmuir reservoirs/areas. This Operation involved partnership working between Police Scotland, the Regional Park team, Scottish Water and the Fire and Rescue Service. The purpose of the Operation

was to combat anti-social behaviour and encourage responsible access and use of the Pentland Hills.

- Scottish Water had selected the Pentland reservoirs as part of their two-year pilot study “Enabling Access”. As part of Operation Boxy, the Fire and Rescue Service delivered water rescue training on 23 August at Harlaw, with Police manning a stall with responsible leaflets/information.
- Artwork had been created for display on Park bins, which would hopefully help encourage people to use them. This was part of a nationwide initiative from Zero Waste Scotland in partnership with the Scottish Government and Keep Scotland Beautiful.
- The grounds maintenance contractor Glendale had been placed on standby to help clear up particularly dirty campsites at Harlaw and Bonaly Country Park should this be beyond the capacity of existing internal resources.
- NatureScot funding of £16,000 was obtained by ELGT to produce a PHRP Visitor plan. A PHRP Visitor Management Action group had been set up since April with key partners meeting monthly to draft a VM action plan, review the draft Visitor plan produced by ELGT and create a key document which will be used to secure funding to improve infrastructure, signage and access.

The Convener conveyed his condolences to the family regarding the fatal accident. This had been a tragedy, and it was encouraging that there were actions to mitigate against this in future.

Discussion took place and the following points were made:

- Whether there were arrangements to manage and monitor the disabled places, and electrical vehicle points.
- This was still at the design stage and there were plans to engage a consultant, to improve the designs. There were plans to get car park charging introduced.
- The Natural Heritage Service would take care of monitoring and enforcement.
- Whether this would be done within park, or using an outside agency, or linking into Edinburgh facilities and staff
- It was planned to engage an external contractor and go through tendering process.
- All options were still open, but the favoured option was to ringfence the potential income to enhance both the car parks and the wider park.
- It might be possible to operate a separate cleaning regime, but more details were necessary.
- There was a need for a dedicated police officer for the park and for more dialogue.
- There was a need for more patrolling in the park near resevoirs.
- That Scottish Water were landowners and land managers.

- There needed to be a new way of working for water safety.
- The Natural Heritage Service had taken various measures to address water safety, which included liaising with Scottish Water, a campaign on social media and working with schools.
- To address water safety, further work and engagement would take place with the public and there should be a coordinated effort to this end.
- The Senior Natural Heritage Officer indicated that she looked forward to working with the various working groups.
- Whether the quad bikes were owned by the police or the council
- That it was a positive development that there working together with farmers and stakeholder.

### **Decision**

- 1) To note the report.
- 2) The Senior Natural Heritage Officer to liaise with Midlothian Council to determine how funding was secured for the quad bikes with a view to securing additional funding and to explore the possibility of Edinburgh and Midlothian Councils sharing the quad bikes.
- 3) The Senior Natural Heritage Officer to liaise with Police Scotland with a view to getting more sustained police presence in the Regional Park.

(Reference- report by the Senior Natural Heritage Officer and Parks and Greenspace Manager)

### **Declaration of interests**

Councillor Bruce declared a financial interest in the above item as he was as a paid employee of Police Scotland and took no further part in the proceedings for this item.

## **4. Extending Membership of the Joint Committee**

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The Parks and Greenspace Manager reported on the proposal for extending membership of the Joint Committee.

He indicated that the Pentland Land Managers Association (PLMA) had requested to become a voting member of the Joint Committee. Discussions with representatives of PLMA and representatives of other organisations with a substantive interest in the management of the Regional Park had determined that there was support for the proposal and also interest in extending voting membership to an organisation representing countryside user interests. City of Edinburgh Council Committee Services advised that only elected local authority members were competent to allocate local authority funding, therefore any non-local authority Joint Committee members would need to be excluded from budget related decision-making items.

Discussion took place and the following points were made.

- According to the minute of agreement, the Joint Committee could establish an advisory group or set up other working groups,
- That any non-elected members should be excluded from any budgetary issues discussed by the Joint Committee.
- Whether there might be an overlap between the Consultative Forum and the Joint Committee if the membership of the Joint Committee was extended.
- There should be discussion with the Consultative Forum, to establish a future structure that was accepted by the majority of the members.
- It would be beneficial to bring other organisations on board, who represented the interests of the park, as well as the land managers.
- Membership could be further extended to visitors and recreational users.
- There were concerns about increasing membership beyond land managers and more discussion was required.
- Any decision to do this should be brought back to Committee for approval.
- It did not make sense that only a limited number of land managers, who owned and managed the land, would be represented.
- There should be more, rather than less representation on the Joint Committee.
- The ELGB Trust should be included and the Friends of the Pentlands should be party to the discussions.
- That the NFU as well as PLMA should be on the Committee. The Pentland Hills were an asset and there should responsible access.

### **Motion**

- 1) To note the outcome of discussions with the Pentland Land Managers Association and other pertinent organisations.
- 2) To invite the Pentland Land Managers Association to become voting members of the Joint Committee and extend this invitation to one or more organisations that could represent the interests of visitors to, and recreational users of, the Regional Park.
- 3) To instruct officers to review the Minute of Agreement (MoA) in light of its decision, reporting an updated draft of the MoA to a subsequent meeting of the Joint Committee.
- 4) To instruct officers to review the purpose, membership and arrangement of the Consultative Forum, as well as its governance relationship with the Joint Committee.

- moved by Councillor Gardiner, seconded by Councillor Henderson.

### **Amendment**

- 1) To note the outcome of discussions with the Pentland Land Managers Association and other pertinent organisations.

- 2) To invite the Pentland Land Managers Association to become voting members of the Joint Committee.
  - 3) To instruct officers to review the Minute of Agreement (MoA) in light of its decision, reporting an updated draft of the MoA to a subsequent meeting of the Joint Committee.
  - 4) To instruct officers to review the purpose, membership and arrangement of the Consultative Forum, as well as its governance relationship with the Joint Committee.
- moved by Councillor Bruce, seconded by Councillor Timson.

### **Voting**

For the motion - 2  
 For the amendment - 2

(For the motion – (Councillors Henderson and Gardiner.)

(For the amendment – (Councillors Bruce and Timson.)

### **Casting Vote**

The voting being equal, the Convener used his casting vote in favour of the motion.

### **Decision**

- 1) To note the outcome of discussions with the Pentland Land Managers Association and other pertinent organisations.
- 2) To invite the Pentland Land Managers Association to become voting members of the Joint Committee and extend this invitation to one or more organisations that could represent the interests of visitors to, and recreational users of, the Regional Park.
- 3) To instruct officers to review the Minute of Agreement (MoA) in light of its decision, reporting an updated draft of the MoA to a subsequent meeting of the Joint Committee.
- 4) To instruct officers to review the purpose, membership and arrangement of the Consultative Forum, as well as its governance relationship with the Joint Committee.

(Reference- report by the Executive Director of Place)

## 7. Farmers and Landowners – Any Other Urgent Items for Consideration

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It was reported that unauthorised flying drones were becoming an issue and were causing worry to visitors. Also, e-bikes, were becoming increasingly motorised and this required consideration in future.

### Decision

- 1) The Parks and Greenspace Manager and Senior Natural Heritage Officer to liaise with the NFU, land managers and Police Scotland regarding the problem of unauthorised drones flying in the Regional Park.
- 2) To include the issue of unauthorised drones on the agenda for the Consultative Forum.

## 8. Dates for Future Meetings

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Committee Services to liaise with the Natural Heritage Service to arrange dates for the next meetings of the Consultative Forum and the Joint Committee.

### Decision

PHRP Consultation Forum – To be confirmed.

PHRP Joint Committee – To be confirmed.

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# Pentland Hills Regional Park Joint Committee

4.00pm, Thursday, 27 January 2022

## Visitor Management Plan for the Pentland Hills Regional Park

<b>Executive/routine Wards Council Commitments</b>	<b>Routine Pentland Hills</b>
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### 1. Recommendations

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- 1.1 It is recommended that the Joint Committee:
  - 1.1.1 Note the contents of the draft Visitor Management Plan and success in realising a number of its actions during 2021; and
  - 1.1.2 Provide officers with feedback so that a finalised Plan can be completed, and its actions initiated in advance of summer 2022.

**Paul Lawrence**

Executive Director of Place

Contact: David Jamieson, Parks and Greenspace Manager

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## Visitor Management Plan for the Pentland Hills Regional Park

### 2. Executive Summary

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- 2.1 The Pentland Hills Regional Park (PHRP) popularity has increased over the years, with more visitors seeking to exercise in the hills and traffic management pressures on the PHRP have been exacerbated during the current Coronavirus (Covid-19) pandemic.
- 2.2 A strategic plan is required to ensure that the visitors choosing to exercise and come to the Regional Park have a good experience and do not have a negative impact on this fragile ecosystem and also on those whose lives and livelihoods are linked to the hills.

### 3. Background

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- 3.1 The PHRP continues to grow in popularity, with its stunning range of hills and variety of recreational activities within easy access of the City of Edinburgh, and its growing urban settlements in Mid- and West Lothian, it provides a valuable outdoor resource to people living in these regions. The last survey conducted in 2005/06 estimated 600,000+ annual visitors to the Park.
- 3.2 The increase in visitors and pressure on the communities living within the PHRP and its facilities, especially at the known four hot spots, can have negative consequences if there is not the capacity to manage them sufficiently.
- 3.3 The Covid-19 pandemic brought unprecedented visitor demand to the park and due to limited resources and inadequate infrastructure, there were problems with traffic and parking, litter and disruptive wild camping.
- 3.4 In November 2020, the PHRP ran a public engagement exercise looking at issues around antisocial behaviour and parking and how these could be solved.
- 3.5 These problems were also seen throughout Scotland, and in response a national Visitor Management Strategy (VMS) was set up to develop a Scotland-wide strategic and coordinated approach to Visitor Management. This is to help meet the Scotland Outlook 2030 strategy which is the new Tourism Industry Strategy

(launched by the First Minister at the Scottish Tourism Alliance Conference in February 2020).

- 3.6 The VMS recognises both the enormous potential of Scotland's tourism sector and the significant challenges faced to develop the capacity of current visitor infrastructure and services and to increase responsible enjoyment of the countryside. The VMS is being progressed by a national partnership, led by Visit Scotland with support from NatureScot and other partners, to help address these challenges. The initial focus was on spring 2021 and included the longer-term action needed to ensure sustainable visitor provision, management and behaviour.
- 3.6 To help achieve the goals of the VMS, the NatureScot Better Places Green Recovery Fund (round 1) was made available. Funding was secured by the Edinburgh and Lothians Greenspace Trust on behalf of the PHRP to create their first Visitor Management Plan.
- 3.7 The PHRP launched a Visitor Management Action Group in March 2020, reaching out and inviting key partners to discuss realistic and achievable goals to assist with visitor management in the short and long-term. This group has met six times and produced an Action Plan which serves to evidence visible progress with visitor management. The Action Plan is integrated into the new PHRP VMP and aims to be a dynamic and working document, designed to respond to challenges as they arise and to reduce the negative impacts visitors have as a result of inadequate infrastructure, services and resource.

## **4. Main report**

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- 4.1 The PHRP VMP aims and objectives are to:
  - 4.1.1 Ensure the PHRP is a welcoming and accessible place for visitors;
  - 4.1.2 Maintain all health and safety protocols for prevention of transmission of Covid-19 until it is no longer necessary;
  - 4.1.3 Maintain the PHRP as a clean, safe and secure place for visitors, farmers, landowners, fishery managers, business owners and residents; and
  - 4.1.4 Increase and improve communications with local and rural communities, visitors and various stakeholders.
- 4.2 The plan aims to use all available funding and results from the public engagement activity as the basis for an action plan to improve visitor management in the PHRP. The areas of improvement will include:
  - 4.2.1 Infrastructure, including car parks;
  - 4.2.2 Public convenience and key path access;
  - 4.2.3 Encouraging and enabling safe and sustainable access to the hills;
  - 4.2.4 Traffic management;
  - 4.2.5 Camping;

- 4.2.6 Communications;
  - 4.2.7 Health and safety; and
  - 4.2.8 Operations/service delivery.
- 4.3 The PHRP VMS had identified a short-term action plan which was implemented during 2021 which focussed on car parking and traffic measures, temporary toilets and litter bins, camping, communication and community engagement, health and safety, crime and anti-social behaviour. These short-term actions aimed to help deal with the problems identified in 2020 until the longer-term actions can be implemented.
- 4.4 It is predicted that visitor numbers to the PHRP will continue to grow even after Covid-19. To help address the problems that arise due to increased visitor numbers, longer-term actions are needed. The long-term action plan provides more details on how to improve car park and path infrastructures, introduce car park charging to generate a sustainable source of income, create better sustainable access to the hills, provide more public conveniences at hot spots, investigate the creation of an eco-campsite at Harlaw and invest in new technology (e.g. internet of things) amongst other things.
- 4.5 The document is complemented by a comprehensive action plan created in partnership with the PHRP team, Friends of the Pentlands, representatives from fishery and land managers, Scottish Water, Pentland Litter watch group, Ministry of Defence, Fire and Rescue Service, Police Scotland from Edinburgh City, Midlothian and West Lothian areas and Hillend Snowsport centre. This relatively small working group was able to draw up a list of actions around key themes such as:
- 4.5.1 Partnership working;
  - 4.5.2 Anti-social behaviour;
  - 4.5.3 Impact to farmers/fisheries;
  - 4.5.4 Camping;
  - 4.5.5 Litter;
  - 4.5.6 Communication;
  - 4.5.7 Provision of toilet facilities, path access, and transport; and
  - 4.5.8 Volunteering, income generation and Covid-19 impact.

## 5. Next Steps

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- 5.1 After a meeting with the Pentland Land Managers Association, a section on the Pentland Hills Park Ranger Service was added, as was reference the “PHRP Upland path audit 2016”; the link between car park charges/income generation and reinvestment to the upkeep, maintenance/repair of the path network; and a section on path infrastructure maintenance, such as way markers. The document is to also be reviewed to ensure that there is a better balance between the Pentland Hills

being a working, living landscape that visitors are accessing for various recreational pursuits.

- 5.2 Councillors and other partners are invited to feedback on the draft document in advance of the finalised Plan being produced and implemented.

## **6. Financial impact**

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- 6.1 A NatureScot Better Places Green Recovery Fund (round 1) of £15,900 was secured by ELGT in January 2021 to produce this VMP.
- 6.2 Delivery of a short-term action: A successful bid of £64,000 from NatureScot's Better Places Green Recovery Fund (round 2) allowed for the employment of six Seasonal Park Rangers from mid-July until end of October 2021.
- 6.3 Delivery of a short-term action: A NatureScot Better Places Recovery Fund (round 2) of £71,000 was awarded in May for the provision of emergency toilets, from June to end of October 2021, at Harlaw visitor centre, Threipmuir and Bonaly car parks, and extra cleaning at Flotterstone public toilets. The revised cost of this project was £34,300, with savings made due to a late award/start time of the project, and staff not being required to queue-manage following a change in the Scottish Government guidelines.
- 6.4 Delivery of a short-term action: A NatureScot's Better Places Green Recovery Fund of £30,000 was used to employ four Seasonal Estate workers to deliver a quicker response to visitor management issues, such as camping, fires and associated debris and litter in the PHRP and Edinburgh's parks and green spaces.
- 6.5 Delivery of short-term action: The City of Edinburgh Council Parks and Greenspace service signed up to the Government Kickstart scheme and recruited four young people, two of whom have been placed with the PHRP and Estate teams.
- 6.6 Delivery of a long-term action: The PHRP team is finalising two funding agreements with Visit Scotland's Rural Tourism Infrastructure Fund (RTIF) worth £374,000. This will create 140 extra car parking spaces (including more blue badge spaces), electric vehicle charging points, additional bike stands and public bike pump and repair stations at Harlaw, Threipmuir, Bonaly and Flotterstone car parks.
- 6.7 Delivery of a long-term action: The Scottish Government has made available funding from the RTIF as part of its Covid-19 recovery plan. The purpose of this funding is to support the development of a minimum of six pilot strategic tourism infrastructure development plans for certain priority areas identified by the Infrastructure and Investment subgroup of the Visitor Management Steering Group. £31,500 funding has been secured to produce a Strategic Plan specifically to enhance the quality and improve the connectivity and functionality of the routes/links into the Pentland Hills Regional Park. The Plan will highlight the key improvements required for each pressure point and explore the creation of safer pathways for all user on these routes and how they can be promoted.

- 6.8 Delivery of a long-term action: Purchase of seven people counters with the ability to detect “mob effect” and direction of travel of visitors using £13,100 from the City of Edinburgh Council’s Nature Restoration Fund.

## **7. Stakeholder/Community Impact**

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- 7.1 [PHRP Consultative Forum on 27 October 2020.](#)
- 7.2 [PHRP Public Engagement Exercise from 06/11/2020 to 04/12/2020.](#)
- 7.3 [PHRP Joint Committee held on 20 January 2021.](#)
- 7.4 VM Action group meetings held on 19/03/21 – 01/04/21 – 15/04/21 – 17/06/21 – 15/07/21 – 13/10/21

## **8. Background reading/external references**

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- 8.1 [PHRP Public Engagement Exercise from 06/11/2020 to 04/12/2020.](#)
- 8.2 PHRP Upland path audit 2016.

## **9. Appendices**

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- 9.1 Appendix 1 – Draft Visitor Management Plan and Action Plan.



# PENTLAND HILLS REGIONAL PARK VISITOR MANAGEMENT PLAN

Prepared by the Edinburgh and Lothians Greenspace Trust  
on behalf of the Pentland Hills Regional Park, March 2021

This project is supported by NatureScot, through the Better Places Green Recovery Fund



**pentland hills**  
regional park

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DRAFT

## SITE SUMMARY

Site Name:	The Pentland Hills Regional Park
Counties:	Midlothian, City of Edinburgh and West Lothian
Grid Reference:	NT 194 635
Size:	Approximately 10,000 hectares
Owner:	City of Edinburgh Council, Midlothian Council and private landowners

## INTRODUCTION

### CONTEXT AND AIMS OF PLAN

The Pentland Hills Regional Park (PHRP) continues to grow in popularity, with its stunning range of hills and variety of recreational activities within easy access of the City of Edinburgh, and its growing urban settlements in Mid- and West Lothian, it provides a valuable outdoor resource to people living in these regions. It also brings in eco-tourism, enabling visitors to appreciate the beauty of the park and helping to support local businesses.

The increase in visitors and pressure on the communities living within the PHRP and its facilities, especially at particular pressure points, can have negative consequences if there is not the capacity to manage them sufficiently. The Covid-19 pandemic brought unprecedented visitor demand to the park and due to limited resources and inadequate infrastructure, there were problems with traffic and parking, litter and disruptive wild camping. These problems were seen throughout Scotland, and in response a national Visitor Management Strategy (VMS) was set up to develop a Scotland-wide strategic and coordinated approach to Visitor Management. This will help to meet the Scotland Outlook 2030 strategy which is the new Tourism Industry Strategy launched by the First Minister at the Scottish Tourism Alliance Conference in February 2020.

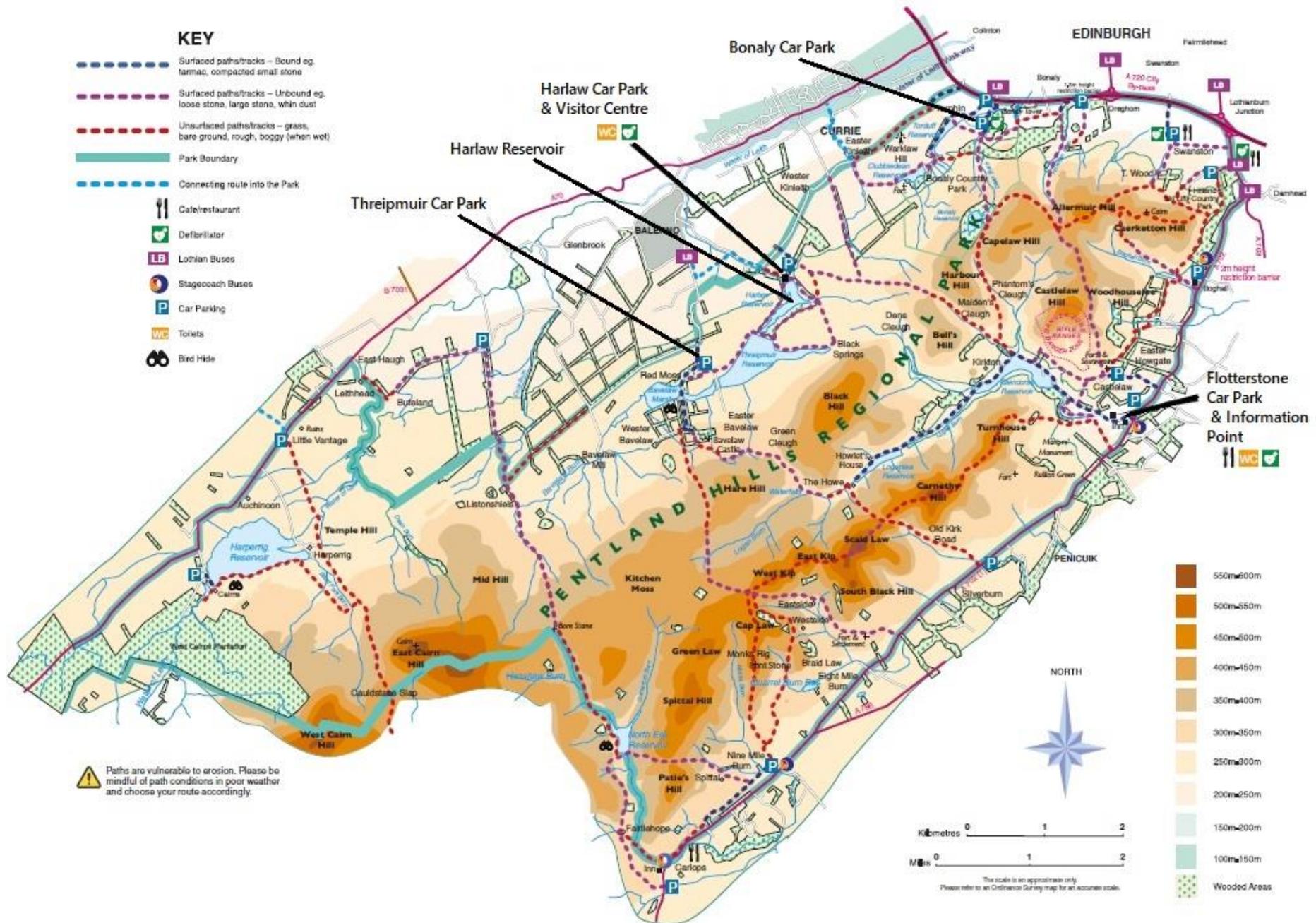
The VMS recognises both the enormous potential of Scotland's tourism sector and the significant challenges faced to develop the capacity of current visitor infrastructure and services and to increase responsible enjoyment of the countryside. It is a national partnership led by Visit Scotland with support from NatureScot and other partners to help address these challenges, focusing initially on spring 2021 and including the longer-term action needed to ensure sustainable visitor provision, management and behaviour based on the Management for People Guide.

To help achieve these goals, the NatureScot Better Places Fund was made available and secured by the Edinburgh and Lothians Greenspace Trust on behalf of the PHRP to create their first Visitor Management Plan. Funding is being sourced to help deliver long-term infrastructure improvement, projects at visitor pressure points and to secure essential seasonal workforce to assist with the promotion of the Scottish Outdoor Access Code (SOAC). In November 2020, the PHRP ran a public engagement exercise looking at issues around antisocial behaviour and parking and how these could be solved.

This plan aims to use the available funding and results from the public engagement activity to advise on and set an action plan to improve visitor management in the PHRP. Areas of improvement will include the following which will follow the Countryside for All Good Practice Guide where appropriate:

- Infrastructure including car parks, public convenience and key path access
- Encouraging and enabling safe and sustainable access to the hills
- Traffic management
- Camping
- Communications
- Health and safety
- Operations/service deliver

MAP 1: MAIN INFRASTRUCTURE & KEY LOCATIONS



## EXISTING SITE INFRASTRUCTURE & COMMUNICATIONS

### CAR PARKS AND PATH ACCESS

There are 18 car parks in the PHRP, with Harlaw, Threipmuir, Bonaly and Flotterstone (see Map 1) being the most popular and are considered to be pressure points. Due to increased demand, these parking facilities no longer meet requirements, leading to such problems as non-designated parking as well as hindering access and traffic flow.

The car parks are signposted from the main roads using brown Visit Scotland directional signage. The Natural Heritage Officers are responsible for their maintenance which can include gritting them when the weather is cold. See Maps 2 to 5 for the current layout of the four principal car parks and their path access.

#### Summary of car parks and problems at each one:

**Flotterstone car park** (EH26 OPP) is located near Penicuik on the east side of the Pentland Hills and is the Regional Park's largest car park with 72 spaces. It has a small café in the old visitor centre, which has become very popular. It is the most popular location for tourists from outside Edinburgh and is regularly used by overnight leisure users. Car displacement leads to parking on the A702 trunk road and double parking at the entrance to Flotterstone, meaning that residents and agricultural users can become trapped. There is also an entrance to Glen Road which is for residents, farmers and fishery clients or managers only, but is regularly being accessed by visitors looking for a car parking space closer to their destination.

**Bonaly car park** (EH13 OPB) sits at the end of a dead-end road and is one of the smallest car parks in the PHRP but is very popular and frequently reaches capacity. Frequent users include dog walkers, walkers, cyclists and runners. It has 25 spaces in the upper car park and 30 in the lower car park. It has no space delineation and no blue badge provision. There is an overflow parking area that is unsurfaced and regularly becomes unfit for use due to muddy conditions. Displacement parking occurs in the passing places on the access road and puts pressure on a Scout Camp and alpaca business that are located on the same road.

**Harlaw car park** (EH14 7AS) is located next to Harlaw Reservoir and Harlaw House Visitor Centre, popular with walkers, cyclists, anglers and horse riders and is also used by overnight leisure users. It is a small car park, with 34 spaces and approximately 20 informal spaces along an access track which is not within the City of Edinburgh Council's ownership (there is a landowner agreement in place for use as car park access) and reaches capacity most days. Parking bays are not effectively delineated leading to the available space not being utilised to their full potential. A car counter installed in July 2020 counted 27,133 cars in a 57-day period up to 3rd September 2020 (an average of 476 vehicles per day), highlighting how popular this site is for vehicle access and that parking demand is greater than supply. Displacement parking occurs along the access track to the car park, where at times access can be blocked for farm machinery due to inappropriate parking. Displacement leads to people parking on the narrow country road leading to the car park, causing disruption to agricultural vehicle access and putting pedestrians, cyclists and horse riders at risk.

**Threipmuir car park** (EH14 7JT) is next to Threipmuir Reservoir and is popular with swimmers, other water sports enthusiasts and is used by overnight leisure users. It has 53 spaces, reaching capacity most weekends. Over the last year PHRP Officers have reported that this now happens frequently during the week too. Once full, cars often park on the narrow road leading to the car park, causing access problems for residents and are concerned that emergency vehicles would be delayed or not be able to reach their properties. Displacement parking also causes disruption to agricultural vehicle access and puts pedestrians, cyclists and horse riders at risk from road traffic. Some space in the car park is wasted due to poor delineation of parking spaces.

# MAP 2 THREIPMUIR: EXISTING CAR PARK LAYOUT

1:500 at A3 ΔN



## NOTES

- Approximately 47 car parking spaces provided in existing layout

# MAP 3 HARLAW: EXISTING CAR PARK & FOOTPATH LAYOUT

1:500 at A3 ΔN



## NOTES

- Approximately 32 car parking spaces provided in existing layout plus 3 blue badge spaces
- One way system in operation



**pentland hills**  
regional park



# MAP 4 BONALY: EXISTING CAR PARK & FOOTPATH LAYOUT

1:500 at A3 Δ N



## NOTES

- Total number of car parking spaces approximately 28; unmarked.

# MAP 5 FLOTTERSTONE: EXISTING CAR PARK & FOOTPATH LAYOUT

1:500 at A3 ΔN



## NOTES

- Approximately 99 car parking spaces provided in existing layout plus 3 blue badge spaces

## PUBLIC CONVENIENCES

There is a lack of toilet facilities in the PHRP, with only two toilets, which can lead to negative aesthetic and environmental impacts of human waste in the open. The existing toilets are located at Flotterstone Car Park where there is also a café, and at Harlaw House Visitor Centre. Covid-19 saw these public toilets shut, primarily because they are in the same building as a café and visitor centre.

Harlaw House Visitor Centre contains one toilet leading to a septic tank. Before Covid-19, Natural Heritage Officers observed that there were frequently long queues of people waiting to use this single toilet. It was also used by recreational users, including wild campers.

Natural Heritage Officers have to deal with the consequences of open defecation, with the associated health dangers. Anglers have reported campers defecating in Harlaw Reservoir, leading to a reluctance to eat caught fish in the area. The PHRP have recently created a dedicated page to the subject on their website at <https://www.pentlandhills.org/poo>.

Flotterstone Café has to provide public toilets to visitors: one male toilet block (one WC and urinals), one female toilet block (two WC) and one accessible toilet (one WC). The cleaning and maintenance of these facilities are the responsibility of the café owner. Due to the cost of the enhanced cleaning regime due to Covid-19, Midlothian Council have only agreed to re-open the accessible toilet during the café opening times.

## CAMPING

Although people have camped for many years within the PHRP, in recent years there has been a notable increase, particularly on weekends with good weather. This has escalated further during the pandemic, with many now visiting in larger groups and exhibiting significant levels of antisocial behaviour, a trend occurring across Scotland and the UK. Evidence from staff engaging with these groups is that some are visiting from other parts of Scotland specifically to camp in these areas. Most of this activity is focused in the woodlands around the City of Edinburgh Council owned reservoirs at Harlaw, Threipmuir and Bonaly, and within the lower woodland area of Bonaly Country Park.

The work of the Regional Park team is dedicated to providing visitor and land management services that allow people to enjoy the landscape and wildlife of the Pentland Hills without damaging its environment. Services provided by the team enable people to engage with nature, take physical exercise and participate in outdoor recreational activities. Protection of the high-quality upland environment that people come to enjoy is therefore a key role of the Regional Park.

The Land Reform (Scotland) Act 2003 states that people can exercise access rights for recreational purposes. Although it does not define "recreational purposes", the SOAC gives examples of active pursuits, which includes wild camping. Guidance on wild camping states that it should be lightweight, done in small numbers and only for short periods in any one place, and that the "leave no trace" ethos applies. Although wild camping can be carried out wherever access rights apply, much of what takes place in the PHRP does not fit with this guidance.

Pressure points and issues include:

- Under-age drinking.
- Dangerous activity in reservoirs (swimming / jumping off tower structures/ use of inflatables).
- Destruction of trees cut down for firewood with some left in a dangerous condition.
- Removal of deadwood from the forest floor which destroys valuable and sensitive habitat.
- Littering, including broken glass and human waste.

- Abandoned fires / badly extinguished fires or barbecues leading to high fire risk, sometimes for days after the fire has been abandoned.

## VISITOR CENTRE, INFORMATION POINT AND CAFE

There is a visitor centre at Harlaw Reservoir which holds a 3-star Visit Scotland visitor attraction accreditation.

There is also an information point and café Flotterstone.

Threshold information panels have been installed at each main entrance into the car parks to welcome visitors and give site information (including SOAC).

## EXISTING COMMUNICATIONS & COMMUNITY ENGAGEMENT

The PHRP produces a monthly e-newsletter called the Pentland Beacon which gives valuable updates about Covid-19 measures put in place, progress reports on key strategic pieces of work and PHRP projects. It also provides a platform for Police Scotland to promote their various operations. It goes to farmers, land and fishery managers, Pentland Hills residents, elected members and business owners operating within the Regional Park.

The PHRP has a Facebook page which is used to promote their website, SOAC and other key information to visitors to help them prepare for their visits. Occasionally, the team will use Edinburgh Outdoors' Twitter page to get messages to visitors.

The governance of the PHRP is quite comprehensive; following a Minute of Agreement between the City of Edinburgh, Midlothian and West Lothian Councils, the PHRP Joint Committee (JC) steers and makes decisions for the PHRP team to deliver. The Consultative Forum meets once to twice a year to provide recommendations/ opinions on certain proposals or issues which assist the decision-making process by the PHRP JC. The Consultative Forum is made of a range of stakeholders such as Historic Environment Scotland, Scottish Water, Friends of the Pentlands and outdoor recreational/sports pursuit groups. Another group which meets once to twice per year which also feeds in recommendations to the PHRP JC, is the Farmers & Landowners group.

The PHRP also works closely with the Friends of the Pentlands to deliver funded projects and coordinate work parties and volunteers.

## PUBLIC ENGAGEMENT AND REPORTS

### PUBLIC ENGAGEMENT REPORT 2020

From November to December 2020 the PHRP ran an engagement exercise to gather public opinion on problems with parking, path access, toilet facilities, car park charges and camping facilities and associated antisocial behaviour. The engagement received 1,872 online responses and a full summary of the results can be found here:

[https://consultationhub.edinburgh.gov.uk/sfc/pentland\\_hills\\_regional\\_park/results/accessandcampinginthepentlandhillsregionalpark-results.pdf](https://consultationhub.edinburgh.gov.uk/sfc/pentland_hills_regional_park/results/accessandcampinginthepentlandhillsregionalpark-results.pdf)

A full report of the public engagement exercise showing exact results per question, but excluding comments, can be found here:

<https://www.pentlandhills.org/downloads/download/20/results-of-2020-engagement-exercise>

## BRIEF SUMMARY OF PUBLIC ENGAGEMENT REPORT 2020

### PARKING/PATH ACCESS

Public response: The four pressure points identified were Harlaw, Threipmuir, Bonaly and Flotterstone car parks. There was support for improvement at these car parks and a significant majority of respondents said they would be more likely to travel actively to these car parks if more path links were created.

PHRP response: Work will be carried out at these car parks to expand and improve them, and improvements will be made to path access.

### CAMPING/ANTISOCIAL BEHAVIOUR

Public response: There was significant support for creating an eco-campsite and for hiring a new Warden at Harlaw Reservoir to help with the enforcement of Park Management Rules to try and remedy antisocial camping behaviour in the area.

PHRP response: The creation of an eco-campsite is being investigated and it is hoped seasonal wardens for the area will be hired.

### TOILET FACILITIES

Public response: A majority said they would be willing to pay around 50p for the use of stand-alone zero-discharge toilets at the four principal car parks as well as at the proposed Harlaw eco-campsite.

PHRP response: The PHRP are awaiting a decision from Visit Scotland on a grant funding application to the Rural Tourism Infrastructure Fund (RTIF) for the provision of new toilet facilities at the principal car parks and at the proposed Harlaw eco-campsite.

### CHARGING AT CAR PARKS

Public response: A substantial number of respondents agreed or strongly agreed that there should be car park charges and that these charges should go towards PHRP infrastructure. Just over half supported an annual charging scheme.

PHRP response: Car park charges at the four main car parks, the creation of an annual charging scheme and how best to maximise the reinvestment of revenue back into the PHRP, is being investigated.

## PENTLAND HILLS REGIONAL PARK JOINT COMMITTEE REPORTS 2021

The Public Engagement Report 2020 was presented to the PHRP Joint Committee in January 2021 and four reports were produced for perusal by elected members and the public in the context of an application to RTIF.

The full reports can be found here:

<https://democracy.edinburgh.gov.uk/ieListDocuments.aspx?CId=166&MId=5868&Ver=4>

## SUMMARY OF KEY POINTS FROM THE REPORTS

### CAR PARK INVESTMENT

The Committee agreed the level of investment required for the improvement and upgrade of the four principal car parks.

Access to the Regional Park's hills by motor-vehicles is ever-increasing, with visitor surveys (1998, 2006, 2018) showing that 85% of visitors travel by car and the pressure on the limited parking resource has increased year-on-year. These problems are particularly stark at the four principal car parks which regularly reach full capacity, resulting in significant vehicle displacement. This is detrimental to relationships with adjacent farmers and land managers and there have been calls for improvements by visitors and nearby residents who are impacted by displacement parking.

However, there is some encouraging news, there has been an increase in people who are travelling actively, such as walking and cycling, to the Regional Park. The online public engagement exercise in 2020 showed a change in trend from people using motor-vehicles to visit the hills, with a decrease from 85% of people using motor-vehicles between 1998 and 2018, to 52% in 2020. This is in line with the increase witnessed by the PHRP team as a result of the Covid-19 pandemic.

The increase in people traveling actively will be encouraged through additional bicycle rails at the four principal car parks and an increase in safe and good quality access paths. In order to rectify other parking related problems, funding is needed to improve surfacing, space marking, vehicle manoeuvrability, capacity and signage, as well as have additional disabled parking provision. To address inconsiderate parking outside of the designated car parks which is outside of the Regional Park's control, the relevant Roads Authority will need to introduce and enforce appropriate measures, such as parking restrictions through yellow-lining and/or Road Traffic Regulation Orders. Police Scotland's Roads division has an input into the proposal of new Orders by local authorities but does not decide or enforce them. They can however intervene when dangerous parking or road obstruction takes place on roads.

### SUSTAINABLE ACCESS

The Committee supports the measures proposed to improve sustainable access to the Regional Park and mitigate the impact of car parking displacement in the surrounding area. These include:

- Improving paths from local communities to the Regional Park
- Explore the provision of a shuttle bus service from the local communities

The PHRP already encourages and promotes sustainable transport through a number of bus routes. There used to be a shuttle bus taking people to the hills a long time ago, but the service stopped due to the cost of subsidising it. There are paths from the settlements in the PHRP and the 2020 Public Engagement Report suggested that 17% of park users walk or run and 12% cycle. This is an improvement when compared to the 2005/6 visitor survey which recorded that only 3% walked and 8% cycled.

#### **Improving paths from local communities to the Regional Park**

The creation of new paths has been investigated but a lack of funding has prevented the projects being taken forward.

Some paths have been improved in recent years thanks to funds raised from the [PHRP donation scheme](#).

The Edinburgh and Lothians Greenspace Trust has recently completed The Pentland to Portobello Active Travel Feasibility Study, which aims to create a new pathway from Lothian Burn near Swanston to the coast at Portobello. The project will provide the South East of Edinburgh with a green way which will mirror the Water of Leith Walkway, providing a welcoming safe route to travel off-road to and from the countryside.

Bike racks have been added at all the major entrances to the Regional Park which are listed below, and more are planned to be put in at Harlaw and Bonaly Country Park:

- Flotterstone
- Hillend
- Swanston
- Bonaly
- Harlaw
- Threipmuir

The 2020 Public Engagement Report suggests that an increasing percentage of park users are choosing alternative modes of transport other than cars to reach the hills. Furthermore, a significant number of respondents said they would use a path instead of a vehicle to access the Regional Park if more paths were created. The improvement or creation of paths to the places where car parking is an issue and where there is a large population nearby, should therefore be given priority.

Recommended path routes include:

- Penicuik to Flotterstone
- Bonaly to Bonaly Country Park
- Currie/Balerno to Harlaw
- Balerno to Threipmuir

### **Extending present bus services**

Due to the narrow nature of the road and lack of turning place, the only bus route which could provide a better service to the Regional Park is the Lothian bus No. 4. Due to the current pandemic, extensions are not currently possible, but should be investigated at a later date.

### **Providing a shuttle bus service from the local communities**

A significant number of respondents were against the introduction of a shuttle bus. Furthermore, funding may be limited.

### **Next steps:**

- There are already some paths that link the Regional Park with surrounding communities. These should be publicised more and some need to be better signposted in agreement with the landowners.
- It is clear that many residents of Currie and Balerno drive to Harlaw and Threipmuir car parks rather than travel actively. The priority should be to provide routes to and from these places. Landowner approval is required, and funding will need to be secured.
- Advice from the City of Edinburgh Council Roads Team would be sought on whether the construction of a pavement for pedestrians to use along both Harlaw Road and Mansfield Road would be possible. Making these roads safer for pedestrians and cyclists by reducing

the speed limit from 60mph, and some form of segregation for cyclists will also be investigated.

- Various groups have an interest in improving routes to the Regional Park and they should be encouraged to work together to increase their chances of success. The PHRP team will set up working groups to progress access improvements.

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### CAR PARK CHARGING

The Committee supports the introduction of charging for the use of the Regional Park's four principal car parks.

The report considers the opportunity of charging for parking at the principal car parks making recommendations based on the engagement exercise carried out in 2020.

There was strong support for introducing car park charges from the 2020 engagement exercise, so long as the funds raised from the charges will be reinvested into maintenance of the PHRP.

#### **Next steps:**

Investigate the introduction of car park charges using a private contractor. Midlothian Council is to report back on its position with regards to the introduction of charging at Flotterstone. The City of Edinburgh Council agreed to the introduction of car park charging at Harlaw, Bonaly and Threipmuir.

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### IRRESPONSIBLE CAMPING

The PHRP JC agrees engagement, enforcement and eco-campsite measures will help reduce the impact of antisocial activities caused by irresponsible camping at Harlaw.

An increase in visitors to the PHRP and the recent health crisis has resulted in problems with irresponsible wild camping and with it, a rise in anti-social behaviour at Harlaw Reservoir. The SOAC is not being followed and significant amounts of litter and human waste are being left. Campers are also sourcing wood for campfires from living trees, and when going swimming are impacting on recreational anglers who pay to fish in the reservoirs.

Staff and volunteers carried out various activities to address these issues including communication activities. This was a considerable drain on staff and volunteer time and was not effective enough to stop the problem. Police Scotland also initiated a joint operation called Operation Boxy, which included PHRP officers, Water Bailiffs, Friends of the Pentland Hills and Scottish Water to tackle antisocial behaviour. Patrols were carried out from 8<sup>th</sup> - 30<sup>th</sup> August 2020 and 19<sup>th</sup> September 2020, during which 103 campsites were engaged and 370 other engagements were made, leading to 14 dispersals.

A good strategy which should help to address the problems of irresponsible camping and antisocial behaviour at Harlaw Reservoir is to increase the presence of responsible visitors, who often deter those who do not act responsibly. Establishing a formal, but low-level seasonal eco-campsite would provide responsible campers with adequate facilities between April and October; give a regular presence to deter irresponsible activities; raise income to help cover establishment and servicing costs; assist in applying Park Management Rules by offering a managed and inexpensive alternative to those seeking to camp in this beauty spot. The idea of an eco-campsite was supported by the public in the 2020 engagement exercise.

### Recommended facilities at the eco-campsite are:

- Staff presence, to keep the site tidy, monitor usage, manage issues and take bookings and payments which will be processed via an online booking system.
- Fire pits with tent pitch areas suitably set back from fire pits. Emergency fire / water buckets available next to each fire site.
- Wood available for purchase during the day.
- Zero-discharge toilets.
- A water supply for dishwashing/drinking purposes.

A RTIF application was submitted to Visit Scotland to resource the installation of toilet facilities at Harlaw Reservoir where the eco-campsite is to be located should planning permission be granted.

### Next steps:

- Determine outcome of eco-campsite planning application and proceed with securing resources for construction of facilities if approved.
- Establish seasonal warden post(s): Explore options for PHRP to recruit if supported by the City of Edinburgh Council's Workforce Panel or explore the idea for a not-for-profit venture run by a Community group.
- Investigate with Police Scotland or the City of Edinburgh Council Street Wardens options for legal powers and/or joint working in order to successfully enable enforcement of Park Management Rules.
- Investigate partnership working with Edinburgh, Midlothian & West Lothian secondary schools. Design and deliver an education programme prior to school holidays.
- Install managed camping pitches with associated facilities.
- Determine rules associated with using the eco-campsite (e.g., music, group size, fires etc).
- Investigate data protection rules in relation to patrols noting down contact tracing details for campers.

## AIMS AND OBJECTIVES

1. Ensure the PHRP is a welcoming and accessible place for visitors.
2. Maintain all health and safety protocols for prevention of transmission of Covid-19 until it is no longer necessary.
3. Maintain the PHRP as a clean, safe and secure place for visitors, farmers, landowners, fishery managers, business owners and residents.
4. Increase and improve communications with local and rural communities, visitors and various stakeholders.

## ACTION PLAN

### SHORT-TERM ACTIONS

Considerable effort is underway to prepare for spring and summer 2021, in particular to provide staff on the ground, temporary toilets, temporary extra parking space, and ensure that facilities can be opened safely to visitors.

These short-term actions aim to help deal with the current problems which have been highlighted until the longer-term actions can be implemented.

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## CAR PARKING & TRAFFIC MEASURES

The PHRP is exploring the idea of pop-up car parks and is looking at funding options to carry out some emergency repairs on car parks. They are also looking at how to create safer access for pedestrians and cyclists by installing segregated lanes and signage.

Discussion with Transport Scotland has resulted in the creation of a permanent clearway along a section of the A702 near Flotterstone car park and along the slip road between the Edinburgh bypass and Dreghorn car park.

The City of Edinburgh Council Roads team has installed a section of double yellow lines outside Threipmuir car park to discourage irresponsible parking which impacted farm machinery access.

The PHRP are looking at deploying advisory signage and traffic cones along access roads to discourage irresponsible parking. Funding is being sought to recruit seasonal Visitor Operation staff to manage car parks and issue notes on cars parked irresponsibly.

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## TEMPORARY TOILETS & LITTER BINS IN KEY LOCATIONS

The PHRP are looking at funding opportunities to hire porta-loos at Harlaw, Bonaly and Threipmuir car parks and near Harlaw Reservoir between May and the end of October 2021. The enhanced cleaning of these facilities will be carried out by agency staff who will also manage the queue systems to lower the risk of Covid-19 infection, as per the City of Edinburgh Council's policy.

Funding will be sought to cover the enhanced cleaning cost for the re-opening of all facilities and the management of queue systems at Flotterstone.

The PHRP team is also exploring a funding opportunity to install recycling facilities at Harlaw and Flotterstone, which will cover the cost of servicing them via private contractors.

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## CAMPING

Regional Park Officers engage with all campers they come across to explain how to use the countryside responsibly, encouraging them to remove all rubbish and leave no trace. Where litter is left, staff and volunteers clear it away. This is a considerable drain on effective use of staff and volunteer time, which could otherwise be used to pursue other park duties and projects.

Fire lighting within woodlands is actively discouraged, and during periods of high fire risk this extends to all open fires within the Regional Park.

Responsible use messages are promoted using the Pentland Hills website and Facebook page, alongside posters and signs on site. Recent campaigns have highlighted ways to camp and how to toilet responsibly.

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## COMMUNICATIONS AND COMMUNITY ENGAGEMENT

There needs to be a PHRP communication strategy ahead of spring 2021 using different media and social media platforms, advising and informing people on how and when to plan their visit to the PHRP and how to do so responsibly. This will help improve visitor enjoyment and prevent friction with the Regional Park's residents, landowners and people who work there. Messaging should be clear, consistent and strong in providing local guidance on responsibilities while also providing a positive welcome to Scotland.

The communication strategy should take its lead from the national Visitor Management Strategy who have developed:

- A high profile and inspirational welcome campaign for visitors, including high level messages about responsible enjoyment.
- High profile, co-ordinated promotion of the SOAC messages on key topics such as camping, fires and litter by a range of partner bodies, for a range of target audiences including young people.
- A communications toolkit for partners and industry to support these campaigns.
- Outreach to local communities through destination organisations, sector groups and enterprise agencies.

Communications through social media needs to be increased and improved to target harder to reach groups that are not already engaged through the more traditional media used by the PHRP. These include groups that are using the Regional Park for such things as wild camping and mountain biking which can have a detrimental impact on the Park's infrastructure. A social media strategy should be created along with press releases and posters. This will compliment Visit Scotland's responsible tourism campaign.

The PHRP launched a Visitor Management Action Group in March 2020, reaching out and inviting key partners to discuss realistic and achievable goals to assist with visitor management in the short and long-term. This group is producing an Action Plan which will serve to evidence visible progress with visitor management. It will also ensure a closer partnership between a range of key partners and work on problem-solving using existing resources or seek more if needed. This group will also reassure stakeholders (including local communities) that the issues that arose in 2020 are being addressed. The Action Plan will be integrated into this Visitor Management Plan and will aim to be a dynamic and working document, designed to respond to challenges as they arise and to reduce the negative impacts visitors have as a result of inadequate infrastructures, services and resource.

Young adults will be engaged with through their secondary schools to educate them on how to access the hills safely and responsibly. The PHRP has reached out to various key partners to provide videos and resources which will be promoted and made accessible to teachers via the PHRP website. So far, videos which will be used include Scottish Water's "reservoir safety", the Ministry of Defence's "safe public access near fire range areas" and the Fire & Rescue Service's "fire safety".

An ambassador role within the Regional Park is being investigated to increase the profile of the Park. This role would be voluntary and would help to promote responsible access to visitors, which would be especially needed during the spring and summer of 2021.

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#### HEALTH AND SAFETY/ CRIME & ANTI-SOCIAL BEHAVIOUR

A new West Lothian Partnership Against Rural Crime (WPARC) has been set up and will be a welcome support to the existing Midlothian Partnership Against Rural Crime (MPARC), which seek to drive down rural crime in the PHRP and surrounding areas. These partnerships will improve multi-agency collaboration in key visitor hotspots and are co-ordinated by Police Scotland. Attendees include Midlothian Council, West Lothian Council, Scottish Land and Estates, National Farmers' Union Scotland, Scottish Fire and Rescue and PHRP officers.

The PHRP works closely with the Midlothian and West Lothian Councils, as well as South West Edinburgh Police teams and issue weekly briefing notes ahead of weekends on issues noted by PHRP Officers when out on patrols.

In addition, Police Scotland coordinate operations throughout the year to tackle anti-social behaviour and wildlife crimes.

## LONG TERM ACTIONS

It is predicted that visitor numbers to the PHRP will continue to grow even after Covid-19. To help address the problems that arise due to increased visitor numbers, longer-term actions are needed and are detailed in the following section.

### CAR PARK AND PATH INFRASTRUCTURE

An application to Visit Scotland's Rural Tourism Infrastructure Fund (RTIF) was submitted in March 2021. The potential funding is proposed to be used to improve existing car park infrastructure across the four busiest car parks in the PHRP - Harlaw, Threipmuir, Bonaly and Flotterstone. The intention is to repair damaged parking bays, increase parking provision and improve traffic flow, nearby footpaths, signage/interpretation, install cycle racks, a public bike pump and repair stations and electrical vehicle (EV) charging points.

#### **Proposed improvements at the principal car parks and path infrastructure (major pressure points in the PHRP)**

**Threipmuir car park (Map 6):** Improve signage, restructure and expand the car park to create 34 new spaces (total capacity 76 spaces) and provide four blue badge spaces along with an (Automated Number Plate Recognition) ANPR and car park charging system. Improvements will include three new bike stands, a public bike pump and repair station and two EV charging points.

Strategic approach: Continue to promote local public transport links and investigate options for improving signage from the nearest bus stance in Balerno. Work with the community to promote and improve off-road routes.

**Harlaw car park (Map 7):** Restructure and expand the car park to create 34 extra spaces (total capacity 70 spaces), create five blue badge spaces, a one-way system to manage traffic flow, install signage, an ANPR and car park charging system. Improve the off-road path adjacent to the car park to provide safer access for pedestrians, cyclists and horse riders. Upgrade the path to Harlaw House Visitor Centre and re-align path through the car park to increase the provision for social distancing and access for all. Install four bike stands, a public bike pump, a repair station and one EV charging point. A barrier at the start of the access road will be installed if car park closure is required.

Strategic approach: Improve off-road paths that link nearby Currie and Balerno to reduce pressure on the car park. Continue to promote local public transport links and investigate options for improving signage from the nearest bus stance in Balerno. Four new bicycle racks are scheduled for installation in 2021 as part of the active travel programme.

**Bonaly car park (see Map 8):** In 2019, the City of Edinburgh Council acquired land on the periphery of Bonaly Country Park that was previously leased to create weekend parking provision. The land is currently not fit for purpose as it is a small grassy field with little hard standing areas. It cannot be opened in winter or during wet weather as cars get stuck in the mud. It is not currently suitable for disabled access due to the gradient and lack of surfacing. The proposals are to restructure the current car park to incorporate the newly acquired land resulting in a total of 59 spaces including three blue badge spaces and three motorcycle spaces. A car parking charging system and improved signage will also be installed. Improvements will include 10 bike stands (five at the upper and five at the lower car park), a public bike pump and repair station and one EV charging point. The narrow access road will also be improved to create a segregated lane for pedestrians, cyclists and horse riders and will discourage irresponsible parking. The improvement of the path infrastructure will allow for increased social distancing and access for all.

Strategic approach: Improve the off-road path to provide safer access for pedestrians, cyclists and horse riders to the Country Park entrance. Continue to promote local public transport links. Four new bicycle racks are scheduled for installation in 2021 as part of the active travel programme.

**Flotterstone car park (see Map 9):** Install an ANPR, car park charging system, and a barrier at the start of the private road to alleviate pressure from unauthorised vehicle access. 10 new car parking spaces will be created to replace those lost on the approach road to the car park due to pedestrianisation, parking space delineation, one-way signage and two EV charging points. The improvement of the path infrastructure from the car park along the Mystery Glen path will allow for increased social distancing and access for all as it is currently uneven and narrow. There will also be 8 bike stands and a public bike pump and repair station.

Strategic approach: The PHRP worked closely with Transport Scotland to install a permanent Clearway on the A702 in December 2020 to prevent displacement parking. Funding is being applied for by the Midlothian Council to the Regional Bus Partnership Fund for extra bus routes servicing Flotterstone (SESTRANS).

**Future aspirations include:**

- Landscape design elements which could incorporate seating, similar to the stone dyking at Bonaly where seating is built in, and like the Hermitage of Braid walled garden seat.
- Public water fountains to refill water bottles.
- Dedicated picnic and barbecue areas.

# MAP 6 THREIPMUIR: CAR PARK PROPOSALS

1:500 at A3 ΔN



## NOTES

- 34 extra car parking spaces and one blue badge space
- Area of proposed car parking area is 787.38m<sup>2</sup>, and of this 324.17m<sup>2</sup> is car parking spaces



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regional park



# MAP 7 HARLAW: CAR PARK & FOOTPATH PROPOSALS

1:500 at A3 ΔN



- 1 Install four passing spaces
- 2 Install a new footpath
- 3 One way system in operation
- 4 34 extra car parking spaces
- 5 Pathway realigned
- 6 Two zero-discharge toilets
- 7 5 new blue badge spaces
- 8 Convert the 3 existing blue badge spaces into 4 car parking spaces

## NOTES

- Upgrade link path to Harlaw House Visitor Centre
- Two of the 4 new passing places shown; equally spaced along access lane

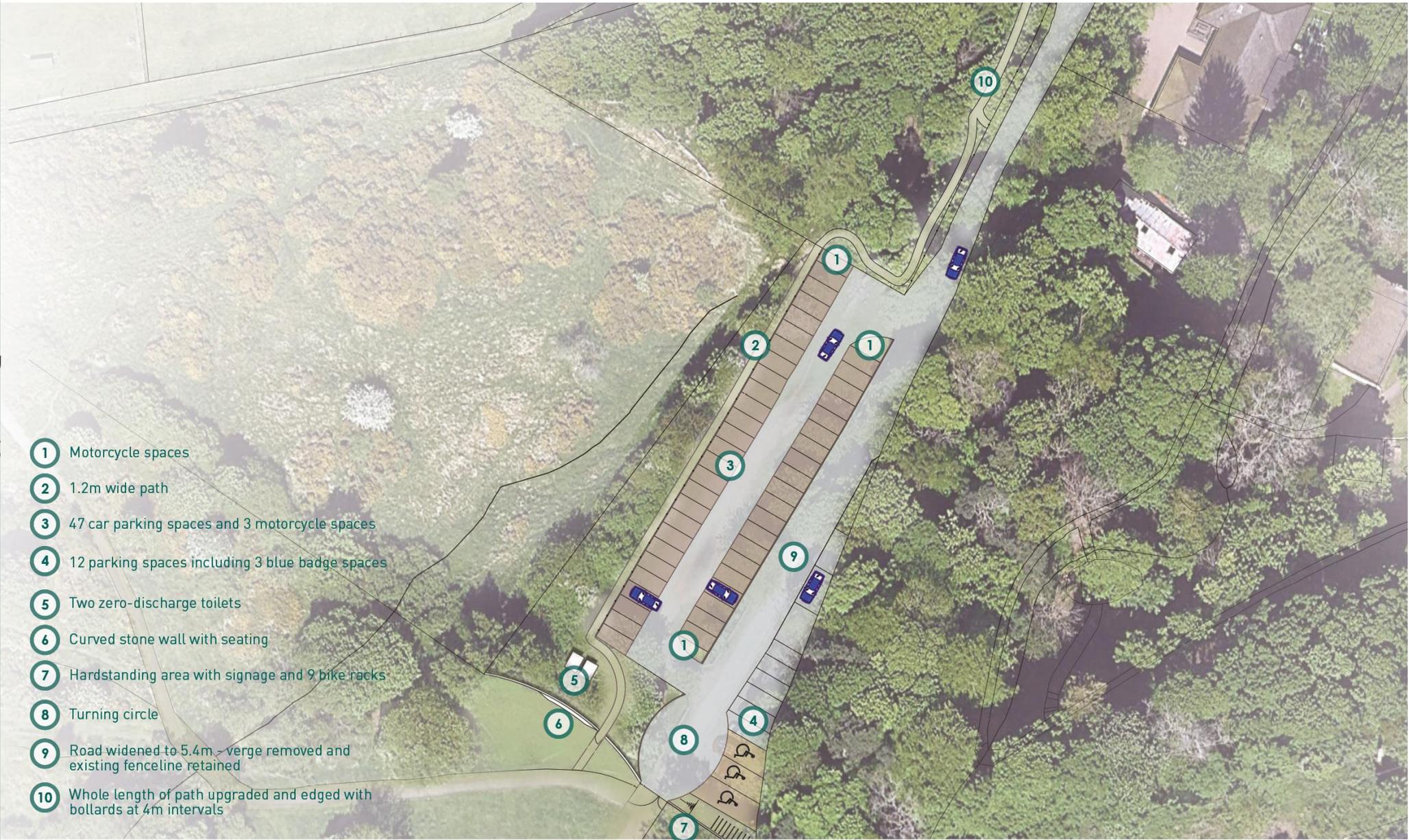


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# MAP 8 BONALY: CAR PARK & FOOTPATH PROPOSALS

1:500 at A3 ΔN



- 1 Motorcycle spaces
- 2 1.2m wide path
- 3 47 car parking spaces and 3 motorcycle spaces
- 4 12 parking spaces including 3 blue badge spaces
- 5 Two zero-discharge toilets
- 6 Curved stone wall with seating
- 7 Hardstanding area with signage and 9 bike racks
- 8 Turning circle
- 9 Road widened to 5.4m - verge removed and existing fenceline retained
- 10 Whole length of path upgraded and edged with bollards at 4m intervals

## NOTES

- Bollards placed at 4m intervals along the whole length of the path between footpath and road
- Full extents of upgraded footpath extends to existing point of connection with road



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# MAP 9 FLOTTERSTONE: CAR PARK & FOOTPATH PROPOSALS

1:500 at A3 ΔN

- 1 Improve footpath to accessible path
- 2 Install bollards
- 3 Refurbish the car park: re-tar existing roads, re-define parking spaces using painted wooden dividers
- 4 Two zero-discharge toilets
- 5 Possible new barrier across road



## NOTES

- Double yellow lines will be painted on the south side of the access road
- Installation of bollards to separate pedestrians from vehicular traffic is being investigated
- A barrier across the road after the visitor centre is being considered, in dialogue with landowners

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## CAR PARK CHARGING

The upgrading and expansion of the principal car parks will enable a charging regime to be put in place. The income generated will be used for the ongoing maintenance of these car parks and for the improvement of path infrastructure projects. The introduction of mandatory car parking charges at the principal car parks is estimated to generate between £70,000 to £150,000 (ex VAT) per year in revenue.

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## SUSTAINABLE ACCESS

Trial low-cost, low carbon and integrated transport solutions at key locations to help reduce traffic management and parking issues.

Install EV charging points at all principal car parks.

Install public bike pumps and repair stations at each principal car park along with more bicycle stands.

Improve paths at main access points and create segregated lanes to encourage safe access for walkers, cyclists and horse riders.

Promote existing bus routes and local path networks widely.

---

## PROVISION OF PUBLIC CONVENIENCES

Install unisex and accessible zero-discharge toilets at the main principal car parks and proposed Harlaw eco-campsite, helping to stop outdoor toileting in these popular hot spots.

An application to Visit Scotland's RTIF has been submitted for the installation of unisex and accessible toilets at three of the principal car parks and near Harlaw Reservoir.

### Proposed location of toilets

**Bonaly car park:** Two toilets - this site is utilised by overnight leisure users.

**Harlaw car park:** Two toilets - this site has a single toilet 500m away from the visitor centre which is not suitable for demand. The toilets will be located in the car park which is used by overnight leisure users.

**Harlaw Reservoir:** Two toilets, located on the edge of the reservoir.

**Threipmuir car park:** Two toilets, located in the grounds of the car park. The car park is used by overnight leisure users.

### Accessibility

Toilets will be accessible from ground level with no steps. At least one of the two toilets at each location will be wheelchair accessible. Solar lighting will be present at all locations and instructions for use will be highly visible and accessible.

Toilets will be open all year round.

### Maintenance

Toilets will require daily cleaning, seven days a week. They will also require sludge extraction every six months, and ongoing maintenance to cope with any damage or wear and tear.

## Finance

There will be a charge of 50p to use the toilets which will be possible to pay by card. Takings will be used to fund their twice-yearly emptying.

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## HARLAW ECO-CAMPSITE

The creation of an eco-campsite at Harlaw Reservoir will help reduce antisocial behaviour and littering at this popular wild camping destination. A defined camping area with camping actively discouraged at other areas will help other recreational users, such as walkers, cyclists, and anglers, once again to enjoy the area without feeling unsafe or risk their children or dogs encountering hazardous human waste, or litter such as broken bottles.

The eco-campsite will be located in a small area along the reservoir-side, adjacent to Harlaw Reservoir (See Maps 10 and 11). To provide for a wide range of access needs, it will be located along a flat tarmac footpath with only some uneven ground close to the reservoir. Access to the campsite will be enhanced by footpath improvements too.

It is envisaged to be low-key and seasonal at first to gauge its effectiveness. There is the potential to adopt the scheme at Bonaly Country Park at a later date if successful. The income generated will assist with the employment of wardens who would patrol Harlaw Reservoir to deter camping in other areas and promote responsible camping in the designated eco-campsite using existing Parks Management Rules. They would also keep the site tidy, monitor its usage, manage issues and take bookings and payments via an online booking system.

**Facilities/infrastructure would include** (also see Maps 10 and 11):

- 2 x unisex accessible zero-discharge toilets
- 1 x woodstore for firewood
- Fire pits
- BBQ areas
- 9 x designated camping areas
- Fencing to demarcate the eco-campsite area
- Signposting and interpretation panels
- 1 x warden/accommodation office at Harlaw House

## Safety

Fire pits must be set back from tent areas and emergency fire/water buckets available next to each pit.

A discussion with Police Scotland and the City of Edinburgh Council Street Wardens should be held to look at options for legal powers and/or joint working in order to successfully enable enforcement of Park Management Rules.

Data protection rules must be met in relation to patrols noting down contact tracing details for campers.

## Finances

There would be a charge of £5 per person and there would be additional income from sales of firewood. Takings would be used to employ seasonal wardens.

The campsite would be open for seven months, from April until October with a capital cost of £29,000 plus £3,500 in kind. Anticipated takings for seven months are £15,000. The cost of paying a Warden for seven months is £14,000 incl. NI, £1000 firewood.

### **Community engagement**

Community enterprises selling such things as food and wood will be considered.

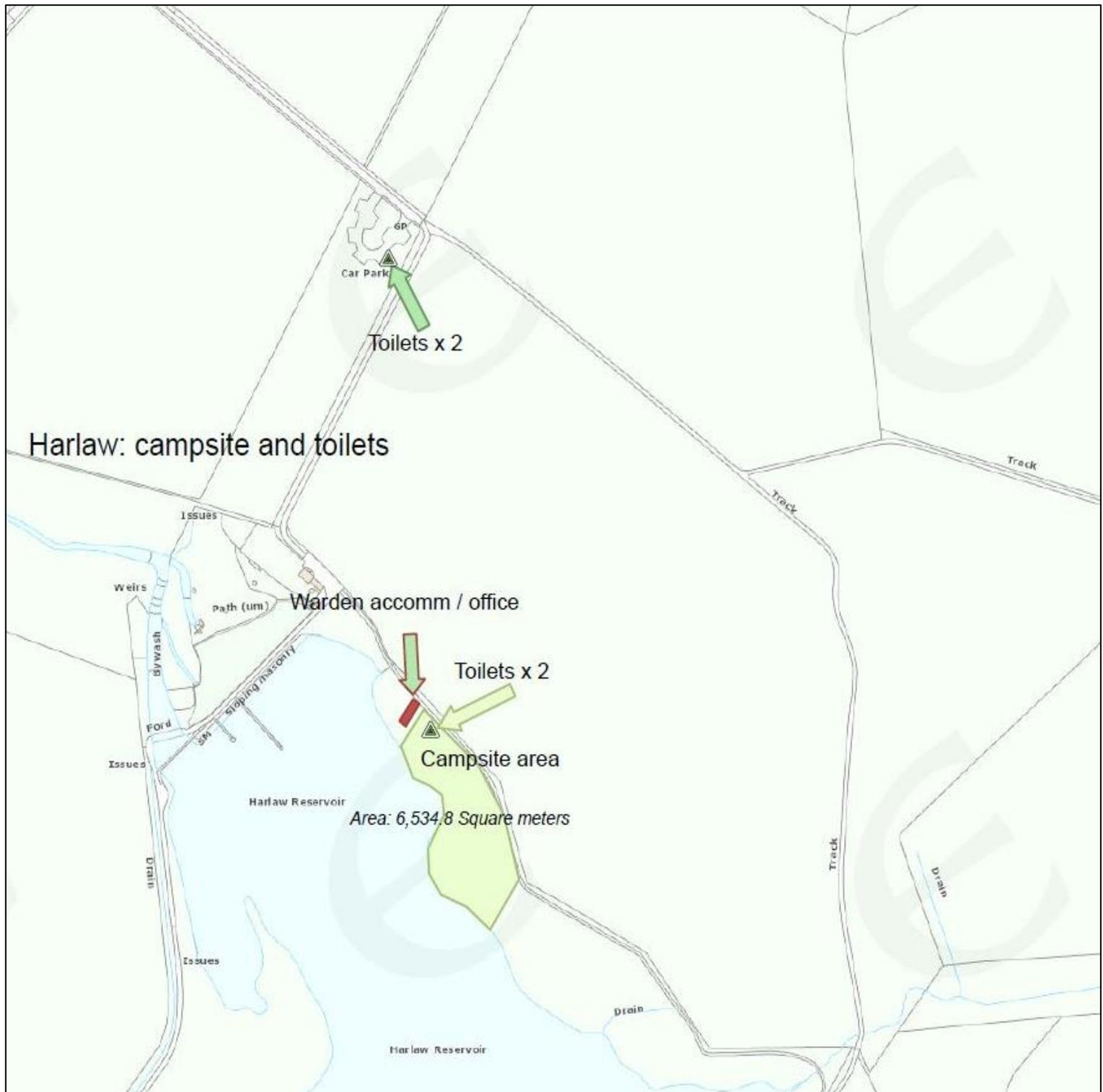
A partnership could be set up with Edinburgh secondary schools to design and deliver education programmes prior to school holidays.

The utilisation of Harlaw House in the context of the eco-campsite will be explored including such things as a shower block, dish washing facilities and warden welfare facility.

The option of a wider commercial let package with a café concession and running of the eco-campsite will be explored.

DRAFT

MAP 10: ECO-CAMPSITE LOCATION



Postcode: EH14 7AS



<p><b>EDINBURGH</b> THE CITY OF EDINBURGH COUNCIL</p> <p>PLACE PARKS, GREENSPACE and CEMETERIES Vernier Court 4 East Market Street Edinburgh EH3 6BH</p>	
<p>Title <b>Harlaw Campsite and Toilets</b></p>	
<p>North Grid Ref</p>	<p>Scale <b>1:1250</b></p>
<p>Date <b>17/11/2020</b></p>	<p>Drawn by <b>A. Grevers</b></p>
<p>Client <b>NH</b></p>	<p>Plan No. <b>HR1/2</b></p>

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## TECHNOLOGY

Some National Parks are planning to test the use of IT to provide better visitor information and to develop traffic management solutions, and this may be possible at the PHRP too.

Some technological approaches to visitor management, such as sensors to indicate car park availability, could be trialled. For example, a traffic light system to communicate on the PHRP's website the peak usage of car parks could be used. This technology could be made available at the principal car parks in conjunction with the introduction of car parking charges.

A new people counter tool, called wilderness sensors, is being trialled at other National Parks and Historic Environment Scotland estates to assist with the management of remote parks with limited resources. Wilderness sensors are able to operate using solar panels and a battery pack and communicate in real time number and directional data to park managers. The system is able to flag "mob effect" to a key contact by text or email, which would enable staff to react with immediate effect accordingly. This will help to prevent antisocial behaviour in otherwise remote and hard to monitor locations.

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## COMMUNICATIONS AND COMMUNITY ENGAGEMENT

The communications strategy which will be created in April 2021 will be built on to create a longer-term strategy.

This will include improving visitor information points, for example by installing changeable signage and interpretation.

There will also be the creation of a bespoke PHRP toolkit including posters and social media material to assist with communicating key messages to visitors.

There will be a marketing strategy promoting the parking donation scheme to encourage visitors to donate and help raise funds to improve infrastructure at hot spots.

The PHRP events and filming policy with landowners will be reviewed to ensure there is a clear process in place for event and filming organisers to send their enquiries in to the PHRP.

Links with secondary schools will be improved to ensure key resources are being passed to young visitors detailing how to access the hills safely and responsibly.

The consistency of communication between different agencies via the Visitor Management Action Group will be improved. For example, by sending a cascade of 'ice alerts' or 'high risk of fire' so that all partners can deliver timely and consistent messaging to visitors.

A series of free and chargeable webinars will be developed so the public, key agencies and staff can learn about key topics such as the history of the hills and responsible camping. It will also provide an opportunity for participants to ask questions.

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## HEALTH AND SAFETY/ RURAL CRIME & ANTISOCIAL BEHAVIOUR

Continue with Midlothian Partnership Against Rural Crime (MPARC), West Lothian Partnership Against Rural Crime (WPARC) and South West Edinburgh Police Scotland Activities.

Improve reporting of rural crime to 101.

### Waste Management

The Litter Bin Siting policy was passed by the City of Edinburgh Council (CEC) Transport and Environment Committee and outlines principles to be followed when choosing where litter bins should be located across the council area. This may include where practical, removing smaller bins and replacing them with fewer and larger waste units at entrance gates.

The benefit of this is that waste collection vehicles will no longer need to drive along footpaths to reach the bins, upholding public safety and avoiding damaging the grass. With fewer bins to empty the process is also operationally more efficient. The new Litter Bin Siting policy has the ultimate objective of locating the correct size and type of bin in the right place to reflect demand and changing usage patterns.

The CEC Waste & Cleansing Department is currently looking to review and potentially reduce the number of litter bins across CEC going forward as it looks at servicing schedules and capacity issues. It will also be looking to introduce various types and sizes of bins. Budgets will determine these outcomes.

### Public Transport

Funding is being applied for by Midlothian Council to the Regional Bus Partnership Fund for extra bus routes servicing Flotterstone (SESTRANS).

In 2019, Lothian Buses were asked if an extension of the No. 4 bus route to Flotterstone would be possible. For a seven day a week operation they would require a full financial backing of £450k to £510k per annum from a third party such as a local authority. They said they may consider a Sunday operation, although it is not easy to find drivers on Sundays. The current future plan is that the No. 4 bus will terminate at a new development called Destination Hillend, which will provide retail and hotel opportunities to the Hillend Snowsports Centre. These proposals may require investment in new or improved entry paths at Hillend.

Due to Covid-19, Lothian Buses has had its core bus network maintained using government funding. They advise that they do not feel it would be prudent, at the current time, to pursue an extension to Flotterstone/Penicuik.

### Staffing

Experience during 2020 has underlined the value of staff on the ground, including seasonal rangers to cover the peak visitor season (April/May to Sept/Oct). The additional resource will provide capacity for ranger services to promote SOAC messaging, manage visitor pressures and provide reassurance to communities that their concerns are being addressed. Staff should be co-ordinated on the ground between hotspots, and within and outside of the Regional Park. Recruitment to such posts is being actively progressed by the PHRP.

### Roads

**Review speed limit on access roads to the PHRP:** Assess and explore options on how best to reduce vehicle speeds along the narrow country roads, which are now regularly shared by pedestrians, cyclists, horse riders and motor vehicles, especially at Harlaw Road and Mansfield Road.

**Road lining:** Investigate where it would be best to implement Traffic Regulation Orders (TRO) in order to discourage car parking displacement along the access roads when Regional Park car parks are at capacity, or in the event of car park charges being implemented, notably at:

- Harlaw Road, particularly at Harlaw farm. Consideration should be taken on the best option to prevent irresponsible parking on passing places along Harlaw Road.
- Mansfield Road
- Bonaly Road/ Torduff Road
- A702 trunk road adjacent to Flotterstone - a clearway is now permanently in place since 18<sup>th</sup> December 2020 between Mauricewood roundabout and Castlelaw junction.

**Maintaining emergency vehicle access at all times:**

- **Threipmuir car park:** Consider increasing double yellow lines from outside the car park entrance to the entire length of Mansfield Road to prevent irresponsible parking which would narrow the access road to emergency vehicles and make walking, cycling and horse riding dangerous.
- **Bonaly car park (upper and lower):** Both Bonaly Road and Torduff Road have upper car parks with a dead-end and it is difficult for cars to manoeuvre once there. Options should be considered on how to discourage irresponsible parking along these access roads.

**Permanent road safety signage:** Consider the installation of permanent safety signage to alert vehicle users of pedestrians, cyclists and horse riders on Harlaw Road, Mansfield Road and Bonaly Road. This would help make these roads safer and encourage more visitors to walk and cycle to the Pentland Hills.

**Encourage sustainable access and active travel:**

- Consider the construction of a pedestrian pavement along both Harlaw Road and Mansfield Road to encourage safe access on foot and reduce the likelihood of conflict with vehicular traffic.
- The Bonaly access road leading from the lower to the top car park is narrow and well used by pedestrians, cyclists and horse riders, especially since the March 2020 lockdown. Consider putting this section of road forward for the “People for Places” Sustrans scheme and explore temporarily restricting vehicular access to local residential areas, the Scout Centre and alpaca business.

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## MONITOR IMPACT OF WORKS

As soon as new measures are in place surveys will be carried out to get people’s feedback of them and see what could be improved.

Public engagement surveys should be carried out in the winter of 2021 to see the impacts of new measures.

Once long-term actions, such as car park and toilet infrastructure, have been carried out, carry out public engagement surveys to see the impacts of the new measures.

## REFERENCE DOCUMENTS

### [Pentland Hills Regional Park Strategic Plan 2019-2028](#)

Key National Strategy: The coronavirus (Covid-19) framework for decision making - Scotland's route map through and out of the crisis - <https://www.gov.scot/publications/coronavirus-covid-19-framework-decision-making-scotlands-route-map-through-out-crisis/>

### **PHRP Joint Committees key papers:**

[Introduction of Charges for Car Parking - Informal Consultation Report, item 6 PHRP Joint Committee, 22 July 2011](#)

[Car Parking Charges Update, item 7 PHRP Joint Committee, 16 March 2012](#)

[Managing Increased Vehicular Access and irresponsible Camping in the Pentland Hills Regional Park, item 5.2 PHRP Joint Committee, 8 September 2020](#)

[Pentland Hills Regional Park Joint Committee Wednesday, 20th January 2021](#)

### **Publications:**

[“How to get to the Pentland Hills Regional Park by Bus” leaflet produced by the Pentland Hills Regional Park](#)

**Visitor surveys/ public engagement:** [Can be sent upon request](#)

“2005-06 Pentland Hills Visitor Survey”

“2014 Pentland Hills Visitor Survey”

“2018 Pentland Hills car parks Visitor survey”

[Public Engagement 2020 on “Access and camping in the Pentland Hills Regional Park”](#)

### **Reports:**

“Paths from Balerno to Threipmuir” by Lothian and Borders Greenspace Trust, June 2010. [PDF can be sent upon request.](#)

“Improving Access Routes Between the Pentland Hills Regional Park and Surrounding Communities” produced by Land Use Consultant, 2011. [PDF can be sent upon request.](#)

“Social Return on Investment Analysis: The value of countryside and visitor management services in the Pentland Hills Regional Park”, Greenspace Scotland report 2013. [PDF can be sent upon request](#)

“Applying the ecosystem approach to collaborative land use and management in the Pentland Hills Regional Park”, SNH, 2017. [PDF can be sent upon request.](#)

[“The Pentland to Portobello Active Travel Feasibility Study” by Edinburgh and Lothians Greenspace Trust 2020](#)

## Background

2020 was a challenging year for Edinburgh, Midlothian and West Lothian Local Authorities and their communities living in the Pentland Hills Regional Park (PHRP) due to high demand from the public to access the Regional Park following Covid 19 restrictions. The expectation is that the 2021 spring to autumn season will be busier. We are working with other partners to plan for and better manage these visitor pressures both this season and into the long term. This action plan set out to manage quick wins and develop strategic visitor management in the future.

## Short Term Challenges

The exact challenges for 2021-22 are predictable but not certain. There will be limited travel for vacations due to combination of likely Covid 19 restrictions and public reluctance to travel abroad. The expectation is that there will be an unprecedented high volume of day trips and staycations. Evidence from last year is that public will have a strong preference for outdoor attractions so we can expect high demand for PHRP, especially in around the 4 principal car parks: Flotterstone in Midlothian, Harlaw, Threipmuir and Bonaly in CEC where the farming community have been impacted the most with livestock attacks, damage to crops and restricted/blocked access to fields for farm machinery as a result of irresponsible visitor car parking. **Update summer 2021: successful short-term bids to NatureScot for seasonal ranger provision, temporary toilet provision and seasonal estate worker provision. Funding to end Oct 2021 with short extensions to end December paid for by the City of Edinburgh Council. Successful (conditional) award from VisitScotland's RTIF for car park infrastructure improvements which will include installation of toilet facilities. Successful award from another VisitScotland fund (Strategic Tourism Infrastructure Development Plan) to develop a feasibility report on sustainable routes to the PHRP which would lead to a delivery priority funding scheme from the Scottish Government.**

Based on the 2020 season we anticipate the following issues:

- **Improper Parking:** A702 around Flotterstone car park (inc. access road to Glen road), Harlaw road (inc. access road to car park) and Mansfield road. These can be managed by working with Police Scotland and Local Authorities/ Transport Scotland to review and propose new measures on key access points to enable enforcement plus we can look at increasing capacity, better information and managing demand through the introduction of parking charges. **Update summer 2021:** seasonal rangers on the ground undertaking traffic management duties at flashpoints such as Flotterstone and Harlaw. Conditional award from VisitScotland's RTIF for car park infrastructure improvements. Another funding from VisitScotland will deliver a sustainable access feasibility report to explore better non-vehicular routes along pathways into the Park.
- **Antisocial Drinking:** Bonaly Country Park and generally around reservoirs (specifically, Bonaly, Harlaw and Clubbiddean/Torduff during peak season). Our role is to connect with Police Scotland. **Update summer 2021:** seasonal rangers on the ground engaging with groups and responding to complaints from other visitors to the Regional Park. Operation Boxy from Police Scotland took place during the summer.
- **Wildfire risk:** Presence of peat soil in PHRP which leads to slow burning and moorland/ woodland fires following badly extinguished campfire or resulting from the use/disposal of BBQ. Bonaly Country Park with parties deep in the forest and all the way up to the reservoir, around Harlaw reservoir and Clubbiddean/Torduff reservoirs. We have provided essential knowledge of best routes/vehicle access/gate codes are provided to F&RS for their Control unit. We now need to have a better means of communication with their wildfire forecasting/warning system so that we can efficiently inform visitors and inform our own decision on whether to ban/allow fires. Communication would extend to all partners/ stakeholders to ensure a consistent and accurate message is delivered across the PHRP estate. Continue SOAC messaging through all channels. **Update summer 2021:** a complete ban on fires on Council ground was considered but not enacted. Seasonal rangers present to engage with visitors and ensure they have a safe fire and are not taking wood from surrounding woodland.
- **Community concerns from antisocial behaviour:** Harlaw, Bonaly Country Park (BCP). Need for us to have a visible presence and good communication with the communities affected. **Update summer 2021:** seasonal rangers on the ground engaging with drinking groups at flashpoints such as BCP.

- We expect there will be a high demand for **wild camping** due to the proximity of the PHRP to densely populated areas of Penicuik and Edinburgh. The impact of the travel bans/quarantine restrictions limiting overseas travel will also bring visitors from around Scotland and rest of UK to PHRP. **Update 2021:** seasonal rangers on the ground engaging and educating wild camping groups at flashpoints such as Bonaly and Harlaw.
- **Toileting:** One toilet open and accessible to café customers at Flotterstone car park only. (Limited opening times – only during café hours and closed 2 days a week). Harlaw house expected to remain closed for spring and summer resulting in no provision of toilet facilities in that area. Promote information to public so that they can plan their journey better and promote responsible toileting in the outdoors. **Update summer 2021:** toilet provision from NatureScot at Flotterstone (toilets open and cleaned 7 days a week), Harlaw, Bonaly and Threipmuir until end of October. Toilet provision at Harlaw house re-opened since June but had to close within days due to septic tank issues. Since November 2021, 2 portaloos are being provided for public use and for staff operation until the septic tank can be fixed.
- **Livestock attacks:** it is expected that there will be more attacks as visitor numbers stay high. We need to keep communicating concerns re: this through social media channels and encourage the public and farmers to report all incidences to police and PHRP. Continue SOAC messaging through all channels. **Update summer 2021:** seasonal rangers on the ground at flashpoints such as Castlelaw to communicate SOAC message. Facebook social media campaigns on responsible dog ownership. New permanent signage on the ground.
- **Crop damage:** there are issues with crop damage due to increased footfall. Explore expansion of current signage, as well as social media posts highlighting the issue. Continue SOAC messaging through all channels. **Update summer 2021:** seasonal rangers on the ground at flashpoints such as Harlaw to communicate SOAC message.
- **Damage to businesses** in the Regional Park: it is thought that increased numbers of visitors can adversely affect the ability of farms to run efficiently – notably when visitors interfere with lambing,

gathering for shearing or harvest. We can assist with staff on the ground. **Update summer 2021:** seasonal rangers have been used to assist with private estate management, eg shoots

## Long Term Challenges

Some long-term issues have been exacerbated due to Covid 19 pressures, but it is important we continue to make progress. **Update summer 2021:** We have been awarded two Rural Tourism Infrastructure Funding bids to improve car park infrastructure in 2022 and install new public conveniences at pressure points. There is also the possibility of exploring the setting up an eco-campsite at Harlaw reservoir, although RTIF funding was refused for this proposal.

### PUBLIC ENGAGEMENT AND EDUCATION

- **Update summer 2021: Pentland Hills Ranger Service** has been resurrected with the employment of six seasonal staff, after no ranger service for many years. This service has had excellent feedback from land and fishery managers, business owners and the public. A desire has been expressed by many that the Ranger Service continue. PHRP have rejoined the Scottish Countryside Rangers' Association.
- **Voluntary Ranger Scheme – Update summer 2021.** After a period in 2020-2021 when no patrols could take place due to Covid, weekend patrols by voluntary rangers (VR) have started up again. There has been no recruitment of new VRs due to staff time being taken up with Covid- and funding-related matters: it is hoped recruitment will open again in 2022.

### CAR PARKS

- **Flotterstone Car Park** is the largest in the Regional Park and could be improved to maximise parking capacity with some landscaping to deter irresponsible parking which impact the day to day access of local residents/businesses located along the Glen road. A clearway on the A702 has been put in place by BEAR Scotland since December 2020 to prevent irresponsible parking on this trunk road (enforced by Police Scotland)

- **Harlaw car park.** The access road is an issue with vehicles parking along the side, compromising safe pedestrian/ cyclist/ horse rider access to Harlaw. It is a single track for entry/exit to this car park, which on occasion prevents farm machinery accessing fields around the reservoir. In the long-term, a segregated lane / creation of two-way traffic with no parking would be created along this access road, and an extension to the car park in the conifer woodland to offset the loss of parking spaces.
- **Threipmuir car park** is regularly full since the pandemic started and displacement parking along the Rigg road and Mansfield road impacted on the safety of visitors and the local community. Proposals to expand the car park in the long term and discussion with the CEC Roads team to review parking regulation around Threipmuir and Harlaw continue. **Update summer 2021:** A feasibility report has been commissioned to put forward proposals on traffic management measures required for Harlaw road, Mansfield road and Bonaly road. The report will also look at the introduction of pavement to encourage safer access to the hills to non-car users.
- **Bonaly upper car park** was closed at the beginning of the pandemic in 2020 and the narrow, bendy access road to this cul-de-sac car park was well used by walkers, cyclists and horse riders, with some weeks having six times the number of visitors compared to previous weeks. Look at potential of improving existing car park infrastructure.

## COMMUNITY

- **Communities living and working in the Regional Park:** we can assist in reducing and mitigating negative impacts on these communities, by: improving car park provision and enforcement of dangerous parking outside car parks, continuing to have a Seasonal Ranger presence, continuing to run Volunteer Ranger patrols at weekends.
- **Farming community:** some small farms located near the city have had a huge increase in footfall from the public as they have discovered the hills on their doorstep. Issues include parking in farmyards, inappropriate leisure activities including skiing through hefted sheep areas, and dog attacks on livestock. We can assist by continuing to provide appropriate signage to farmers and landowners, promotion of a

“respect your farming community” message on social media, and patrols by Seasonal and Volunteer Rangers at areas identified as hotspots.

## PATH NETWORK

- Look again at funding opportunities to repair high-level footpaths.
- Explore how the potential income generation from car parks charging could be used to improve a comprehensive path repair plan.

## WILDLIFE PROTECTION

- **Work with landowners to improve protection to vulnerable wildlife species.** Work with representative bodies such as Pentland Land Managers’ Association, RSPB, TWIC to pinpoint locations where specific wildlife may be disturbed and use this information to educate and inform the public about passing through locations in a manner which reduces impact on wildlife. Continue to liaise with individual landowners to ensure temporary season-specific correx signage is erected at nesting time at hotspots and removed at the appropriate time.

## Action Plan

### PARTNERSHIP WORKING

Action	Priority	Why	Where	What	Who	When
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<b>Continue to liaise with key partners</b>	High	Keeping each other informed. Able to react to an ever-changing situation	Teams Meeting	Regular meetings; use of mailing list for distribution of key information	All partners	ongoing
<b>Create a coordinated approach between partners</b>	High	limited resources across different services; avoid duplication; improve efficiency; understand how partners can contribute to better manage Visitors	Harlaw, Flotterstone, Castlelaw, Bonaly, Threipmuir	Coordination of resources. To engage, educate, engineer, enforce.	All partners	Before Easter, May, July & August Holidays, October.

### ANTISOCIAL BEHAVIOUR

<b>Action</b>	<b>Priority</b>	<b>Why</b>	<b>Where</b>	<b>What</b>	<b>Who</b>	<b>When</b>
<b>Increased Pentland Hill Regional Park Ranger cover</b>	high	More staff working more hours to engage and educate visitors on SOAC and Covid related	Focus on hot spots but include cover to the rest of Regional Park	Look at funding to increase staffing and cover gaps. Could other partners look at funding to recruit "rangers"	PHRP, SW, MoD, other?	YEAR ROUND

		guidelines. As most of the issues are in the evenings and weekends can extra cover be put on during these times.		within their own organisation and deploy on their land?		
<b>Plan Volunteer Ranger Patrols</b>	High	Increase presence on site and assist PHRP Duty Officer to attend issues efficiently. Ensure visitor engagement is delivered and promotion of SOAC.	Focus on hot spots but include cover to the rest of Regional Park	Develop protocol for safe patrols to be undertaken by Volunteer Rangers. Recruit additional volunteers and provide training. Develop Rota. Offer week day options in addition to existing weekend duty during holidays and review.	PHRP	Easter, May holidays, June-October

<b>Ensure site security</b>	High	Joy riding 4x4 and motorbikes causing damage to fragile hill ground and moorland.	PHRP wide	Check of barriers/ locked gates in advance of weekends. Use of mailing list to give information to farmers/landowners when incidents are taking place <i>eg</i> Alert. Communicate with Police Scotland; PS to continue quad bike patrols on ML side	PHRP, PS, partners	ongoing
<b>Explore how best to work with Police Scotland</b>	High	A lot of incidents don't get reported or are under reported to PS. <i>Eg:</i> Equipment stolen from farms; Threatening behaviour towards land managers when	PHRP wide	Weekly weekend briefing note sent to 3 PS areas linked in with PHRP followed by a debrief early the next week to assist with deployment of resources and escalation of core issues; Ensure incident numbers are recorded in	Midlothian and West Lothian PARC, SW Edinburgh PS, PHRP	Ongoing

		antisocial/ irresponsible behaviour is challenged.		debrief report; encourage member of public and land managers to share those reference numbers so that PHRP can promote them to local Police contacts; Look at setting up a PHRP Partnership Against Rural Crime (PARC) group		
<b>Use of technology to better monitor visitor management</b>	high	Gain a better understanding of path usage and record visitors flow at hot spots and be in a position to detect patterns to anticipate issues or better coordinate enforcement response or deploy	hot spots	Use of Wilderness people counters/ sensors for visitor management on remote locations. Data collected both quantitative and directional (which direction person went) with access to data in real time and possibility to have "alerts" sent to you if	PHRP	2022

		resources to location to attend and possibly monitor a situation or intervene.		wanting to detect mob events on remote locations; secure funding to purchase and set a trial		
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### IMPACT TO FARMERS/FISHERIES

Action	Priority	Why	Where	What	Who	When
Continue to encourage visitors and landowners to report illegal activities to Police Scotland.	high	Police can better prioritise their resources if aware of problem areas: eg poaching	Posters/Facebook/Website	Continue quad bike patrols, more patrols at hot spots or Police Operations at key time of year. Communication via emails/Pentland Beacon and face to face visits	PHRP, MPARC, West Lothian PARC	ongoing

<p><b>Explore ways to discourage irresponsible access to Glencorse island</b></p>	<p>high</p>	<p>Protect wildlife such as birds nesting, otters etc. Discourage irresponsible camping and fire which could lead to prevent pressure on F&amp;RS and impact on fishery. Also a dangerous walk to be undertaken by visitors</p>	<p>Glencorse reservoir</p>	<p>Consider erecting a metal barrier up at the start of the wall leading onto the island at Glencorse Reservoir or other more natural options such as planting gorse/ spiky shrubs</p>	<p>Scottish Water</p>	<p>ongoing</p>
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<b>Explore options to prevent unauthorised vehicle access</b>	high	Impact on residents, local businesses, public safety	Glen road, Torduff road, Bavelaw road	Explore option of barrier and signage at the start of the Glen road. Torduff? Bavelaw road?	PHRP, SW, fishery managers, local residents	2022-23
<b>Explore ways to mitigate the continuing high number of dog attacks on livestock</b>	high	Economic and emotional impact on farms	Sheep farms such as Bavelaw Estate, Eastside, East Kinleith, Bush Estate, Kirkton. Website, social media	Explore psychology of dog owners, find out why they are coming to the Pentlands, and ensure that signage and comms relates to findings	PHRP, MPARC, PLMA	ongoing
<b>Issues around dogs disturbing wildlife</b>	med	Impact on biodiversity	Park-wide, but especially in the higher hill areas	Continue to promote message about dogs being on short leads at nesting time or under close control (not long leads)	PHRP, PLMA	ongoing

<b>Education programs</b>	med	Education can help prevent problems occurring in the first place	Schools, parkwide ranger-led walks, outreach programs with disadvantaged kids ( <i>ie</i> Green Team). Website, social media	Create a storytelling narrative with partners to better inform visitors of the living landscapes, and the fact that people live and work in the Park.	PHRP, PLMA, CEC education dept.	ongoing
<b>Provide ranger support for some farm activities</b>	high	Can be difficult to operate farms at times of high footfall	Suggestion: Eastside, Harlaw, Kirkton, East Kinleith	Provide staff to ask visitors to wait whilst sheep are gathered, or ensure cars aren't blocking combine harvesters etc	PHRP, land managers / PLMA	ongoing
<b>Provide mental and emotional support to land managers</b>	high	Some are hugely affected by constant irresponsible access and it is taking a toll on their livelihood	Park-wide	Consider all forms of communication/update with landowners/business owners to ensure transparency and clear communication is provided. Creation of VM action group a good starting point,	PHRP, partners	ongoing

		and their mental health.		how can information/discussion be reported? Pentland Beacon? Site Officer to engage more with landowners/ business owners? Highlight in <i>Pentland Beacon</i> that every land manager has a PHRP Natural Heritage Officer allocated to their area and they can be contacted during office working hours with any issues; if not them the duty phone is available.		
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<p><b>Educate wild swimmers, paddle boarders etc</b></p>	<p>medium</p>	<p>To educate recreational users on the SOAC and reduce conflict with anglers/ fisheries and promote safety</p>	<p>Posters/Facebook/Website</p>	<p>how to engage with wild swimmers/ water sports visitors? Social media?</p>	<p>PHRP/ SW/ Angling clubs?</p>	<p>ongoing</p>
<p><b>Educate drone operators on best code of conduct around drone flying when in PHRP</b></p>	<p>medium</p>	<p>To educate recreational users on legislation and best practices associated with drone flying/ raise awareness of</p>	<p>Posters/Facebook/Website</p>	<p>How to engage with recreational drone operators?</p>	<p>PHRP</p>	<p>ongoing</p>

		<p>impact of this activity to land managers, livestock, wildlife, other park users/ promote safety</p>				
<p><b>Investigate Dog Exercise Fields</b></p>	<p>aspirational</p>	<p>Dog owners may be more likely to keep their dogs on a lead if their dogs have had a chance to run around.</p>	<p>Where landowners allow it.</p>	<p>Provide a fenced off field near car parks where dogs can be let off the lead with no worry of them coming in contact with livestock</p>	<p>Landowners/ PLMA</p>	<p>progressing</p>

<b>Farm / fishery visits and guided walks</b>	med	Many visitors have little or no knowledge of farming / angling practice.	Farms in PHRP	Create events / guided walks open to public. Also for schools and youth groups.	PHRP / PLMA	2022-23
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## CAMPING

Action	Priority	Why	Where	What	Who	When
<b>Promote Scottish Outdoor Access Code (see also Comms)</b>	High	To educate and inform in sustainable camping techniques	PHRP	via social media, signage, youth groups	PHRP	Ongoing
<b>Provide information to Fire and Rescue Services regarding access to the Regional Park</b>	High	To improve response time for emergencies	PHRP	PHRP team already shared maps and information on best access routes/entrances for vehicles and codes	PHRP, Emergency and rescue services	completed

				for gates, Duty phone contact details; invitation to PHRP VM Action group		
<b>Review permanent and seasonal signage on site</b>	high	some signs are being vandalised on a regular basis	parkwide	explore alternative material for the installation of permanent signage where appropriate	PHRP, partners	asap
<b>Resurrect/review PHRP fire policy</b>	medium	pressure on F&RS, small fire could be contained quickly, monitoring of sites after a fire	PHRP	Investigate possible creation of a network of volunteers who could attend a hill fire	All partners	ongoing
<b>Look into providing information on fire risk level as MOD do.</b>	Medium	May help inform visitors about the risk	Posters/Facebook/Website	Contact Fire Service about an up to date approach. Keith Lamley	PHRP/ PLMA/ landowners	ongoing

		of having a campfire/BBQ		is one of the 6 wildfire tactical advisors in SFRS: sharing info, creating fire plans etc with local landowners plays a big part of the role towards prevention.		
<b>Pop up campsite provision</b>	aspirational	To alleviate wild camping pressure; generate an income	Where landowners allow it.	Identify suitable locations to operate a short-term camping under the relaxed planning legislation in place. PHRP to share examples of sites	Landowners/ PLMA	progressing

## LITTER

Action	Priority	Why	Where	What	Who	When
<p>Get people more involved in litter clean ups</p>	<p>Medium</p>	<p>We need help!</p>		<p>contact schools to organise clean ups; provide a “Litter Picking Station” at hot spots; coordinate events programme with partners and also create a central point to advertise the range of activities happening in PHRP with all partners (eg: use PHRP to display events program/calendar with links to partners' website) promote on social media.</p>	<p>PHRP/ partners</p>	<p>ongoing</p>

<b>Encourage people who pick up litter to report to PHRP</b>	Medium	Will help us see how big the problem is and identify gaps in service delivery/find new ways to tackle issues	Posters /Facebook/Website	make it easy for groups to report in one place their efforts/ achievements. Collate all data for PHRP to report at national level/ promote collective effort	PHRP	on going
<b>Review bin location and explore opportunities to add new bins</b>	medium	litter usually found within 5min walk from latest bin located at entrance points	PHRP	PHRP contacted CEC Waste service to discuss options and will not be able to deliver due to new policy.	PHRP	Completed. UPDATE: Pentland-specific bin poster campaign carried out summer 2021
<b>Improve waste disposal options</b>	medium	Currently all litter picked goes to landfill apart from some home-	PHRP	Research cost of recycling bins on sites. Possibly use car park income to pay for recycling. Consider a	PHRP	2022-23

		recycled by FoP litter group		schools project sorting and recording recyclable rubbish.		
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## COMMUNICATION

Action	Priority	Why	Where	What	Who	When
Create a Communication Plan in conjunction with Partners	High	Integrate messages with other partners. Link with national comms. Agree info sharing with partners	Facebook. Website.	Promotion of existing material from other partners; promote VisitScotland and NatureScot messaging; create PHRP specific toolkit of branded material to use	PHRP/ partners	ongoing
			Other social media? Pentland User Group. E- Newsletter by community councils/Localities. Twitter? Some partners only using this platform in their communication			

<p><b>Simplify SOAC messages</b></p>	<p>high</p>	<p>SOAC is little used and understood among the general population</p>	<p>social media, posters, website, leaflets</p>	<p>Educating visitors on SOAC before and during their visit to reduce incidents/issues. Review wording on existing messages, <i>eg</i> fishing. Make SOAC relevant to PHRP (create bespoke stories, <i>ie</i> relevant PHRP images and messages on litter bins such as risk of sheep miscarriage due to scares from dogs / responsible toileting)</p>	<p>PHRP</p>	<p>ongoing</p>
<p><b>PHRP vehicles, staff and volunteer rangers branding</b></p>	<p>high</p>	<p>Make presence of staff and VRs more visible to visitors when out on site</p>	<p>vehicle, uniform</p>	<p>Get vehicles branded with PHRP logos, get NH staff to wear PHRP branded/ visible piece of</p>	<p>PHRP</p>	<p>COMPLETED JULY 2021</p>

				clothing to identify them as staff (cap, buff, viz jacket)		
<p><b>More information provided to encourage visitors to cooperate.</b></p> <p><b>Incorporate “farming year” information.</b></p> <p><b>Incorporate risk to ground-nesting birds from dogs on long leads / off lead.</b></p>	high	<p>Visitors are more likely to comply if they know what the consequences of their actions are. <i>Eg.</i> instead of just putting out traffic cones, have a sign explaining why.</p> <p>Explain the effect on wildlife of dogs running loose. Cumulative irresponsible access causing stress to livestock and wildlife during challenging weather conditions; dog</p>	Where signage is put out	<p>Review present information and create new ones. <i>eg:</i> try the "dog signage to point to the nearest bin" as part of a campaign to discourage visitors to discard poo bags in park or to not pick up after their pets. Use of "paw print "stencils too at hot spots. Make a list of hot issues to deal with and match with existing campaigns/ deliver a</p>	PHRP	ongoing

		waste bags in shrubs, dogs/people walking/defecating on crops		coordinated Communication Plan? (eg: SSPCA responsible dog campaign)		
<b>Produce Webinar/videos</b>	Medium	To engage with different audience, before visitors come.	Live webinar, Tiktok?	Outdoor Access Code and other issues.	PHRP with possible input from partner organisations	trial in 2022- 23
<b>Public path links – promotion</b>	medium	to raise awareness of other ways to travel to PHRP; reduce use of car transportation which leads to car park infrastructures not able to cope with volume of visitors and leading to car parking displacement	PHRP website, VisitScotland, local links	Promotion of public path links from areas like Penicuik? Produce maps/leaflets for online?	All	2022-23

<b>Install new information points</b>	medium	to educate visitors at location when they are ready to receive relevant information, improve cooperation/ compliance	hot spots	identify strategic locations and new ways to display key information to visitors. Application to RTIF for hot spots. Awaiting decision	PHRP	2022-23
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## TOILETS

Action	Priority	Why	Where	What	Who	When
<b>Increase Public toilet provision long term</b>	high	To reduce and prevent irresponsible toileting issues	Harlaw, Threipmuir, Bonaly, Flotterstone	Application to RTIF for installation of a pair of toilets at each car parks and another set at Harlaw reservoir. Conditionally awarded; awaiting planning at Harlaw.	PHRP	2021-23

<p><b>Increase Public toilet provision short term</b></p>	<p>high</p>	<p>To reduce and prevent irresponsible toileting issues</p>	<p>Harlaw, Threipmuir, Bonaly, Flotterstone</p>	<p>Short-term: application to NatureScot Green Recovery Fund to apply for the provision of 6 portable toilets in total on CEC sites between June-Oct 2021. Funding will include cleaning and will allow for the re-opening of all toilets at Flotterstone for 7 days for that period too. Awarded.</p>	<p>PHRP</p>	<p>May-Oct 2021</p>
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**PATH ACCESS**

Action	Priority	Why	Where	What	Who	When
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<p><b>Monitoring of unauthorised MTB structures. Allowing areas to develop as MB areas / remove structures in other areas. Utilise DMBINS (Developing Mountain Biking in Scotland) to engage with MB users to create safe trails.</b></p>	<p>high</p>	<p>unauthorised construction of bike jumps/ structures as part of a trail</p>	<p>Dreghorn, Bonaly Country Park</p>	<p>Work with those building structures to ensure they are safe / legal. Work with landowners to remove those which aren't. Investigate production of a MTB strategy for Bonaly Country park.</p>	<p>PHRP, partners</p>	<p>2022-23</p>
<p><b>find ways to prevent path erosion</b></p>	<p>high</p>	<p>Footpaths are dangerously eroding due to increased footfall by both walkers and cyclists.</p>	<p>park wide</p>	<p>promote responsible messages, signage on site, investigate funding for path repairs/refurbishment. Review existing report on priority erosion areas (<i>ie</i></p>	<p>PHRP, FoP, ELGT, partners</p>	<p>ongoing</p>

				montane or fragile peatland areas). Develop interim maintenance scheme in association with bodies such as FoP		
<b>Creation of path grading system.</b>	low	The Park would benefit hugely from a network of way marked walks that are graded according to difficulty, length and suitability for different access types (walking, biking, horses)	leaflets/ publication/ signage	review existing publication/signage	PHRP. Look at working with Ramblers Scotland.	ongoing
<b>Key paths leading into Park: Refurbish and publicise as alternative to driving</b>	Med	Issue with people driving due to lack of accessible paths leading into Park	Feasibility study	Sustainable Access Feasibility Project – funding applied for and awarded	PHRP / consultants	2021-23

## TRANSPORT

Action	Priority	Why	Where	What	Who	When
Pop up car park provision	high	To alleviate pressure at key locations	Where landowners allow it.	Explore suitable locations and explore ways to deliver these temporary facilities in a way that can make the field pay / including staff costs, payment to farmers, closing / opening fields	PLMA, landowners	ongoing

<p><b>Discourage car parking which impacts farm machinery operation/access</b></p>	<p>high</p>	<p>3m clear space required for large machinery/vehicle difficult to maintain along access roads and on car parks where irresponsible parking is impacting access. Fields gates can be blocked, same with passing places</p>	<p>parkwide and main access roads</p>	<p>PHRP commissioning a feasibility report on traffic management measures that need to be in place around PHRP which will go to Joint Committee and will need to be delivered by Roads and Transport services in the different local authorities</p>	<p>PHRP</p>	<p>2021-22 Process could take 12-18 months</p>
<p><b>Have an understanding of car parking availability around PHRP and path links availability</b></p>	<p>medium</p>	<p>To provide more options for able bodied visitors</p>	<p>PHRP surrounding areas</p>	<p>Review car parking around PHRP and consider how to promote such sensitive information (eg: parking in a residential area is permitted but not welcomed by local residents)</p>	<p>Community councils – are there areas within their urban settings where parking</p>	<p>ongoing</p>

					could be encouraged and walk to hills instead? Balerno? Currie? Penicuik?	
<b>Alternatives to car travel</b>	medium	small car park infrastructures, narrow country roads, surveys finding a lot of local people (within 5 miles distance) are visiting PHRP on a regular basis	parkwide	RTIF bid submitted to provide more bike stands, EV charging points, public bike pump and repair stations, improved access paths near main car parks, segregated lane for safe access to pedestrians, cyclists, horse riders;  CONDITIONALLY AWARDED, AWAITING PLANNING for	PHRP	2021-22

				HARLAW. Promote bus routes/timetables and "Plan your journey" page on PHRP website. Sustainable Access Route Feasibility Report being worked on.		
<b>Core path signage</b>	low	identify and publicise Core paths along road network to encourage sustainable access to the hills	core paths	Review existing signage and highlight to Roads team where Core path signage could be installed and publicised.	PHRP	ongoing
<b>Improve existing car park infrastructure. Consider reducing where appropriate.</b>	High	Some car parks (Harlaw, Threipmuir, Flotterstone esp.) have long-term issues with displacement parking. Some (Bonaly) have issues with pedestrians, cyclists and vehicles all using the same narrow country road.	PHRP Car Parks	Conditional award from VisitScotland RTIF to improve car park infrastructure. Improve parking spaces at Harlaw, Threipmuir, Flotterstone by removing some from access roads and	PHRP	2021-23

				<p>replacing them with new spaces in the car park.</p> <p>Consider reducing spaces / closing off Bonaly (Upper) car park due to dangerous narrow road and no pedestrian alternative. Consider maximising spaces at Bonaly Lower car park (Torduff Rd.)</p>		
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**VOLUNTEERING**

Action	Priority	Why	Where	What	Who	When
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<b>Increase Volunteer Ranger numbers and patrol opportunities</b>	high	Provide more "feet on the ground" to engage with visitors and report issues	PHRP wide	PHRP to do a VR survey, review VR recruitment process, trial weekday opportunities; review training programme to adapt to online/ social distancing new way of doing thing; recruit and deploy more VRs, ensure VRs meet land managers whilst training	PHRP	ongoing
<b>Plan use of volunteers</b>	Medium	More planned and targeted use of volunteers to help with basic site maintenance and visitor management	PHRP wide	Produce volunteer plan to organise tasks that volunteers can do through the season	PHRP	2022

<p><b>Develop PHRP Ambassador role</b></p>	<p>medium</p>	<p>more eyes and ears on the ground. They would have a link to the PHRP and would stay at hot spots and engage with visitors during their visits</p>	<p>hot spots</p>	<p>Ambassador – act as eyes and ears on the ground, they would have conversation with visitors on specific topics (could be part of a campaign), carry out surveys (collect data on number of people coming, where from, explain sensitivities of the regional park to visitors make the most of their visit; point to Donation scheme to "give something back"; showcase how PHRP is a living place that everyone must care for to enjoy</p>	<p>PHRP</p>	<p>2022-23</p>
<p><b>Encourage more conservation volunteer / corporate volunteer groups</b></p>	<p>medium</p>	<p>More groups invested in conservation and biodiversity in the Regional Park raises visitor appreciation of the area as well as</p>	<p>PHRP</p>	<p>Increase capacity to host corporate and conservation volunteer days. Consider a dedicated role to run conservation days. Improve communications with companies and conservation groups that have previously volunteered with the Regional Park.</p>	<p>PHRP</p>	<p>2022</p>

		benefitting the Regional Park itself				
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## INCOME GENERATION

Action	Priority	Why	Where	What	Who	When
<b>Create PHRP Donation scheme marketing plan</b>	high	clear message to raise profile of the scheme would ensure a sustainable source of funding which can be used to add value to the Regional Park	hot spots/ social media	posters, social media posts, face to face engagement with VRs, Ambassadors, partners;	PHRP and partners	2022-23
<b>Source and set up 2 contactless card pay</b>	high	Easy and secure payment method. To encourage "giving back" aspects	hot spots/ social media	purchase and set up 2 devices and organise a trial	PHRP and partners	2022-23

<b>points for Donation scheme</b>		during visitors peak season				
<b>Promote Ringgo scheme already in place</b>	high	car park charging not in place yet and short-term Ringgo could assist with collecting this car park charging suggested donation or a donation from someone visiting	hot spots/ social media	posters, social media posts, face to face engagement with VRs, Ambassadors, partners;	PHRP and partners	2022
<b>Introduce car park charging at principal car parks</b>	high	Long-term set up for a sustainable source of income for PHRP infrastructure maintenance; assist with traffic management	hot spots	PHRP JC approved for the implementation of scheme; Procurement requisition exercise in progress to eventually secure a contract with a private operator; Findings to be presented at PHRP JC	PHRP and JC	2021-23

				<p>before final approval;                  Implementation can only happen with comprehensive traffic management resolution to all access roads to avoid issues; car parks need improving: RTIF funding application submitted to VisitScotland and awaiting decision</p>		
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**COVID IMPACT**

Action	Priority	Why	Where	What	Who	When
Set out plan on impact of Covid on PHRP service delivery	High	Covid restrictions may impact on the service we can offer	PHRP wide	Visitor Flow & Staffing. Respond to policy changes; VR service; closure of public	PHRP	Ongoing

				conveniences; focus on H&S only during lock down		
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# Pentland Hills Regional Park Joint Committee

**3.00pm, Thursday, 27 January 2022**

## Minute of Agreement

<b>Executive/routine Wards Council Commitments</b>	<b>Routine Pentland Hills</b>
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### 1. Recommendations

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- 1.1 It is recommended that the Joint Committee:
  - 1.1.1 Considers the proposed amendments to the Pentland Hills Regional Park Minute of Agreement;
  - 1.1.2 Approves an amended Pentland Hills Regional Park Minute of Agreement for confirmatory signature by relevant parties; and
  - 1.1.3 Notes that the Minute of Agreement defines the purpose, membership and arrangement of the Consultative Forum, as well as its governance relationship with the Joint Committee.

**Paul Lawrence**

Executive Director of Place

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E-mail: [David.jamieson@edinburgh.gov.uk](mailto:David.jamieson@edinburgh.gov.uk) | Tel: 07825 552 288

## Minute of Agreement

### 2. Executive Summary

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- 2.1 Extension of the membership of the Pentland Hills Regional Park Joint Committee to include voting representation from The Pentland Land Managers Association, the Friends of the Pentland Hills and the Edinburgh and Lothians Greenspace Trust requires that the existing Minute of Agreement between the three local authorities be updated to reflect these changes. It also provides an opportunity to refresh the wording of the Minute of Agreement given that operational circumstances, organisational nomenclature and relevant legislation have changed since the existing agreement was determined in 2004.

### 3. Background

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- 3.1 At its meeting of [23 August 2021](#), Committee agreed to invite the Pentland Land Managers Association, Friends of the Pentland Hills and Edinburgh and Lothians Greenspace Trust to become voting members of the Joint Committee. Committee also instructed officers to review the Minute of Agreement for the Pentland Hills Regional Park in light of its decision, requesting an updated draft of the Minute of Agreement at a subsequent meeting of the Joint Committee.
- 3.2 At the same meeting Committee instructed officers to review the purpose, membership and arrangement of the Consultative Forum, as well as its governance relationship with the Joint Committee.

### 4. Main report

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- 4.1 The existing Minute of Agreement for the Pentland Hills Regional Park between the City of Edinburgh, Midlothian and West Lothian Councils dates from 2004. Since then there have been significant changes to the scale and structure of the Pentland Hills Regional Park operation, alterations to the structures and operational names of partner

organisations and some relevant legislative changes. The recommended version makes amendments to recognise this.

- 4.2 The proposed Minute of Agreement includes reference to the roles and responsibilities of the new voting members of the Joint Committee, namely the Pentland Land Managers Association, Friends of the Pentlands and Edinburgh and Lothians Greenspace Trust.
- 4.3 The proposed Minute of Agreement clarifies that the Regional Park Consultative Forum should be representative of all interests in the Regional Park and that its purpose is to provide technical and specialist advice to support the management and development of the Regional Park. It is to include one elected representative from each of the three Councils as well as invited non-local authority members who can represent the many and varied interests in the Pentland Hills area. A list of such representatives is presented.

## **5. Next Steps**

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- 5.1 Revise the Minute of Agreement following discussion by the Joint Committee and submit this to relevant parties for confirmatory signature.
- 5.2 Draft Service Level Agreements between the Managing Authority and West Lothian Council and Midlothian Council in line with the procedures laid out in the Minute of Agreement.
- 5.3 Draft a Regional Park Management Plan for Committee approval as referenced in the objectives of the Joint Committee.

## **6. Financial impact**

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- 6.1 Financial arrangements for the funding of the Regional Park for the 2022/23 financial year have yet to be determined. Once each local authority and other contributing organisations have confirmed their financial contribution, this will be included within section IV FINANCIAL ARRANGEMENTS of the Minute of Agreement.
- 6.2 The Minute of Agreement determines that where capital expenditure is anticipated in any financial year the Joint Committee shall draw up a financial plan setting out the proposed programme for capital expenditure for the following three years and subsequent years. This financial plan will be submitted to each of the three Councils, and they shall each have regard to it when preparing their own financial plans.

## **7. Stakeholder/Community Impact**

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- 7.1 An updated Minute of Agreement which defines the purpose, membership and arrangement of the Consultative Forum will strengthen stakeholder and community engagement in the operation of the Pentland Hills Regional Park.

## **8. Background reading/external references**

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- 8.1 None.

## **9. Appendices**

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- 9.1 Appendix 1 – Existing Minute of Agreement.
- 9.2 Appendix 2 – Proposed Pentland Hills Regional Park Minute of Agreement.

## Appendix 1 - Pentland Hills Regional Park Minute of Agreement

### MINUTE OF AGREEMENT (Final Draft 24/3/04)

between

The CITY OF EDINBURGH COUNCIL, constituted under the Local Government Etc. (Scotland) Act 1994 and having its principal office at Wellington Court, 10 Waterloo Place, Edinburgh, EH1 1UQ (who and whose successors are hereinafter referred to as "the Managing Authority")

and

MIDLOTHIAN COUNCIL, constituted under the Local Government Etc. (Scotland) Act 1994 and having its principal office at Midlothian House, Buccleuch Street, Dalkeith, (who and whose successors are hereinafter referred to as "Midlothian Council")

and

WEST LOTHIAN COUNCIL, constituted under the Local Government Etc. (Scotland) Act 1994 and having its principal office at West Lothian House, Almondvale Boulevard, Livingston (who and whose successors are hereinafter referred to as "West Lothian Council")

WHEREAS following an efficiency review of the funding and operation of the Pentland Hills Regional Park ("the Regional Park") the Pentland Hills Regional Joint Committee ("the Joint Committee) on 6<sup>th</sup> December 2002 resolved that:-

- (1) certain staff employed within the Regional Park would transfer to the Managing Authority;
- (2) 3 year service level agreements would be entered into between the Managing Authority and Midlothian Council and West Lothian Council;
- (3) the current systems of working by the Ranger Service be reviewed to maximise coverage within the Regional Park;
- (4) the Minute of Agreement originally establishing the Joint Committee in terms of section 56 and 57 of the Local Government (Scotland) Act 1973 ("the 1973 Act ") and a Regional Park Advisory Group

(the "Advisory Group") in terms of section 57(4) of the 1973 Act dated [ ] (the First Minute of Agreement") be revised to incorporate amendments reflecting the new arrangements specifically those affecting allocation of expenditure and employment of staff; and

- (5) the number, membership and frequency of meetings of the Advisory Group and any relevant management groups be reviewed.

AND WHEREAS the Managing Authority, West Lothian Council and Midlothian Council (hereinafter referred to as the "Three Councils") have decided for ease of reference to discharge the First Minute of Agreement and enter into this Minute of Agreement which will reflect the new arrangements referred to above while continuing certain provisions contained in the First Minute of Agreement.

NOW THEREFORE IT IS HEREBY AGREED AS FOLLOWS:

## 1. CONSTITUTION OF THE JOINT COMMITTEE

### Constitution

1. (i) In accordance with the First Minute of Agreement now discharged the Three Councils hereby agree to continue to combine for the purpose of discharging their respective functions with regard to service provision and management issues in the Regional Park as set out in part one of the First Schedule to this Agreement, within the area including and adjoining the Regional Park as agreed by the Joint Committee, more particularly described and defined in the Schedule annexed and subscribed as relative to the Pentland Hills Regional Park Designation Order 1984. The constitution of the Joint Committee set up for this purpose shall continue to comprise of seven members of which three will be from the Managing Authority, three from Midlothian Council and one from West Lothian Council. East Lothian Council, Scottish Natural Heritage and the Scottish Water Authority will be invited to participate in all meetings in a non-voting capacity.
- (ii) The Three Councils will have the discretion to invite by agreement such other individuals or bodies as they consider appropriate from time to time in furtherance of the aims of the Regional Park.
- (iii) The Three Councils also hereby agree to be advised by the Joint Committee with regard to the exercise by the Councils of their respective powers and duties within the Regional

Park area with regard to tourism, recreation and conservation, and environmental education as set out in Part Two of the First Schedule to this Agreement.

Appointment to Joint Committee of Members by the Three Councils

2. (i) Each of the Three Councils shall appoint members to the Joint Committee in accordance with the provisions of this Clause and the Second Schedule to this Agreement, and such appointed members shall total seven.
  
- (ii) Each of the Three Councils shall appoint the first members of the Joint Committee before or at the meetings at which approval is given to this Agreement and the members so appointed shall, subject as hereinafter provided, continue in office until they are re-appointed or replaced by the Three Councils following an Ordinary Council Election. Each of the Three Councils, following such Ordinary Council Elections, shall, as soon as practicable thereafter, appoint members to the Joint Committee who shall hold office until they are re-appointed or replaced by the Three Councils following the election of members to that Council.
  
- (iii) Each of the Three Councils may at the same time as they appoint their members under paragraph (ii) *above*, nominate an equal number of alternative representatives who may attend any meeting of the Joint Committee in substitution for any member or members appointed by the Council to the Joint Committee in the event that any such member is unable to attend.
  
- (iv) Substitute members in attendance under paragraph (iii) *above* shall have the same right to speak and vote at any meeting as if they had been appointed to be members by the authority which they represent.
  
- (v) A member of the Joint Committee shall cease to be a member of the Joint Committee when that member ceases to be a member of the authority which appointed them, or on the appointment by that authority of another member in their place, whichever shall first occur.

### Appointment of Chair

3. The Joint Committee shall elect a Chair and a Vice Chair at its first meeting and thereafter as soon as practicable following an Ordinary Council Election. The Chair shall hold office until re-appointed or replaced by the Joint Committee following the appointment of members to the Joint Committee by the Three Councils.

### Casual Vacancies

4. Where a casual vacancy occurs in membership of the Joint Committee, the Council which appointed the member shall appoint a new member. Where the vacancy occurs in the case of the Chair or Vice Chair, the Joint Committee shall appoint a new Chair or Vice-Chair at the next meeting of the Joint Committee.

### Quorum

5. The quorum of the Joint Committee shall be three provided that not less than two of the Three Councils shall be represented.

### Procedures

6. (i) Decisions of the Joint Committee shall be by a simple majority of the members present and the Chair shall have a casting as well as a deliberative vote.  
  
(ii) Subject to the delegation of functions within this Agreement the Joint Committee shall have power to regulate its own procedures.
7. (i) For the period of this agreement, the Managing Authority shall act as the managing authority for the Regional Park. The Managing Authority shall enter into Service Level Agreements with Midlothian and West Lothian Council with the aim of ensuring that the Regional Park is operated effectively for the benefit of Regional Park users, the farming community and other stakeholders. It is further agreed that the Managing Authority will act as administering authority for the Joint Committee and shall exercise the management functions of the Joint Committee as regards the

Regional Park. The functions of the Managing Authority shall include:

- (a) the servicing of the Joint Committee;
  - (b) the holding of all budgets on behalf of the Regional Park in an accountable manner and in accordance with standards of financial monitoring required of local authorities;
  - (c) the procurement of works, supplies and services on behalf of the Regional Park;
  - (d) the employment of all staff within the Regional Park;
  - (e) the application for and subsequent claim for revenue grant aid from Scottish Natural Heritage;
  - (f) the invoicing and/or crediting of the other two Councils for such agreed sums which may be owed by them or to them through the Service Level Agreements in connection with the management of the Regional Park.
- (ii) The Managing Authority on behalf of the Regional Park shall be entitled to call upon Midlothian Council and West Lothian Council to provide such professional, technical and administrative support to the Regional Park as is necessary for the operation of this Agreement and the service provision and management of the Regional Park. The type and level of assistance which is made available by Midlothian and West Lothian Councils shall be at their entire discretion.
  - (iii) The Managing Authority shall use its own standing orders with respect to contracts made on behalf of any of the Three Councils, for the supply of goods or materials or the execution of works or the provision of services in connection with the operation of this Agreement.
  - (iv) The Joint Committee shall meet not less than twice during each year and not less than ten working days notice of such meetings shall be given by the Managing Authority in writing, specifying the business to be transacted.

## I. AIMS OF THE REGIONAL PARK SERVICE

8. (i) The aims of the Regional Park Service shall be, inter alia
1. To retain the essential character of the hills as a place for the peaceful enjoyment of the countryside.
  2. Caring for the hills, so that the landscape and the habitat is protected and enhanced.
  3. Within this caring framework, to encourage responsible public enjoyment of the hills in accordance with the statutory powers and duties of the Three Councils and having regard in particular to the requirements of the Land Reform (Scotland) Act 2003.
  4. Co-ordination of these aims so that they co-exist with farming and other land uses within the park.
- (ii) The objectives of the Joint Committee shall be to:-
- a) Co-ordinate the implementation of the appropriate service provision and management policies contained in the Lothian Structure Plan and any relevant Local Plans, or such other Plans which may succeed them.
  - b) Support community initiatives, relative to the aims of the Regional Park, within the boundaries of the three Council areas.
  - c) Seek to ensure that other bodies and persons shall have regard to the interests, objectives and policies of the Regional Park.
  - d) Endeavour to ensure representation at each local access forum.

## II. DELEGATIONS OF FUNCTIONS

9. The Three Councils insofar as they have the power to do so hereby delegate to the Joint Committee the discharge of their functions with regard to the provision and management of visitor and countryside facilities and services, as listed in Part One of the First Schedule to this Agreement, including without prejudice to the said generality:

- a) all functions referred to within the terms of the Land Reform (Scotland) Act 2003 excepting such duties relating to the core path plan and any such functions and duties as the Three Councils may from time to time agree shall be reserved to the respective Councils;
- b) power to recommend to the Three Councils estimates of capital and revenue expenditure, and following consideration and approval by the Three Councils, for the Managing Authority to manage the Budgets of income and expenditure for the succeeding year, all in conformity with the provisions of Part IV (Financial Arrangements) of this Agreement;
- c) power to alter the structure of the Advisory Group as hereinafter defined in Clause 17.

#### IV. FINANCIAL ARRANGEMENTS

##### Revenue Expenditure

- 10. (i) The parties agree to meet the following approved annual budgetary contribution for the Regional Park or such other contribution as may be agreed by the Joint Committee and the Three Councils from time to time:

The Managing Authority .....£138,700

Midlothian Council....£75,000

West Lothian Council... ..... £10,760

- (ii) The Managing Authority will where possible secure grant aid from Scottish Natural Heritage for all revenue expenditure in the Regional Park or from other bodies as appropriate.
- (ii) The Three Councils agree that expenditure required for unplanned items e.g. emergency repairs to buildings or properties will be apportioned in accordance with the location of the property within the Regional Park, each authority being responsible for such expenditure within its own Council Area. These responsibilities are further defined in the Third Schedule to this Agreement. Under explanation that the three Councils shall not be obliged to incur any such expenditure by virtue of this Agreement.

##### Capital Expenditure

- (iv) Capital expenditure will be planned in the context of the policies and proposals contained in the Pentland Hills Regional Park integrated management strategy or other relevant Plans. Each Council will be liable for any capital expenditure agreed by it for a project within its Council Area excepting Capital expenditure relating to the Regional Park Headquarters which shall be

divided between the Three Councils in proportions to be agreed by the Joint Committee subject to the prior approval of the respective Councils. The Managing Authority will seek to secure grant aid from Scottish Natural Heritage or other appropriate sources for all capital expenditure in the Regional Park.

#### Regional Park Budget

11. (i) Where capital expenditure is anticipated in any financial year the Joint Committee shall draw up a financial plan (hereinafter referred to as the "Financial Plan") setting out the proposed programme for capital expenditure beginning in 2003-2004, for the following three years and subsequent years. This Financial Plan will be submitted to each of the Three Councils, and they shall each have regard to it when preparing their own financial plans.
- (ii) Not later than the Thirtieth of December for each financial year, the Managing Authority shall, if required, prepare and submit to each of the Three Councils for their approval draft estimates of capital and revenue expenditure for the next financial year. These draft estimates shall have regard to the Financial Plan.

#### Accounts

12. The Managing Authority shall prepare Accounts annually to Thirty-First March and submit them to the Joint Committee no later than Thirty-First August following or such other date as may be agreed by the Joint Committee. The Accounts shall be audited in accordance with the provisions of Section 96 of the 1973 Act and the Accounts shall be submitted to the Three Councils after formal submission to and approval by the Joint Committee after completion of the audit. The Joint Committee shall meet by Thirtieth September each year or by such other date as the Joint Committee and the Three Councils may agree in advance of Thirtieth September each year in order to receive an Annual Report on the Management of the Regional Park together with the relative Accounts.

#### V. ADMINISTRATIVE AND STAFFING ARRANGEMENTS

13. Subject to the terms of the various Service Level Agreements to be entered into between the Managing Authority and West Lothian Council and Midlothian Council the Managing Authority

may at its sole discretion appoint such staff on such terms and conditions as it considers appropriate to fulfil the running obligations of the Regional Park.

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#### Employment of Staff

14. The Managing Authority shall have responsibility for employing staff in established posts allocated to them following the decision of the Joint Committee on 6<sup>th</sup> December 2002, including the position of Park Manager. The Managing Authority will be responsible for the payment of such salaries and wages as are in accordance with the posts.

#### Land and Buildings

15. (i) In the case of the land and buildings (as detailed in the Third Schedule to this Agreement which may be amended from time to time with the agreement of the relevant parties having title to or interest in the land or buildings in question) in which any of the Three Councils have title or interest to, the title or other interest of said land and buildings shall continue to be vested in the name of that Council, but, subject to consultation with other parties having an interest in said land and buildings, that Council may agree with the Managing Authority that the management and maintenance of any of the said land and buildings to which they have title or interest to shall become the responsibility of the Managing Authority, on dates and terms to be stipulated and agreed by the Three Councils. The parties shall ensure that the Service Level Agreements to be entered into between the parties provide for appropriate public liability insurance to be maintained at all times and detail the party responsible for maintaining such insurance.
- (ii) Where land and buildings are under the management of the Joint Committee, and the title or other interest is vested in one of the Three Councils, that Council shall not dispose of that title or interest without first notifying the Joint Committee of its intention. The Three Councils shall each be bound to have regard to the views of the Joint Committee on these matters.

#### Planning and Other Matters

16. The Joint Committee shall be consulted by the Lothian Structure Plan Joint Liaison Committee at key stages in the progress of the revision and adoption of the Pentland Hills Regional Park Subject Local Plan. Advancement of the Subject Local Plan shall be the responsibility of the Lothian Structure Plan Joint Liaison Committee, or its successors.

## VI. REGIONAL PARK ADVISORY GROUP

17. (i) The Three Councils agree to the establishment of a Regional Park Advisory Group (hereinafter referred to as "the Advisory Group") to provide a forum representative of all interests in the Regional Park which can provide technical and specialist knowledge to support the management and development of the Regional Park. The Advisory Group shall include one elected representative from each of the Three Councils. The Joint Committee shall invite non local authority members to sit on the Advisory Group who shall be representative of the interests in the Pentland Hills area including appropriate local interests within that area. The bodies represented on the Advisory Group shall be as described in the Fourth Schedule to this Agreement.
- (ii) Non local authority members invited to sit on the Advisory Group shall continue in office for a period not exceeding four years.

### Chair, Vice-Chair and Clerk of the Advisory Group

- (iii) The Advisory Group shall be chaired by the Chair of the Joint Committee and shall elect a Vice-Chair from its own non local authority members. The Clerk to the Joint Committee as provided by the Managing Authority shall act as Clerk to the Advisory Group.

### Meetings of the Advisory Group

- (iv) The Advisory Group shall meet not less than twice during each year on such dates and at such times and places as determined by the Chair. Provided that 3 working days notice of such meetings shall be given by the Chair in writing specifying the business to be transacted.

### Sub-groups

- (v) From time to time, the Advisory Group may recommend the convening of smaller sub-groups comprising representatives of key interests in order to advance discussions in detail on particular land management issues.

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### Casual Vacancies

- (vi) Where a casual vacancy occurs in the Advisory Group, a replacement shall be appointed in

accordance with the procedures agreed by the Joint Committee.

#### Termination and reconstitution of Advisory Group

(vii) Subject to the approval of each of the Three Councils, the Joint Committee may agree to terminate the existence of the Advisory Group, and may at any time in the future re-establish the Advisory Group or such other working groups as it considers necessary to assist it in carrying out its functions under this Agreement.

#### VII. MISCELLANEOUS

##### Commencement and Variation

18. This Agreement shall be deemed to have commenced and taken effect on [ ] notwithstanding the date or dates hereof and may be varied by supplementary agreements between the Three Councils.

##### Withdrawal of a Party to the Agreement

19. Withdrawal may be made from this Agreement on Thirty-First March in any year by any of the Three Councils serving the Joint Committee not less than one year's notice to be served in like manner as a notice served under Section 190 of the 1973 Act, but such withdrawal shall not affect the obligations of the party withdrawing as respects their contribution to the budgets of the Regional Park for the next one financial year following the date of service of notice and in respect of any projects committed at the date of service of notice and which will require a financial contribution beyond the said one financial year.

##### Extension of or variation to the Regional Park Boundaries

20. Should the Regional Park's boundary be extended or otherwise varied, the Joint Committee shall have the authority to review this Agreement to reflect the new Regional Park area and the relevant Local Authorities.

Arbitration

21. Any dispute among the Parties to this Agreement shall be referred to the decision of an arbiter to be mutually agreed, and failing such agreement, to be appointed by the Sheriff Principal of Lothian and Borders on the written application of any of the Parties. The decision of such an arbiter including award of any expenses shall be final and binding on the Parties.

And the parties hereto consent to the registration hereof for preservation: IN WITNESS WHEREOF:

FOR AND ON BEHALF OF THE CITY OF EDINBURGH COUNCIL

Proper Officer .....

Witness .....

Date .....

FOR AND ON BEHALF OF MIDLOTHIAN COUNCIL

Proper Officer .....

Witness .....

Date .....

FOR AND ON BEHALF OF WEST LOTHIAN COUNCIL

Proper Officer .....

Date .....

FIRST SCHEDULE REFERRED TO IN THE FOREGOING MINUTE OF AGREEMENT

PART ONE

The Functions with regard to the Pentland Hills Regional Park to be delegated by the Three Councils to the Joint Committee shall be those contained within:

COUNTRYSIDE (SCOTLAND) ACT 1967 (as amended)

<u>Section</u>	<u>Rubric</u>
S.33 (i)	insofar as it relates to bring public paths into fit condition, and maintenance thereafter.
SS.39,40,42	insofar as they relate to operation, management, maintenance, etc. of long distance routes.
SS.43-45	Ploughing of rights of way, pasturing of bulls; power to authorise erection of stiles, etc., on public rights of way.
SS.46(1) – (3)	Protection and maintenance of rights of way.
S.48	insofar as it relates to management etc., of Country Parks.
S.48A, (2)(b)	management of Regional Parks.
S.49(1), (2)(b), 3	provision and maintenance of camping and caravan site; provision of services for use on sites and charging of use thereof.
S.49 A	Management agreements
S.50(1)	provision of accommodation, meals and refreshments.
S.51(1)	provision of parking places
S.53	contributions by or to local authorities.
SS.61-62	improvement of waterways for purposes of open air recreation.
SS.65	appointment of rangers, in relevant areas.

LOCAL GOVERNMENT (DEVELOPMENT AND FINANCE) (SCOTLAND) ACT 1964

<u>Section</u>	<u>Rubric</u>
S.2	except insofar as it relates to land acquisition and additional powers to develop land.

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960 (as amended by S.I. 1996/323 Art 4 Schedule 2)

<u>Section</u>	<u>Rubric</u>
S.24	insofar as it relates to operation, maintenance and management, etc. of caravan sites.

REFUSE DISPOSAL (AMENITY) ACT 1978

<u>Section</u>	<u>Rubric</u>
S.3(1) and (3), S.4	Removal of abandoned vehicles. Disposal of removed vehicles.
S.5	Recovery of expenses connected with removed vehicles.
S.6(1)&(3), (4)&(6),(7) (8)	Removal and disposal etc. of other refuse.

LOCAL GOVERNMENT AND PLANNING (SCOTLAND)ACT 1982

<u>Section</u>	<u>Rubric</u>
S.15	Provision of recreational, sporting, cultural and social facilities and activities.
S.16(1)	Supplementary provisions permitting facilities to be run by other persons; charging admission/participation, management of parks, concessions for shops, stalls and restaurants, etc.
S.20(b)	insofar as it relates to improving, maintaining and managing a harbour, pier, boatslip or jetty.
S.26	Functions in relation to the provision of public conveniences.
S.30	Power to provide and maintain roadside seats.

ENVIRONMENTAL PROTECTION ACT 1990

<u>Section</u>	<u>Rubric</u>
S86	Preliminary -litter
S87 & 88	Offence of leaving litter and fixed penalty notices
S89	Duty to keep land and highways clear of litter etc.
S92	Summary proceedings by litter authorities

LAND REFORM (SCOTLAND) Act 2003 (subject to the reservation of the core path plan and such other functions, duties or powers as may be agreed from time to time by the Three Councils)

## PART TWO

The Powers and Duties with regard to the Pentland Hills Regional Park to be exercised by the three

Councils on the advice of the Joint Committee shall be those contained within:

### COUNTRYSIDE (SCOTLAND) ACT 1967 {as amended}

Section	Description
S.12	Scottish Natural Heritage to consult with local planning authorities and bodies on access requirements.
S.13	Access agreement.
S.14	Access Orders.
SS.16-20	Effect of access agreement or order on rights and liabilities of persons interested in land; Provision for securing safe and sufficient access; Power of local planning authority to force access; Suspension of public access to avoid risk of fire; Compensation for access orders.
S.24	Acquisition by local planning authorities of land for public access.
S.26	Maps of land subject to public access.
SS.30-38 [excluding SS.32 (1) and 32(3)]	Creation of public paths by agreement; Compulsory powers for creation of public paths; Making up and maintenance of public paths; Closure of public paths; Diversion of public paths; Compensation for creation, diversion and closure of public paths; Supplementary provisions as to creation, closure and diversion of public

paths.

SS.39-42	General provisions as to long distance routes; Approval of proposals relating to a long distance route; Ferries for purpose of long distance routes; Variation of approved proposals;
S.43(2)	Provisions relating to rights of way/ploughing of rights of way
S.46(1)	Assertion, protection and maintenance of rights of way.
S.48	Country Parks.
S.48A	Regional Parks.
S.49(2)	Acquisition of land in use or laid out as a camping or caravan sites (a) (4) Compulsory acquisition of camping and caravan sites. .
S.49A	Management Agreements.
S.50(2)	Compulsory Acquisitions (provision of accommodation, meals and refreshments).
S.51(2)	Compulsory Acquisitions ( parking places).
S.54	Byelaws.
S.56A	Control of engine noise in quiet areas.
S.69(3)	Acquisition, appropriation and disposal of land.
S.75	Powers of entry.

#### CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

<u>Section</u>	<u>Description</u>
S.24	Power of local authorities to provide sites for caravans.

#### TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

SS.159 -175	Planning permission to include appropriate provision for preservation and planting of trees;
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Tree preservation orders;  
Provisional tree preservation orders;  
Replacement of trees.

PLANNING (LISTED BUILDING & CONSERVATION AREAS)(SCOTLAND) ACT 1997

S1-8	Listing of buildings of special architectural Publication of lists Temporary Listing Authorisation of works affecting listed buildings
S66-68	Control of demolition

LOCAL GOVERNMENT (SCOTLAND) ACT 1973 as amended by the Civic Government (Scotland) Act 1982 and the Local Government Etc.(Scotland Act 1994)

<u>Section</u>	<u>Description</u>
SS.201-204	Byelaws for good rule and government; Procedure, etc. for byelaws; Register of byelaws; . Revocation of byelaws by resolution; Offences against byelaws; Evidence of byelaws.

SECOND SCHEDULE REFERRED TO IN THE FOREGOING MINUTE OF AGREEMENT

The number of its elected members that each of Three Councils shall appoint to the Pentland Hills Region Park Joint Committee shall be:

THE CITY OF EDINBURGH COUNCIL	3 members
MIDLOTHIAN COUNCIL	3 members
WEST LOTHIAN COUNCIL	1 member
	-----
Total	7 members
	-----

### THIRD SCHEDULE REFERRED TO IN THE FOREGOING MINUTE OF AGREEMENT

Land and buildings within the Regional Park which are subject of the title or other interests vested in the Three Councils,

1. Property lying within the Regional Park and in the ownership or control of the Managing Authority

Bonaly Country Park

Harlaw House, including garage and garden

Clubbiedean office and toilet

Harlaw Car Park

Threipmuir Car Park

Triangular Birchwood, Threipmuir, also known as Redford Wood

Swanston Car Park and associated plots of land

Torphin Quarry

2. Property lying within the Regional Park and in the ownership or control of Midlothian Council

Flotterstone Visitor Centre and attached land

Flotterstone Car Park

Hillend Country Park, excluding the Ski-centre, associated buildings and dry ski facility

Hillend Country Park workshop facility

Boghall Car Park

3. Property lying within the Regional Park and in the ownership or control of West Lothian Council

Little Vantage Car Park

4. Property lying within the Regional Park and in the ownership or control of Scottish Agricultural College

Boghall Farmhouse, garage and associated land

5. Property lying outside the Regional Park but associated with its function and in the ownership or control of the City of Edinburgh Council.

Land and buildings at 14/2 Kirkgate, Currie.

FOURTH SCHEDULE REFERRED TO IN THE FOREGOING MINUTE OF AGREEMENT

Representation on the Regional Park Advisory Group.

INTEREST GROUP

<u>MEMBERS</u>	NUMBER	BODY
Local Authority (three members)	1	Midlothian
	1	City of Edinburgh
	1	West Lothian
Landowning (four members)	1	Scottish Landowners Federation
	1	Ministry of Defence
	1	Scottish Water Authority
	1	Scottish Agricultural College
Farming (two members)	2	National Farmers' Union for Scotland
Heritage (two members)	1	Scottish Wildlife Trust
	1	National Trust for Scotland
Recreation (two members)	1	Scottish Countryside Activities Council
	6	Scottish Rights of Way and Access Society/ Ramblers Association
Community Councils (one member)	1	Community Councils Forum

OBSERVERS/ADVISORS

Natural Heritage	1	Scottish Natural Heritage
Recreation Formal	1	Scottish Sports Council
Economic Development	1	Local Enterprise Companies
Woodlands/Forestry	1	Forestry Authority
Scottish Executive Environment and Rural Affairs Department	1	Scottish Executive
Archaeology	1	Historic Scotland
Rural Development	1	SAC Advisory Services

## MINUTE OF AGREEMENT

between

The CITY OF EDINBURGH COUNCIL, constituted under the Local Government Etc. (Scotland) Act 1994 and having its principal office at Waverley Court, Business Centre 2.1 | 4 East Market Street, Edinburgh, EH8 8BG (who and whose successors are hereinafter referred to as "the Managing Authority")

and

MIDLOTHIAN COUNCIL, constituted under the Local Government Etc. (Scotland) Act 1994 and having its principal office at Midlothian House, Buccleuch Street, Dalkeith, (who and whose successors are hereinafter referred to as "Midlothian Council")

and

WEST LOTHIAN COUNCIL, constituted under the Local Government Etc. (Scotland) Act 1994 and having its principal office at West Lothian Civic Centre, Howden South Road, Livingston, West Lothian, EH54 6FF. (who and whose successors are hereinafter referred to as "West Lothian Council")

WHEREAS following a review of the funding and operation of the Pentland Hills Regional Park ("the Regional Park") the Pentland Hills Regional Joint Committee ("the Joint Committee") on 23<sup>rd</sup> August 2021 resolved that:

- (1) Voting membership of the Joint Committee be extended to include the following organisations: Pentland Land Managers Association; Friends of the Pentlands; and Edinburgh & Lothians Greenspace Trust;
- (2) The Minute of Agreement originally establishing the Joint Committee in terms of section 56 and 57 of the Local Government (Scotland) Act 1973 ("the 1973 Act ") and a Regional Park Advisory Group (the "Advisory Group") (the "Original Minute of Agreement") be revised to incorporate amendments reflecting the new arrangements specifically those affecting governance of the Joint Committee
- (3) The purpose, membership and frequency of meetings of the Consultative Forum and its governance relationship with the Joint Committee.

AND WHEREAS the Managing Authority, West Lothian Council and Midlothian Council (hereinafter referred to as the "Three Councils") have decided for ease of reference to discharge the

Original Minute of Agreement and enter into this Minute of Agreement which will reflect the new arrangements referred to above.

NOW THEREFORE IT IS HEREBY AGREED AS FOLLOWS:

## 1. CONSTITUTION OF THE JOINT COMMITTEE

### Constitution

- 1) 1. (i) In accordance with the Original Minute of Agreement now discharged the Three Councils hereby agree to continue to combine for the purpose of discharging their respective functions with regard to service provision and management issues in the Regional Park as set out in part one of the First Schedule to this Agreement, within the area including and adjoining the Regional Park as agreed by the Joint Committee, more particularly described and defined in the Schedule annexed and subscribed as relative to the Pentland Hills Regional Park Designation Order 1984. The constitution of the Joint Committee set up for this purpose shall continue to comprise of ten members of which three will be from the Managing Authority, three from Midlothian Council and one from West Lothian Council, plus one from the Edinburgh and Lothians Greenspace Trust, one from the Pentland Land Managers Association and one from the Friends of the Pentlands. NatureScot, Scottish Water, the National Farmers Union Scotland and Scottish Land and Estates will be invited to participate in all meetings in a non-voting capacity (together the “Organisations”).
- (ii) The Joint Committee will have the discretion to invite by agreement such other individuals or bodies as they consider appropriate from time to time in furtherance of the aims of the Regional Park.
- (iii) The Three Councils also hereby agree to be advised by the Joint Committee with regard to the exercise by the Councils of their respective powers and duties within the Regional Park area with regard to tourism, recreation and conservation, and environmental education as set out in Part Two of the First Schedule to this Agreement.

## Appointment to Joint Committee of Members by the Three Councils

2. (i) Each of the Three Councils shall appoint members to the Joint Committee in accordance with the provisions of this Clause and the Second Schedule to this Agreement, and such appointed members shall total seven.
- (ii) Each of the Three Councils shall appoint the first members of the Joint Committee before or at the meetings at which approval is given to this Agreement and the members so appointed shall, subject as hereinafter provided, continue in office until they are re-appointed or replaced by the Three Councils following an Ordinary Council Election. Each of the Three Councils, following such Ordinary Council Elections, shall, as soon as practicable thereafter, appoint members to the Joint Committee who shall hold office until they are re-appointed or replaced by the Three Councils following the election of members to that Council.
- (iii) Each of the Three Councils may at the same time as they appoint their members under paragraph (ii) *above*, nominate an equal number of alternative representatives who may attend any meeting of the Joint Committee in substitution for any member or members appointed by the Council to the Joint Committee in the event that any such member is unable to attend.
- (iv) Substitute members in attendance under paragraph (iii) *above* shall have the same right to speak and vote at any meeting as if they had been appointed to be members by the authority which they represent.
- (v) A member of the Joint Committee shall cease to be a member of the Joint Committee when that member ceases to be a member of the authority which appointed them, or on the appointment by that authority of another member in their place, whichever shall first occur.

## Appointment to Joint Committee of organisations

- Each of the other members of the Joint Committee (Pentland Land Managers Association, Friends of the Pentlands, Edinburgh & Lothians Greenspace Trust) shall appoint members to

the Joint Committee in accordance with the provisions of the Clause and the Second Schedule to this Agreement, and such appointed members shall be three. They should be able to appoint one member each.

- Each of the Organisations may at the same time as they appoint their members under paragraph (i) above, nominate an equal number of alternative representatives who may attend any meeting of the Joint Committee in substitution for any member or members appointed by the Organisation to the Joint Committee in the event that any such member is unable to attend.
- Substitute members in attendance under paragraph (iii) above shall have the same right to speak and vote at any meeting as if they had been appointed to be members by the authority which they represent.
- A member of the Joint Committee shall cease to be a member of the Joint Committee when that member ceases to be a member of the Organisation which appointed them, or on the appointment by that Organisation of another member in their place, whichever shall first occur.

#### Appointment of Chair

3. The Joint Committee shall elect a Chair and a Vice Chair at its first meeting and thereafter as soon as practicable following an Ordinary Council Election. The Chair and Vice Chair shall be Local Authority members. The Chair shall hold office until re-appointed or replaced by the Joint Committee following the appointment of members to the Joint Committee by the Three Councils.

#### Casual Vacancies

4. Where a casual vacancy occurs in membership of the Joint Committee, the Council or Organisation which appointed the member shall appoint a new member. Where the vacancy occurs in the case of the Chair or Vice Chair, the Joint Committee shall appoint a new Chair

or Vice-Chair at the next meeting of the Joint Committee.

### Quorum

5. The quorum of the Joint Committee shall be four provided that not less than two of the Three Councils shall be represented.

### Procedures

6. (i) Decisions of the Joint Committee shall be by a simple majority of the members present and the Chair shall have a casting as well as a deliberative vote.

Decisions relating to allocation of funding shall be by a simple majority of the Local Authority members present and the Chair shall have a casting as well as a deliberative vote. Any non-local authority members present are not entitled to vote.

- (ii) Subject to the delegation of functions within this Agreement the Joint Committee shall have power to regulate its own procedures.

7. (i) For the period of this agreement, the Managing Authority shall act as the managing authority for the Regional Park. The Managing Authority shall enter into Service Level Agreements with Midlothian and West Lothian Council with the aim of ensuring that the Regional Park is operated effectively for the benefit of Regional Park users, the farming community and other stakeholders. It is further agreed that the Managing Authority will act as administering authority for the Joint Committee and shall exercise the management functions of the Joint Committee as regards the Regional Park. The functions of the Managing Authority shall include:

(a) the servicing of the Joint Committee;

(b) the holding of all budgets on behalf of the Regional Park in an accountable manner and in accordance with standards of financial monitoring required of local authorities;

(c) the procurement of works, supplies and services on behalf of the Regional Park;

(d) the application for and subsequent claim for revenue and capital funding from government and other grants and funds”

(e) the invoicing and/or crediting of the other two Councils for such agreed sums which may be owed by them or to them through the Service Level Agreements in connection with the management of the Regional Park.

(ii) The Managing Authority on behalf of the Regional Park shall be entitled to call upon Midlothian Council and West Lothian Council to provide such professional, technical and administrative support to the Regional Park as is necessary for the operation of this Agreement and the service provision and management of the Regional Park. The type and level of assistance which is made available by Midlothian and West Lothian Councils shall be at their entire discretion.

(iii) The Managing Authority shall use its own standing orders with respect to contracts made on behalf of any of the Three Councils, for the supply of goods or materials or the execution of works or the provision of services in connection with the operation of this Agreement.

(iv) The Joint Committee shall meet not less than twice during each year and not less than ten working days notice of such meetings shall be given by the Managing Authority in writing, specifying the business to be transacted.

## I. AIMS OF THE REGIONAL PARK SERVICE

8. (i) The aims of the Regional Park Service shall be, inter alia

1. To retain the essential character of the hills as a place for the peaceful enjoyment of the countryside.

2. Caring for the hills, so that the landscape and the habitat is protected and enhanced.

3. Within this caring framework, to encourage responsible public enjoyment of the hills in accordance with the statutory powers and duties of the Three Councils and having regard in particular to the requirements of the Land Reform (Scotland) Act 2003.

4. Co-ordination of these aims so that they co-exist with farming and other land uses within the park.

(ii) The objectives of the Joint Committee shall be to:-

a) Co-ordinate the implementation of the appropriate service provision and management policies contained in the Regional Park Management Plan and any relevant Local Plans, or such other Plans which may succeed them.

b) Support community initiatives, relative to the aims of the Regional Park, within the boundaries of the three Council areas.

c) Seek to ensure that other bodies and persons shall have regard to the interests, objectives and policies of the Regional Park.

## II. DELEGATIONS OF FUNCTIONS

9. The Three Councils insofar as they have the power to do so hereby delegate to the Joint Committee the discharge of their functions with regard to the provision and management of visitor and countryside facilities and services, as listed in Part One of the First Schedule to this Agreement, including without prejudice to the said generality:

a) all functions referred to within the terms of the Land Reform (Scotland) Act 2003 excepting such duties relating to the core path plan and any such functions and duties as the Three Councils may from time to time agree shall be reserved to the respective Councils;

b) power to recommend to the Three Councils estimates of capital and revenue expenditure, and following consideration and approval by the Three Councils, for the Managing Authority to manage the Budgets of income and expenditure for the succeeding year, all in conformity with the provisions of Part IV (Financial Arrangements) of this Agreement;

c) power to alter the structure of the Consultative Forum as hereinafter defined in Clause 17.

#### IV. FINANCIAL ARRANGEMENTS

##### Revenue Expenditure

10. (i) The parties agree to meet the following approved annual budgetary contribution for the Regional Park or such other contribution as may be agreed by the Three Councils from time to time:

**The Managing Authority .....**

**Midlothian Council....**

**West Lothian Council.....**

(ii) The Managing Authority will where possible secure grant aid for all revenue expenditure in the Regional Park or from other bodies as appropriate.

(ii) The Three Councils agree that expenditure required for unplanned items e.g. emergency repairs to buildings or properties will be apportioned in accordance with the location of the property within the Regional Park, each authority being responsible for such expenditure within its own Council Area. These responsibilities are further defined in the Third Schedule to this Agreement. Under explanation that the three Councils shall not be obliged to incur any such expenditure by virtue of this Agreement.

##### Capital Expenditure

(iv) Capital expenditure will be planned in the context of the policies and proposals contained in the Pentland Hills Regional Park Management Plan or other relevant Plans. Each Council will be liable for any capital expenditure agreed by it for a project within its Council Area excepting Capital expenditure which shall be divided between the Three Councils in proportions to be agreed by the Three Councils subject to the prior approval of the respective Councils. The Managing Authority will seek to secure grant aid from Scottish Government or other appropriate sources for all capital expenditure in the Regional Park.

##### Regional Park Budget

11. (i) Where capital expenditure is anticipated in any financial year the Joint Committee shall draw up a financial plan (hereinafter referred to as the "Financial Plan") setting out the proposed

programme for capital expenditure for the following three years and subsequent years. This Financial Plan will be submitted to each of the Three Councils, and they shall each have regard to it when preparing their own financial plans.

- (ii) Not later than the Thirtieth of December for each financial year, the Managing Authority shall, if required, prepare and submit to each of the Three Councils for their approval draft estimates of capital and revenue expenditure for the next financial year. These draft estimates shall have regard to the Financial Plan.

#### Accounts

- 12. The Managing Authority shall prepare Accounts annually to Thirty-First March and submit them to the Joint Committee no later than Thirty-First August following or such other date as may be agreed by the Joint Committee. The Accounts shall be audited in accordance with the provisions of Section 96 of the 1973 Act and the Accounts shall be submitted to the Three Councils after formal submission to and approval by the three Councils after completion of the audit. The Joint Committee shall meet by Thirtieth September each year or by such other date as the Joint Committee and the Three Councils may agree in advance of Thirtieth September each year in order to receive an Annual Report on the Management of the Regional Park together with the relative Accounts.

#### V. ADMINISTRATIVE AND STAFFING ARRANGEMENTS

- 13. Subject to the terms of the various Service Level Agreements to be entered into between the Managing Authority and West Lothian Council and Midlothian Council the Managing Authority may at its sole discretion appoint such staff on such terms and conditions as it considers appropriate to fulfil the running obligations of the Regional Park.

#### Land and Buildings

- 14. (i) In the case of the land and buildings (as detailed in the Third Schedule to this Agreement which may be amended from time to time with the agreement of the relevant parties having title to or interest in the land or buildings in question) in which any of the Three Councils have title or interest to, the title or other interest of said land and buildings shall continue to be vested in the name of that Council, but, subject to consultation with other parties having

an interest in said land and buildings, that Council may agree with the Managing Authority that the management and maintenance of any of the said land and buildings to which they have title or interest to shall become the responsibility of the Managing Authority, on dates and terms to be stipulated and agreed by the Three Councils. The parties shall ensure that the Service Level Agreements to be entered into between the parties provide for appropriate public liability insurance to be maintained at all times and detail the party responsible for maintaining such insurance.

- (ii) Where land and buildings are under the management of the Joint Committee, and the title or other interest is vested in one of the Three Councils, that Council shall not dispose of that title or interest without first notifying the Joint Committee of its intention. The Three Councils shall each be bound to have regard to the views of the Joint Committee on these matters.

## VI. REGIONAL PARK ADVISORY CONSULTATIVE FORUM

- 15. (i) The Joint Committee agree to the establishment of a Regional Park Consultative Forum (hereinafter referred to as "the Consultative Forum") to provide a forum representative of all interests in the Regional Park which can provide technical and specialist knowledge to support the management and development of the Regional Park. The Consultative Forum shall include one elected representative from each of the Three Councils. The Joint Committee shall invite non local authority members to sit on the Consultative Forum who shall be representative of the interests in the Pentland Hills area including appropriate local interests within that area. The bodies represented on the Consultative Forum shall be as described in the Fourth Schedule to this Agreement.

### Chair, Vice-Chair and Clerk of the Consultative Forum

- (ii) The Consultative Forum shall be chaired by the Chair of the Joint Committee and shall elect a Vice-Chair from its own non local authority members. The Clerk to the Joint Committee as provided by the Managing Authority shall act as Clerk to the Consultative Forum.

### Meetings of the Consultative Forum

- (iii) The Consultative Forum shall meet not less than twice during each year on such dates and at such times and places as determined by the Chair. Provided that 3 working days notice of such meetings shall be given by the Chair in writing specifying the business to be transacted.

#### Sub-groups

- (iv) From time to time, the Consultative Forum may recommend the convening of smaller sub-groups comprising representatives of key interests in order to advance discussions in detail on particular land management issues.

#### Casual Vacancies

- (v) Where a casual vacancy occurs in the Consultative Forum, a replacement shall be appointed in accordance with the procedures agreed by the Joint Committee.

#### Termination and reconstitution of Consultative Forum

- (vi) The Joint Committee may agree to terminate the existence of the Consultative Forum, and may at any time in the future re-establish the Consultative Forum or such other working groups as it considers necessary to assist it in carrying out its functions under this Agreement.

### VII. MISCELLANEOUS

#### Commencement and Variation

- 16. This Agreement shall be deemed to have commenced and taken effect on [ DAY AFTER JANUARY COMMITTEE ] notwithstanding the date or dates hereof and may be varied by supplementary agreements between the Three Councils.

#### Withdrawal of a Party to the Agreement

- 17. Withdrawal may be made from this Agreement on Thirty-First March in any year by any of the Three Councils and the Organisations serving the Joint Committee not less than one year's notice to be served in like manner as a notice served under Section 190 of the 1973 Act, but such withdrawal shall not affect the obligations of the party withdrawing as respects

their contribution to the budgets of the Regional Park for the next one financial year following the date of service of notice and in respect of any projects committed at the date of service of notice and which will require a financial contribution beyond the said one financial year.

Extension of or variation to the Regional Park Boundaries

18. Should the Regional Park's boundary be extended or otherwise varied, the Three Councils shall have the authority to review this Agreement to reflect the new Regional Park area and the relevant Local Authorities.

Arbitration

19. Any dispute among the Parties to this Agreement shall be referred to the decision of an arbiter to be mutually agreed, and failing such agreement, to be appointed by the Sheriff Principal of Lothian and Borders on the written application of any of the Parties. The decision of such an arbiter including award of any expenses shall be final and binding on the Parties.

And the parties hereto consent to the registration hereof for preservation: IN WITNESS WHEREOF:

FOR AND ON BEHALF OF THE CITY OF EDINBURGH COUNCIL

Proper Officer .....

Witness .....

Date .....

FOR AND ON BEHALF OF MIDLOTHIAN COUNCIL

Proper Officer .....

Witness .....

Date .....

FOR AND ON BEHALF OF WEST LOTHIAN COUNCIL

Proper Officer .....

Witness .....

Date .....

## FIRST SCHEDULE REFERRED TO IN THE FOREGOING MINUTE OF AGREEMENT

### PART ONE

The Functions with regard to the Pentland Hills Regional Park to be delegated by the Three Councils to the Joint Committee shall be those contained within:

#### COUNTRYSIDE (SCOTLAND) ACT 1967 (as amended)

<u>Section</u>	<u>Rubric</u>
S.33 (1)	insofar as it relates to bring public paths into fit condition, and maintenance thereafter.
SS.39,40,42	insofar as they relate to operation, management, maintenance, etc. of long distance routes.
SS.44-45	Ploughing of rights of way, pasturing of bulls; power to authorise erection of stiles, etc., on public rights of way.
SS.46(1) – (3)	Protection and maintenance of rights of way.
S.48	insofar as it relates to management etc., of Country Parks.
S.48A, (2)(b)	management of Regional Parks.
S.49(1), (2)(b), 3 S.49 A	provision and maintenance of camping and caravan site; provision of services for use on sites and charging of use thereof. Management agreements
S.50(1)	provision of accommodation, meals and refreshments.
S.51(1)	provision of parking places
S.53	contributions by or to local authorities.
SS.61-62	improvement of waterways for purposes of open air recreation.
SS.65	appointment of rangers, in relevant areas.

#### LOCAL GOVERNMENT (DEVELOPMENT AND FINANCE) (SCOTLAND) ACT 1964

<u>Section</u>	<u>Rubric</u>
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S.2                    except insofar as it relates to land acquisition and additional powers to develop land.

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960 (as amended by S.I. 1996/323 Art 4 Schedule 2)

<u>Section</u>	<u>Rubric</u>
S.24	insofar as it relates to operation, maintenance and management, etc. of caravan sites.

REFUSE DISPOSAL (AMENITY) ACT 1978

<u>Section</u>	<u>Rubric</u>
S.3(1) and (3), S.4	Removal of abandoned vehicles. Disposal of removed vehicles.
S.5	Recovery of expenses connected with removed vehicles.
S.6(1)&(3), (4)&(6),(7) (8)	Removal and disposal etc. of other refuse.

LOCAL GOVERNMENT AND PLANNING (SCOTLAND) ACT 1982

<u>Section</u>	<u>Rubric</u>
S.15	Provision of recreational, sporting, cultural and social facilities and activities.
S.16(1)	Supplementary provisions permitting facilities to be run by other persons; charging admission/participation, management of parks, concessions for shops, stalls and restaurants, etc.
S.20(b)	insofar as it relates to improving, maintaining and managing a harbour, pier, boatslip or jetty.
S.26	Functions in relation to the provision of public conveniences.
S.30	Power to provide and maintain roadside seats.

ENVIRONMENTAL PROTECTION ACT 1990

<u>Section</u>	<u>Rubric</u>
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S86	Preliminary -litter
S87 & 88	Offence of leaving litter and fixed penalty notices
S89	Duty to keep land and highways clear of litter etc.
S92	Summary proceedings by litter authorities

LAND REFORM (SCOTLAND) Act 2003 (subject to the reservation of the core path plan and such other functions, duties or powers as may be agreed from time to time by the Three Councils)

## PART TWO

The Powers and Duties with regard to the Pentland Hills Regional Park to be exercised by the three Councils on the advice of the Joint Committee shall be those contained within:

### COUNTRYSIDE (SCOTLAND) ACT 1967 {as amended}

Section	Description
SS.30-38 [excluding SS.32 (1) and 32(3)]	Creation of public paths by agreement; Compulsory powers for creation of public paths; Making up and maintenance of public paths; Closure of public paths; Diversion of public paths; Compensation for creation, diversion and closure of public paths; Supplementary provisions as to creation, closure and diversion of public paths.
SS.39-42	General provisions as to long distance routes; Approval of proposals relating to a long distance route; Ferries for purpose of long distance routes; Variation of approved proposals;
S.46(1)	Assertion, protection and maintenance of rights of way.
S.48	Country Parks.
S.48A	Regional Parks.
S.49(2) (4)	Acquisition of land in use or laid out as a camping or caravan sites (a) Compulsory acquisition of camping and caravan sites. .
S.49A	Management Agreements.
S.50(2)	Compulsory Acquisitions (provision of accommodation, meals and

refreshments).

- S.51(2) Compulsory Acquisitions ( parking places).
- S.54 Byelaws.
- S.56A Control of engine noise in quiet areas.
- S.69(3) Acquisition, appropriation and disposal of land.
- S.75 Powers of entry.

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

- SS.159 -175 Planning permission to include appropriate provision for preservation and planting of trees;  
Tree preservation orders;  
Provisional tree preservation orders;  
Replacement of trees.

PLANNING (LISTED BUILDING & CONSERVATION AREAS)(SCOTLAND) ACT 1997

- S1-8 Listing of buildings of special architectural  
Publication of lists  
Temporary Listing  
Authorisation of works affecting listed buildings
- S66-68 Control of demolition

LOCAL GOVERNMENT (SCOTLAND) ACT 1973 as amended by the Civic Government (Scotland) Act 1982 and the Local Government Etc.(Scotland Act 1994)

Section

Description

- SS.201-204 Byelaws for good rule and government;  
Procedure, etc. for byelaws;  
Register of byelaws; .  
Revocation of byelaws by resolution;  
Offences against byelaws;  
Evidence of byelaws.

SECOND SCHEDULE REFERRED TO IN THE FOREGOING MINUTE OF AGREEMENT

The number of its elected members that each of Three Councils shall appoint to the Pentland Hills Regional Park Joint Committee shall be:

THE CITY OF EDINBURGH COUNCIL	3 members
MIDLOTHIAN COUNCIL	3 members
WEST LOTHIAN COUNCIL	1 member
	-----
Total	7 members
	-----
PENTLAND LAND MANAGERS ASSOCIATION	1 member
EDINBURGH AND LOTHIANS GREENSPACE TRUST	1 member
FRIENDS OF THE PENTLANDS	1 member
	-----
Total	3 members
	-----

THIRD SCHEDULE REFERRED TO IN THE FOREGOING MINUTE OF AGREEMENT

Land and buildings within the Regional Park which are subject of the title or other interests vested in the Three Councils,

1. Property lying within the Regional Park and in the ownership or control of the Managing Authority

Bonaly Country Park

Harlaw House, including garage and garden

Harlaw Car Park

Threipmuir Car Park

Triangular Birchwood, Threipmuir, also known as Redford Wood

Swanston Car Park and associated plots of land

Torphin Quarry

2. Property lying within the Regional Park and in the ownership or control of Midlothian Council

Flotterstone Visitor Centre and attached land

Flotterstone Car Park

Hillend Country Park, excluding the Ski-centre, associated buildings and dry ski facility

Hillend Country Park workshop facility

3. Property lying within the Regional Park and in the ownership or control of West Lothian Council

Little Vantage Car Park

FOURTH SCHEDULE REFERRED TO IN THE FOREGOING MINUTE OF AGREEMENT

Representation on the Regional Park Consultative Forum.

INTEREST GROUP

<u>MEMBERS</u>	NUMBER	BODY
Local Authority	1	Midlothian
	1	City of Edinburgh
	1	West Lothian
	1	Ministry of Defence
	1	Scottish Water
	1	Pentland Land Managers Association
		Friends of the Penlands Edinburgh and Lothians Greenspace Trust
Landowning	1	Scottish Land and Estates
	1	Cairns Farm / Harperrig Management Group
	1	Logan Estate
	1	Scottish Rural University College (SRUC)
	1	Swanston
	1	Easter Bavelaw farm
	1	Whitburgh
	1	Eastside farm
Fishery Managers	1	Malleny Angling Association
	1	Threipmuir Angling Fishery
	1	Glencourse Fishery
	1	Loganlea Fishery
	1	Harperrig Fishery
Farming	2	National Farmers' Union for Scotland
Heritage	1	Scottish Wildlife Trust
Recreation	1	Ramblers Scotland
		Carnethy running club
		British Horse Society
		Cycling Scotland

Orienteering  
Bonaly Scout Association  
Pentlands Triathletes  
Scottish Canoe Association  
Midlothian Sports Centre  
Balerno Community Council  
Balerno Village Trust  
Colinton Amenity Association  
Colinton Community Council  
Currie Community Council  
Fairmilehead Community  
Council  
Juniper Green Community  
Council  
Carlops Community Council  
Damhead Community Council  
Loanhead Community Council  
Bonnyrigg and Lasswade  
Community Council  
Penicuik and District Community  
Council  
West Linton Community Council  
Joint Forum of Community  
East Calder Community Council  
Kirknewton Community Council  
NatureScot  
Sustrans  
Sportscotland  
Historic Environment Scotland  
Visit Scotland  
Scottish Forestry Central

Councils in West Lothian

Agencies

Local Businesses

Flotterstone Inn  
Flotterstone Café Express  
Bobcat Alpacas  
Clubiedean Café

Other Stakeholders

Harperrig Management Group  
Rosebery Estate  
Water of Leith Conservation

Trust

Youth Vision

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