

Pentland Hills Regional Park Joint Committee

10am, Tuesday, 8 September 2020

Managing increased vehicular access and irresponsible camping in the Pentland Hills Regional Park

Executive/routine	Routine
Wards	Pentland Hills
Council Commitments	43. Continue to upgrade our existing parks

1. Recommendations

- 1.1 That Committee supports the measures proposed to manage motor-vehicle access to and parking within the Regional Park, as well as proposals to reduce the impact of antisocial activities caused by irresponsible camping at the Park's principal visitor locations. Specifically agreeing that:
 - 1.1.1 Proposed traffic management measures be referred to the relevant Committees of Midlothian and the City of Edinburgh Councils.
 - 1.1.2 A business case for the upgrading and expansion of principal car parks be presented at the next Joint Committee meeting.
 - 1.1.3 A report be submitted to the next Joint Committee meeting exploring sustainable access and active travel opportunities.
 - 1.1.4 A business case for establishing an eco-campsite be presented at the next Joint Committee meeting.
 - 1.1.5 A business case for introducing mandatory parking charges be presented at the next Joint Committee meeting.

Paul Lawrence

Executive Director of Place

Contact: David Jamieson, Parks & Greenspace Manager

E-mail: David.Jamieson@edinburgh.gov.uk | Tel: 07825 552 288



Managing increased vehicular access and irresponsible camping in the Pentland Hills Regional Park

2. Executive Summary

- 2.1 The recent health crisis has highlighted a range of growing recreational and traffic management pressures on the Pentland Hills Regional Park (PHRP), notably irresponsible wild camping, anti-social behaviour, and a significant rise in the use of car parks, causing overflow onto adjacent access roads. This report addresses these issues, proposing a series of actions that if implemented will help limit their impact on the sustainable use of and access to the Regional Park. The specific measures proposed related to the Regional Park are: enhanced traffic and parking controls, creating additional off-road parking provision, development of active travel alternatives, creation of a formal eco-camping facility with toileting provision, enforcement of Park Management Rules, and the introduction of parking charges to raise revenue to pay for these specific measures.

3. Background

- 3.1 The Pentland Hills Regional Park has been growing in popularity over the years, with significantly more visitors accessing its principal beauty spots during the current Covid-19 pandemic. The last survey conducted in 2015/16 estimated to be 600,000+ annual visitors to the Park.
- 3.2 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 Regional Park 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 for the Regional Park.
- 3.3 Many of the 18 car parks in the Regional Park (Appendix 1) were originally created to alleviate local problems which occurred when inconsiderate parking blocked farm and residential access. However, ever-increasing access to the hills by motor-vehicles means that they are regularly reaching full capacity, resulting in significant vehicle displacement at the most popular sites, which is detrimental to relationships

with adjacent farmers and land managers and is undermining the effectiveness of parking provision.

- 3.4 Inconsiderate parking outside of the designated car parks cannot be controlled directly by the Regional Park service. Rather, the Roads Authority 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 however can intervene when dangerous parking or road obstruction takes place on roads.
- 3.5 People have wild camped for many years within the Regional Park. When carried out in small numbers, for short periods, and with respect for the local environment, this has caused few problems. In recent years however there has been an increase in the number of people camping, particularly on weekends with accompanying good weather. This has escalated further following the Coronavirus outbreak, with many now visiting in larger groups and exhibiting significant levels of antisocial behaviour. This is a trend that seems to be 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. (Appendix 2)
- 3.6 Many campers are leaving significant amounts of litter, including human waste, sanitary items and toilet paper. Campers are also sourcing wood for campfires from living trees, and when accessing the water to swim are impacting on recreational anglers who pay to fish on the reservoirs.
- 3.7 The Land Reform (Scotland) Act 2003 states that people can exercise access rights for recreational purposes. However, it does not define "recreational purposes" but the Scottish Outdoor Access Code (SOAC) gives examples of active pursuits, which includes wild camping. Guidance on wild camping states that this type of camping is 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 we are now seeing does not fit with this guidance.
- 3.8 Regional Park officers engage with all campers they meet to explain what responsible use of the countryside means and to encourage them to remove all rubbish and leave no trace. Where litter is left, staff and volunteers then clear this away. This is a considerable drain on effective use of staff and volunteers time to pursue other Park duties and projects. Fire lighting within woodland is actively discouraged, and during periods of high fire risk this extends to all open fires within the Regional Park. Responsible use messages are also promoted using the Pentland Hills website and Facebook page, alongside posters and signs on site. Recent campaigns have highlighted ways to camp and toilet responsibly.

4. Main report

- 4.2 Following informal discussions with stakeholders and other interested representatives, several actions have been proposed that, collectively, would enable a strategic approach to the management of inconsiderate Regional Park visitors and reduce the incidence of those antisocial behaviours occurring at principal access and beauty spots. These are listed as follows:

Traffic management

- 4.2 Additional traffic management measures to be explored to limit vehicle speeds along routes regularly shared by pedestrians, cyclists and motor vehicles, notably at Harlaw Road and Mansfield Road; 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, Mansfield Road, Bonaly Road, and the A702 trunk road adjacent to Flotterstone.
- 4.2.1 Installation of safety signage to alert vehicle users of pedestrians, cyclists horse riders etc on Regional Park access road. If supported by PHRP Joint Committee, these proposals will be referred to the relevant committees of Midlothian and The City of Edinburgh Council's for consideration to advance the necessary Traffic Regulation Orders (TRO).

Upgrade/expansion of principal car parks

- 4.3 Given that existing formal parking provision is regularly exceeded, investment is required to increase the capacity and upgrade those car parks under greatest pressure. Improvements to surfacing, space marking, vehicle manoeuvrability and signage is required; and the addition of extra disabled parking provision, electric charging points and bicycle locking rails would be beneficial.
- 4.3.1 The installation of physical barriers at the entrances to the main Regional Park car parks will allow for these to be closed to vehicular access as required. Although this would help control vehicular access during periods of "lockdown" or excessive antisocial behaviour, such measures would need to take account of operating costs, potential displacement of parking to adjacent roads, impact on legitimate users (e.g. local residents, rescue services, angling club members, café customers, campsite users etc), and the relative effectiveness in curtailing unwanted activities.
- 4.3.2 The link between antisocial behaviour and access to car parks during the evening and dark nights is not clear. The recent Police operation in the Regional Park introduced to curb inconsiderate camping has been effective without the need for car park closure. A summary report will be made available by Police Scotland in due course.

Encouraging sustainable access and Active Travel

- 4.4 The Pentland Hills Regional Park is not easy to visit without recourse to a car or other motor vehicle. There is therefore a need to improve existing links and

information for the public transport routes to the main Regional Park access points and enhance off-road and active travel provision.

- 4.4.1 The construction of a pavement for pedestrians to use along both Harlaw Road and Mansfield Road but encourage access on foot and reduce the likelihood of conflict with vehicular traffic. There is also scope to develop and extend footpath links from Currie and Balerno to Harlaw. The Friends of the Pentland Hills and the Water of Leith Conservation Trust are in discussion with Rosebery Estates on how to best fund and deliver this project.
- 4.4.2 As there are no public transport links to the Harlaw/Threipmuir and Flotterstone entry points, establishing bus shuttle routes during weekends and school holidays should be explored and evaluated.

Park Management Rules and establishing an eco-campsite

- 4.5 Section 112 of the Civic Government (Scotland) Act 1982 empowers local authorities to make Park Management Rules for outdoor parks and green spaces under its management. Bonaly Country Park and both Harlaw and Threipmuir reservoirs also fall within the scope of the City of Edinburgh Council Park Management Rules (Appendix 2), which prohibit (unless written permission has been given):
 - Lighting an open fire
 - Camping within 1 mile of a public road
- 4.5.1 Council Officers can instruct those breaking (or about to break) a rule to leave the park. However, as they have no further powers if people refuse to do so, enforcement requires the support of Police Scotland.
- 4.5.2 Current staffing levels within the Regional Park service limits its ability to enforce the Park Management Rules, as offences usually occur in the evening when there is no staff presence, to witness an offence.
- 4.5.3 Many of the current anti-social behaviours exhibited by some campers and other visitors (e.g. vandalism, urinating or defecating in circumstances causing annoyance to others) can already be addressed by Police Scotland using fixed penalty notices.
- 4.5.4 Section 12 of The Land Reform (Scotland) Act 2003 sets out powers for local authorities to make byelaws. However, Scottish Government guidance states that these should only be considered after other management measures or advice have proven ineffective.
- 4.5.5 Police Scotland officers have advised that an efficient strategy to reduce anti-social behaviour in an area is to increase the presence of responsible visitors and responsible campers, who often deter those who don't act responsibly. Establishing a formal, but low-leaver "eco-campsite" at Harlaw would provide responsible campers with adequate facilities; would give a regular presence to deter irresponsible activities; would raise income to help

cover establishment and servicing costs; and would assist in applying Park Management Rules by offering a managed and inexpensive alternative to this wishing to camp in this beauty spot (Appendix 2).

4.5.6 Although no license is required for a camp site in Scotland, it is likely that planning permission, even for a basic campsite, will be required.

Recommended facilities are:

- Staff presence, to keep sites tidy, monitor usage and manage issues as bookings and payments to be processed by an online booking system.
- Fire pits installed. Wood made available for purchase during the day. Tent pitch areas suitably set back from fire pits. Emergency fire / water buckets available next to each fire site.
- Construction of a compost toilet or similar, unless existing toilets can be used.
- A water supply for dishwashing/drinking purposes.

Introduction of car park charges

4.6 The growth in visitors to the Regional Park has coincided with reductions in the resource available from national and local government to manage the commensurate impacts. Additional resources from non-traditional sources are therefore required if additional management measures are to be introduced. One relatively simple and sustainable source is the introduction of mandatory parking fees at the principal car parks.

4.6.1 At its meeting of 16th March 2012, the Joint Committee determined not to introduce mandatory parking fees at Regional Park car parks following concerns raised by Midlothian Council Transportation Policy Officers, who felt that this would displace parking at Flotterstone onto the adjacent A702 trunk road. Instead, a voluntary contributions scheme was introduced at the Flotterstone, Threipmuir, Bonaly, Swanston and Harlaw car parks, initially for cash contributions, and latterly via the online/phone RingGo facility. A suggested donation of £2 is advertised (and more options via RingGo), with all funds raised used only for new 'added value' projects within the Regional Park.

4.6.2 To date the donation scheme has raised £31,000, with an average of £7,000/ year generated since the introduction of RingGo in 2017. Although this has been a helpful addition to Regional Park investment, it is still a small proportion of the potential scale of income that could be generated through mandatory charging.

4.6.3 If parking charges are introduced it is important that enough income is generated to meet operating costs and produce a worthwhile net income. Although the results of a public consultation presented to the Joint Committee in July 2011 found out that respondents were almost unanimously

objecting to the use of a private parking operator and that “enforcement would be seen as a source of antagonism and be detrimental to the working relationship between the Regional Park and visitors”, it would be interesting to carry out a new consultation. Nowadays, people have generally come to expect parking charges at many similar outdoor facilities (e.g. National Trust for Scotland, Forestry and Land Scotland, Outdoor Access Trust for Scotland) and during the initial period of adjustment, it will be important that the purpose and intended use of charges be clearly presented as an opportunity to support and sustain the facilities people come to enjoy in the Regional Park for it to be a success.

- 4.6.4 Commercial operator can provide services including cash collection (at an hourly rate), issue of penalty notices and cost of recovery operations and physical control measures on site.
- 4.6.5 If the charges were to be applied to the 4 principal car parks then alternatives car parks, distributed evenly around the Park boundary, would be available free of charge for people on lower incomes who might otherwise have found the charge a deterrent to visiting the Regional Park.
- 4.6.7 Season tickets which would be attractive to regular visitors and local communities would need to be thought of and a free pass to be made available to blue badge holders along with educational groups and bailiffs/ Friends of Pentland Hills for example.

5. Next Steps

- 5.1 Explore further, refine and develop those recommendations supported by Committee, providing more detail to Committee on the advantages, implications and costs of each, and initiating wider consultation with relevant stakeholders as appropriate.

6. Financial impact

- 6.1 Most of the measures proposed will have financial implications – both capital and revenue. Further work is required to determine the costs of each proposed measure.
- 6.2 The introduction of mandatory car parking charges at the principal Pentland Hills Regional Park car parks is estimated to generate between £70,000 to £150,000 (ex VAT)/ year in revenue (Appendix 3). This should be sufficient to prepare business cases for those measures that proceed.

7. Stakeholder/Community Impact

- 7.1 An initial meeting to explore solutions was held with Ward members and stakeholder representatives on 5 August 2020.
- 7.2 Formal consultations will be required for some of the measures proposed and will be led by the Pentland Hills Regional Park team should they be supported by Committee.

8. Background reading/external references

- 8.1 None

9. Appendices

- 9.1 Appendix 1 - Parking areas in the Pentland Hills Regional Park, table and map
- 9.2 Appendix 2 - Land ownership map representing CEC owned land in the Pentland Hills Regional Park.
- 9.3 Appendix 3 - Estimated income generation from 4 main car parks in the Pentland Hills Regional Park.

Appendix 1

Parking areas in the Pentland Hills Regional Park, table and map.

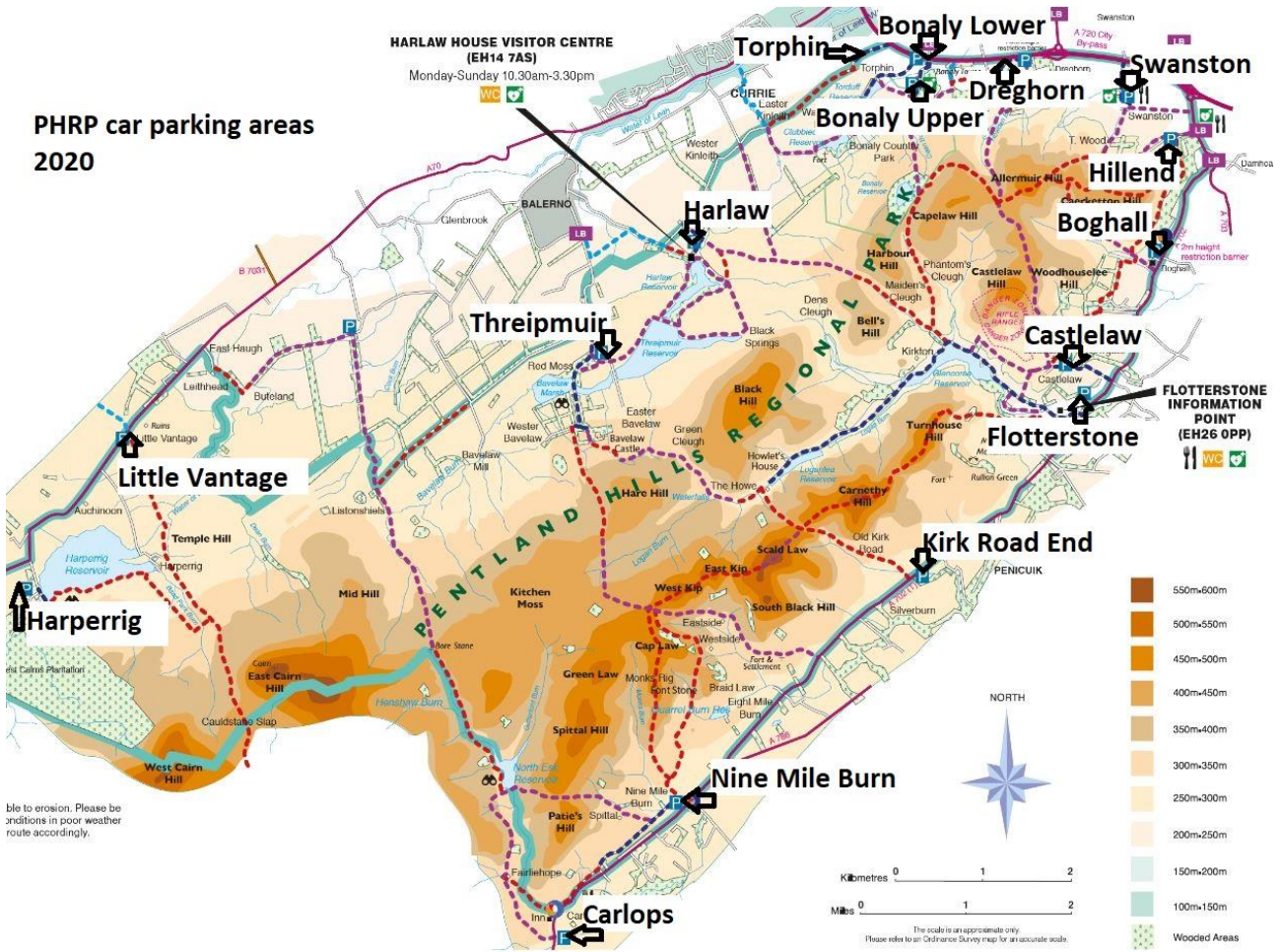
Entrances to the Regional Park where parking is possible	Spaces	Blue badge spaces	description	LA area	Owner / responsibility	Notes
Carlops	14		Car park	Scottish Borders Council (SBC)	SBC	Informal. Not in PHRP
Nine Mile Burn EH26 9LZ	10	0	Car park	Midlothian Council (MLC)	MLC	Some spaces used by residents
Kirk Road End	8	0	Lay-by	MLC	Bear Scotland	
Flotterstone Visitor Information Point & café EH26 0PP	68	3	Car park	MLC	MLC	Donation box in place
Castlelaw	6	0	Car park	MLC	Ministry of Defence (MoD) or/Scotland's Rural College (SRUC)	Informal parking area
Boghall EH10 7DX	20	0	Car park	MLC	SRUC	Due to be reduced in size
Hillend Upper EH10 7DU	24	0	Car park	MLC	MLC	Probably due to be redeveloped by Midlothian
Hillend Lower EH10 7DU	12	0	Car park	MLC	MLC	Probably due to be redeveloped by Midlothian
Swanston EH10 7DS	30	0	Car park	The City of Edinburgh Council (CEC)	CEC	Donation box in place
Dreghorn, car park	20	0	Parking on access road	CEC	MoD	No access for some time due to works

Laverockdale EH13 0QX	N/A	N/A	Street parking	CEC	CEC	Residential area
Bonaly Country Park Upper EH13 0PB	25	0	Car park	CEC	CEC	Donation box in place. Half car park grassed and requiring upgrade
Bonaly Country Park Lower (Torphin Rd) EH13 0PB	30	0	Street parking	CEC	CEC	Not used by residents - entirety available for PHRP parking
Torphin Quarry, street parking, free, EH13 0PQ	N/A	N/A	Street parking	CEC	CEC	Used by residents at top of road
Harlaw Visitor Information Point / Reservoir EH14 7AS	31 +20 on access track	3	Car park	CEC	CEC (access track owned by Rosebery Estates)	Donation box in place
Threipmuir Reservoir EH14 7JS	50	3	Car park	CEC	CEC	Donation box in place (broken)
Little Vantage	6	0	Car park	WLC	WLC	
Harperrig Reservoir EH27 8DH	12	0	Car park	WLC	Owned privately but CEC/WLC responsibility	

From the table above, the principal car parks can be identified as Flotterstone, Threipmuir, Harlaw and Bonaly (Upper and Lower).

Swanston and Hillend car parks: It can be difficult to differentiate visitors to the Regional Park with those paying customers to Swanston Golf Club and Midlothian Ski Centre.

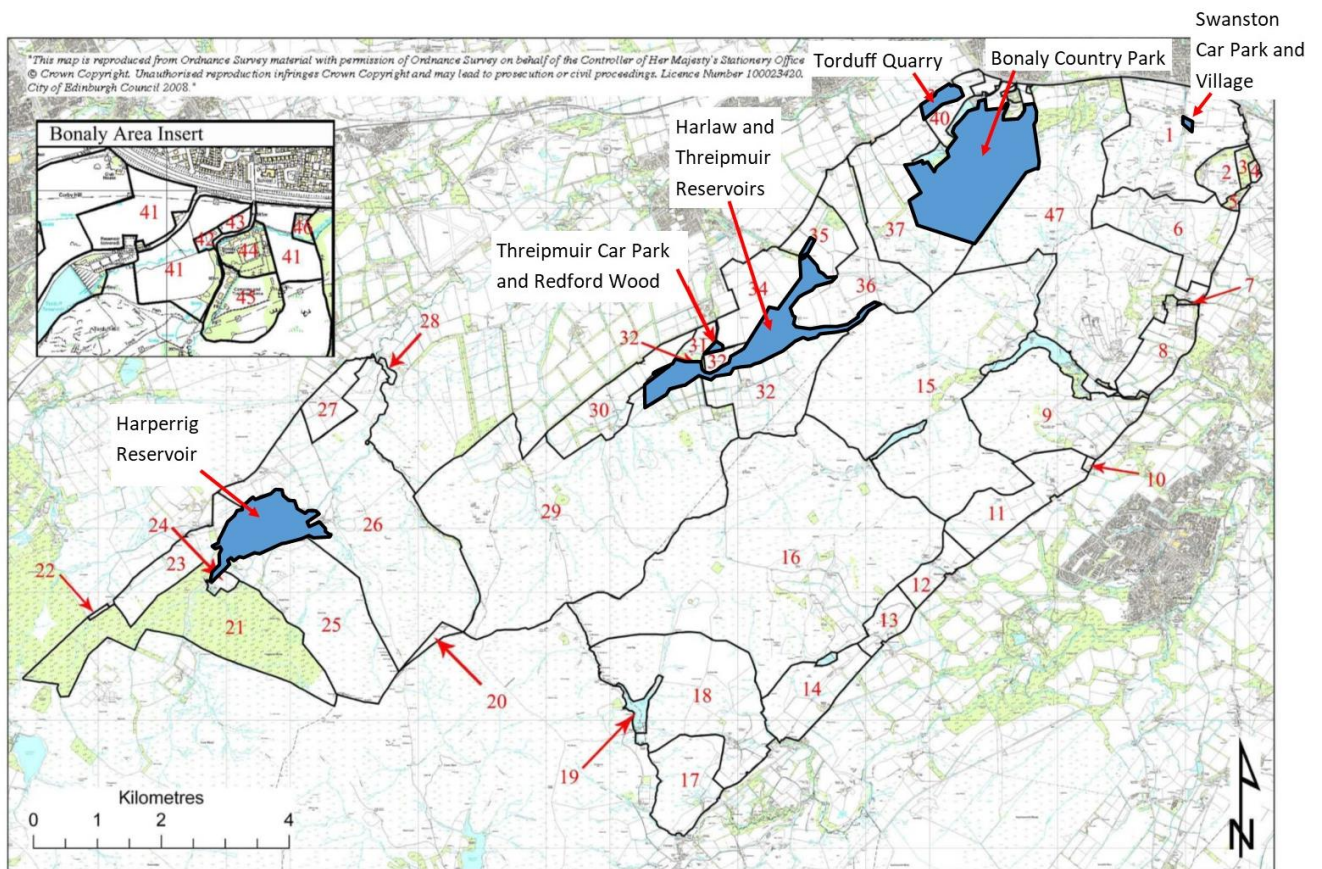
**PHRP car parking areas
2020**



ble to erosion. Please be
conditions in poor weather
route accordingly.

Appendix 2

Land ownership map representing CEC owned land in the Pentland Hills Regional Park.



Creation of an eco-campsite could be explored for other CEC owned land such as Bonaly Country Park.

Appendix 3

Estimated income generation from 4 main car parks in the Pentland Hills Regional Park.

Scenario	average number of cars per car park per day	% compliance	charge per visit £	estimated annual income £ per car park	estimated annual VAT (20%) £	estimated annual net income £ (ex VAT)/ per car park
1	15	20	2	2190	365	1825
2	30	20	2	4380	730	3650
3	60	20	2	8760	1460	7300
4	100	20	2	14600	2433	12167
5	150	20	2	21900	3650	18250
6	15	40	2	4380	730	3650
7	30	40	2	8760	1460	7300
8	60	40	2	17520	2920	14600
9	100	40	2	29200	4867	24333
10	150	40	2	43800	7300	36500
11	15	60	2	6570	1095	5475
12	30	60	2	13140	2190	10950
13	60	60	2	26280	4380	21900
14	100	60	2	43800	7300	36500
15	150	60	2	65700	10950	54750
16	15	100	2	10950	1825	9125
17	30	100	2	21900	3650	18250
18	60	100	2	43800	7300	36500
19	100	100	2	73000	12167	60833
20	150	100	2	109500	18250	91250

Table 1: Reference table for income generation using the £2 suggested donation for car park usage. This table shows different scenarios depending on the number of cars / day visiting a car park and the level of compliance which would be linked with the level of enforcement implemented. VAT (20%) must be levied for off street parking and would apply to car park charges in the Regional Park.

	weekday average nb of cars	weekend average nb of cars	estimated net income £ (ex VAT) for 20% compliance/ year	estimated net income £ (ex VAT) for 40% compliance/ year	estimated net income £ (ex VAT) for 60% compliance/ year	estimated net income £ (ex VAT) for 100% compliance/ year
ML (Flotterstone)	30-60		2600-5200	5200-10400	7800-15600	13000-26000
		60-150	2080-5200	4160-10400	6240-15600	10400-26000
CEC (Bonaly)	15-30		1300-2600	2600-5200	3900-7800	6500-13000
		30-60	1040-2080	2080-4160	3120-6240	5200-10400
CEC (Harlaw)	30-60		2600-5200	5200-10400	7800-15600	13000-26000
		60-150	2080-5200	4160-10400	6240-15600	10400-26000
CEC (Threipmuir)	15-30		1300-2600	2600-5200	3900-7800	6500-13000
		30-60	1040-2080	2080-4160	3120-6240	5200-10400

Table 2: Estimated range of net income for each of the 4 main car parks, with a difference in the number of cars during week days and weekends; and different level of compliance as mentioned in Table 1. Note that the number of cars is based mostly from observations

and a counting exercise in June 2011. Car numbers can vary greatly during school holidays and sunny/ poor weather conditions.