

Members' Library Service Request Form

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Designation	Head of Infrastructure
Date	26/01/21

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REPORT TO: Members Library Service

MEETING DATE:

BY: Head of Infrastructure

SUBJECT: East Lothian Coast & Countryside Management

1 PURPOSE

- 1.1 To advise Members on the experiences of 2020 in managing East Lothian's coast and countryside sites, and to draw to Members attention mitigation actions proposed, which seek to improve and enhance operational management on the ground and public enjoyment of these areas .

2 RECOMMENDATIONS

- 2.1 Members are asked to note the wide range of multi – agency activity deployed to manage East Lothian's coast and countryside sites through 2020, and to note the actions taken following Motion to Council at its meeting on 27 October 2020.
- 2.2 Members are also asked to note the consultation exercise on Land Management Rules being embarked upon with the outcome and recommendations being reported to Cabinet.

3 BACKGROUND

- 3.1 2020 proved to be a year with unprecedented change across many areas of life. This was certainly the case in respect of managing our coast, countryside sites and open spaces. Both the need and desire from the public to get outdoors which was encouraged at various levels across Government, along with the collapse of international travel, drove significantly increased footfall to destination areas across Scotland. East Lothian was definitely one of the key national destination hotspots at the heart of that experience during 2020 witnessing record numbers throughout the summer period to our coastline.
- 3.2 To manage the staged and phased progression through the Covid restrictions, a Multi – Agency approach was taken. An overview group was

established with representation of council officers from Countryside, Roads, Communications, Emergency Planning, Safer Communities, Environmental Health and Police, chaired by the Head of Service for Infrastructure. The group met weekly and coordinated the actions across sites throughout the spring / summer period and remained in planning and response mode until the September weekend where it moved on to a strategic planning focus for 2021. This remains in place. Appendix 1 summarises actions and activities experienced in managing the coast through 2020.

- 3.3 At the Council meeting of 27 October 2020 the “Council agreed to approve a motion as amended, on recognising and supporting East Lothian’s dedicated countryside ranger service”. As part of the motion, officers were asked to write to both the Scottish Government and Nature Scot [formerly Scottish Natural Heritage, SNH] to highlight the experience of the Ranger Service in East Lothian and to press for a further review of the Scottish Outdoor Access Code to deliver a more prescriptive and robust framework which seeks to preserve Scotland’s global gold standard land reform legislation and public access rights. Respective letters can be seen in Appendixes 2a, 2b and 3a, 3b. There was recognition in responses received and the Cabinet Secretary commended the Council’s approach to Countryside Rangering, and was glad to see how well the particularly busy period experienced following the first Covid-19 lockdown ‘was so well – managed in East Lothian Council’s area’.
- 3.4 The Motion also approved a requirement to develop new policies and approaches to address problems faced by the Countryside Ranger Service within East Lothian. In order to preserve and ensure that land owned, leased, occupied or managed by the Council and available to the public for use remains accessible, well maintained and is not used irresponsibly and to deter other inappropriate uses. Utilising these aspects East Lothian Council through the Countryside Rangers will try to preserve and protect these areas. In order to be able to appropriately empower and support the Countryside Rangers three different types of legislation/regulations over land are envisioned. These are Land Management Rules, Bye-Laws, and other legislative powers which empower Countryside Rangers, other Council Officials [i.e. dog wardens] and other partner authorities, [i.e. Police], as appropriate to take action to ensure the general public are able to enjoy these areas. Colleagues in Legal Services alongside the Countryside Ranger service will shortly commence a public consultation exercise in relation to the Land Management Rules (see Appendix 5). The outcome of which will enable a Report to Cabinet to be brought forward for Members detailing specific proposals for Land Management Rules and future Byelaws for agreement. The scope of the Land Management Rules consultation is covered within the 11 points highlighted in Appendix 5 Land Management Rules.
- 3.5 Additional approaches to assist in resolving challenges faced during 2020 include managing vehicles, motorhomes and camping more effectively at certain sites. Planning for this has been and remains ongoing within the Multi-Agency Group. However, emerging actions are captured and

highlighted in Appendix 4. Colleagues in Road Services will bring forward a Report to Cabinet for Members detailing specific proposals.

- 3.6 Improving public awareness and responsible behaviours when accessing the East Lothian Coast is a key objective and was part of the approved Motion to Council. Communications officers are planning and delivering a range of public messaging to support and enhance this objective through a range of mediums and in a timely fashion as a core part of the Multi-Agency planning for 2021.
- 3.7 In September 2020, the Cabinet Secretary for Rural Economy and Tourism, Fergus Ewing hosted a summit to discuss “future proofing” visitor demands across Scotland as 2021 will face the same if not greater challenges. A Prevention, Regulation and Reassurance sub group was tasked to look at issues such as antisocial behaviour, litter, toilets and transport. Representatives of the five “ hot spots“ of the North Coast 500, Cairngorm National park , the “5 Lochs Road “ located in Perth & Kinross, Loch Lomond & Trossachs National Park and the East Lothian coast were invited and have been participating . The Working Group and associated sub groups will report back to the Cabinet Secretary ahead of 31 March 2021. This information can and will feed in to the Multi – Agency Planning taking place within East Lothian.
- 3.8 Virtually all of East Lothian’s coastline is subject to National, European and International designations to protect natural heritage. Yet it remains the busiest by visits, per kilometre, in Scotland. Protecting and managing this essential and highly valued environmental asset is crucial for the County.

4 POLICY IMPLICATIONS

- 4.1 This report supports the Council in managing its highly valued environmental areas for both local residents and visitors to the County, aligns with the Council’s Open Space Strategy, and contributes to the Council’s duty in managing designated environmental assets.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report has been through the Integrated Impact Assessment process and no negative impacts have been identified.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – At this stage there are no direct financial implications associated with the recommendations in this report although additional expenditure is expected in order to manage the coast and the demand faced. However, the intention is that this will be met through income generated linked to increase in usage. In addition the Coastal

Communities funding 2020/21 and 2021/22 will also contribute to supporting any increased expenditure. More detail will be provided within the relevant Cabinet Reports that will come forward in the context of specific proposals.

6.2 Personnel - None

6.3 Other – The ongoing Multi-Agency approach will require to adapt and be flexible to any further new demands that might arise during the 2021 peak season especially over warm / hot weekends and during school holiday periods particularly if international travel is restricted . The weekly co-ordination approach and daily ground intelligence will influence these actions accordingly.

7 BACKGROUND PAPERS

7.1 Appendix 1 – East Lothian Coast; Covid 2020.

7.2 Appendix 2a and 2b – Letter to Nature Scot [Formerly SNH] Chief Executive and subsequent response.

7.3 Appendix 3a and 3b – Letter to Roseanna Cunningham MSP, Cabinet Secretary for the Environment, Climate Change and Land Reform, Scottish Government and subsequent response.

7.4 Appendix 4 – Transport and Open Spaces Management.

7.5 Appendix 5 – Legal – Land Management

AUTHOR'S NAME	Eamon John
DESIGNATION	Service Manager, Sport, Countryside & Leisure
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DATE	26th January 2020.

APPENDIX 1.

East Lothian Coast; Covid 2020



1. Introduction

This report summarises actions and activities relating to the work of East Lothian Council (ELC) Countryside Team and highlights the issues brought about by the Coronavirus between 21 March and 30 September 2020.

2. The East Lothian Coast

East Lothian is Scotland's most intense coast; 3 million visits per year is the norm and virtually all of the coast has international, European and national designation for its natural heritage features.

3. The prolonged Covid summer

The coronavirus pandemic reduced opportunities to travel throughout UK and abroad and as such there were significant impacts on the East Lothian coast:

- The coastline was as busy as anyone had ever experienced over July and August. Rural coastal car parking is an estimated 1600 spaces. On most hot and sunny weekends it reached capacity and significantly spilled over.
- 12th July was the busiest day on the coast for perhaps 40 years if not longer; possibly ever. In the afternoon Yellowcraig, Gullane, Longniddry no. 2, North Berwick coast parking, Shore Road, Barns Ness, Aberlady, Skateraw, Tynningame Links and Thorntonloch were all full (c1100 parking spaces). And with many cars parking on access roads. Tynningame Linnks had three times its capacity parked on the access road. All other car parks were a half to two thirds full. July 31st was probably busier still but front line staff were fully deployed at Yellowcraig, Gullane and Tynningame and a full coast assessment was not possible.
- The annual estimated visits to the coast is projected to reach 1 million more than the recent norm of 3 million visits.
- So called wild camping took place with some specific sites with over 100 tents and many regularly with over 50.
- The camping related mess reported elsewhere in Scotland did not happen in East Lothian primarily due to face to face engagement by the Countryside Rangers.
- Traffic became gridlocked in resort towns on some specific sunny days
- There was a motorhome invasion with parking bays and some inappropriate parking bays occupied
- Engagement in Countryside Ranger online material increased significantly throughout the pandemic.

4. Managing the impacts.

From early March a weekly multi agency meeting was convened chaired by the Head of Infrastructure including Officers from Countryside, Roads, Communications, Emergency Planning, Safer Communities, Environmental Health and Police. This group reviewed and created a rolling plan in response to the pressures on the coast including proactive messaging on the Council web site and social media.

The Countryside Team reported on the impacts on the coast to the Multi Agency Group. This enabled deployment of the required front line staff dependant on anticipated visitor levels. The normal deployment was 4 Countryside Team and 2 Roads workers supplemented with Community warden patrols and Amenity Services EPA squads. At the busiest levels 6 Countryside Team, 5 Roads workers were on duty.

5. Timeline

The following table is a summary of restrictions and conditions since 21st March

Dates	Phase	Details	ELC Countryside management	Notes
Weekend 21-22 March	Weekend before lockdown was announced	No restrictions	This was the first relatively warm weekend. However, numbers far exceeded normal numbers of visitors.	Unprecedented numbers of visitors to coastal sites
24 March.	1	Local area access only for exercise < 5 miles from home.	Decision taken that car parks and public toilets be closed. The daily patrolling and monitoring (Mon-Sun) of car parks and sites started with daily report going to Senior Council Officers & Police Scotland to assist in the deployment of resources. We continued to check Government announcements and liaised with other ranger services around Scotland. Concern that landowners would take measures into their own hands.	A rota system was put in place for a limited number of staff to patrol the countryside sites each day, including weekends, in order to ensure car parks remained closed, to carry out essential maintenance including litter removal, to monitor visitor numbers, to put up or replace signs, and to monitor the health of livestock.

11 May	1	Exercise restrictions eased to > once/day.	Corresponding increase in visitors and access being taken at increased across all of the sites and on local golf courses.	With the better weather camping becomes more apparent with visitors travelling from Glasgow, Paisley and Edinburgh amongst the groups.
1 June	1		From the beginning of June, preparations began for car park re-opening by widening paths, putting up signs to guide visitors and putting together on-site information.	Each site was surveyed with a view to public achieving 2m SD or passing places/ one way systems
4 June	2	5 mile restrictions still in force, some other restrictions eased.	Smaller local coastal and countryside car parks reopen	This is to support local residents.
19 June	2	5 mile restrictions still in force, some other restrictions eased.	All countryside car parks, re-open. Daily reporting continued.	Increasing levels of traffic management required as traffic on streets increased in coastal communities. Support from Police Scotland and ELC Transport. Management of car park barrier system required. Increased camping recorded
30 June	2		'Independent' volunteers who live locally recommenced.	
3 July	2	5 mile restriction is eased	Daily reporting ongoing	Start of school holidays and unprecedented number of campers both tents and vans for the months of July and August.
10 July	3	Group size restriction eased. (5 households and max. of 15)	Daily patrolling/reporting continued, reduced to weekends from early August.	Toilets remain closed. Sanitary issues apparent on site. Significant increase in camping (detailed below)
15 July		Easing of restrictions in relation to official campsites	Yellowcraig campsite opens	
23 July			Disabled toilet facilities open for all	Toileting issues eased
19 August			Group volunteering sessions re-commenced	

30 August				From 7 th June till 30 th August there were recorded 1,871 campers at coastal sites – tents and camper vans.
10 September		Group size restrictions tightened to 2 households max. of 6 (not including children).		
25 September			Volunteering paused	

6. Visitor numbers

6.1

- For 2020 the annual estimated visits to the coast is projected to be 4 million; a 33% increase compared to recent years.
- For example the numbers of coast visits for July , based on a car counter returns (x 2.2 occupants), indicates a massive increase compared with figures from July 2019
 - July 2019 202,635 visits
 - July 2020 293,647 visits
 - These figures do not include those vehicles that couldn't get into car parks
 - August was busier still
- The high volume of vehicles combined with limited parking at some areas led to illegal and indiscriminate parking which caused significant issues over the period. Gullane was gridlocked over both days of one weekend in June; people have been blocked in by other cars through a lack of thought for others, and, tempers have been raised when larger vehicles have struggled to manoeuvre in busy car parks. North Berwick has also struggled to cope with the volume of vehicles and the limited parking
- Parking attendants issued numerous parking tickets with drivers on many occasion just accepting the fine as part of their trip to the coast
- Mobile Variable Message Signs we strategically deployed on approach to hot spots
- Roads staff directed traffic and closed areas when full. On several occasion it became necessary to close Yellowcraig, Gullane and Tynninghame and operate a “one in one out” system

- Tynninghame remained full and closed over extended weekend with campers prepared to ticketed up to three times

6.2 A comparison of coastal site visits based on car counter data captured during July/August/September of 2019 and 2020

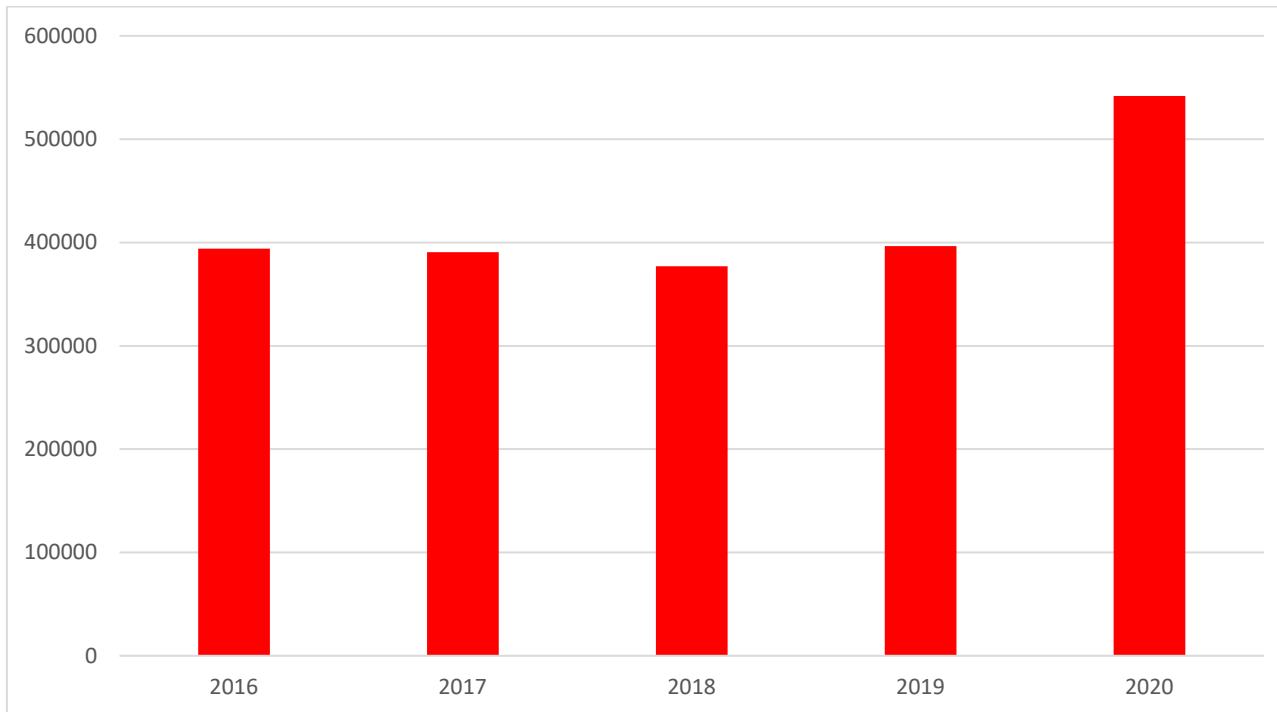
- 2019 had similar good summer weather though not as prolonged as 2020
- For both years all coastal car parks were open unless full
- The table uses a straight comparison of the 2.2 car occupancy as used in 2019. The 2020 car occupancy was higher more likely at least 2.5.
- This table also includes roadside verge parking data recorded on the day
- Vehicle capacity at Tynninghame Links exceeded capacity everyday in July/August and September.

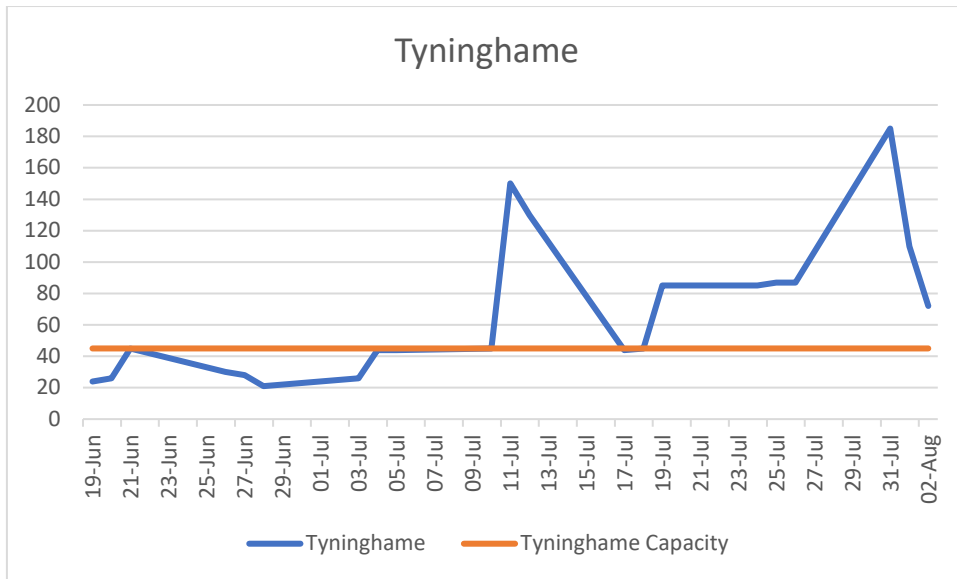
Site	% visits increase in 2020	Factors affecting count data	Estimated increase in visits taking factors into account	Revised % increase
Barns Ness	19.4		Negligible	19.4
Whitesands	59.7	<ul style="list-style-type: none"> • Regular roadside parking before counter • Motorhomes in residence 	25	84.7
Gullane	53.0	<ul style="list-style-type: none"> • Car park full on many occasions • Visitors redirected • Regular parking in side streets 	20	73.0
Linkfield	18.7		Negligible	18.7
Longniddry 1	-1.9	<ul style="list-style-type: none"> • Occasionally closed when full 	4	2.1
Longniddry 2	-1.0	<ul style="list-style-type: none"> • Occasionally closed when full 	2	1.0
Longniddry 3	78.3	<ul style="list-style-type: none"> • Catering van on side became a destination 		78.3
Aberlady Bay	No data	<ul style="list-style-type: none"> • Always roadside parking 	100	
Shore Road	70.8	<ul style="list-style-type: none"> • Occasionally full 	25	95.8
Skateraw	33.2	<ul style="list-style-type: none"> • Regular roadside parking 	10	43.2
Tynninghame Links	36.5	<ul style="list-style-type: none"> • Car park usually full • More cars out with car park on road verge • Access road regularly closed • Cars redirected elsewhere 	350	386.5
Yellowcraig	52.8	<ul style="list-style-type: none"> • Car park full most weekends • Occasional parking on road verge • Motorhome in residence 	<u>25</u>	77.8

6.3 Cars counted at charged parking sites July- September

Note that for 2020:

- car parks were closed form 28/03 till 19/06
- count data does not include cars parked out with the car park
- cars would turn or be directed away when car parks were at capacity





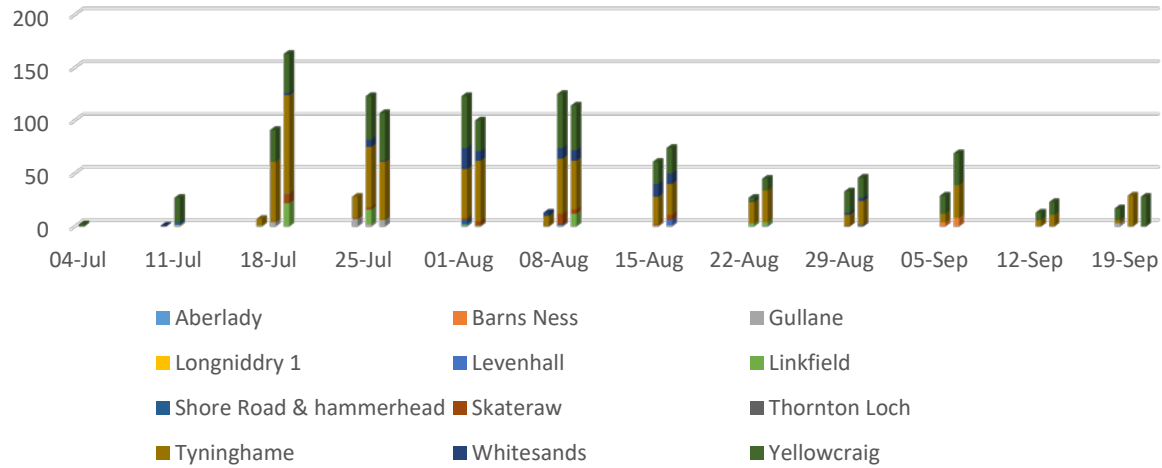
The above shows the periods where Tynninghame has more than exceeded capacity with vehicles parking on the roadside verges. This activity does cause concern in the event of an emergency vehicle requiring access.

7. Camping

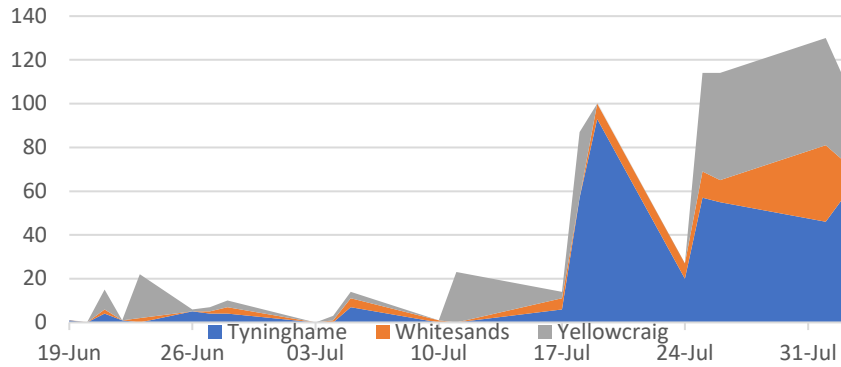
- Since the 19 June and the opening of car parks East Lothian coast had unprecedented numbers of people visiting the coast and camping in numbers never previously seen. It is thought that this is a combination of people not taking holidays abroad, children being off school, some people still not back at work and fewer people visiting pubs, clubs being closed, etc.
- For all coastal car parks between 7th June and 20th August 1871 tents and motorhomes were recorded.
- The number of tents and motorhomes for the busiest weekends for the main car parks:
 - 17-19 July=264
 - 24-26 July = 327
 - 1-2 Aug = 288
 - 7-9 Aug = 389

- The busiest tent and motorhome site records, between 4th July-30th August were:
 - Tynninghame= 643
 - Whitesands= 234
 - Yellowcraig= 454
- The number of tents at both Yellowcraig and Tynninghame was particularly high and the most affected compared to other coastal sites with one weekend recording 93 tents at Tynninghame and 37 tents at Yellowcraig. Associated issues were fire damage to the SSSI grassland and dune habitats, irresponsible toileting, tree damage by those scavenging for wood and generally camping out with the guidance with the Scottish Outdoor Access Code, to the inconvenience of other users or detriment of their experience with coastal sites. New camping information signage was installed although high levels of camping and fire sites persisted.
- In response the Countryside Ranger Service and Countryside, Biodiversity and Access Officers were on duty at the weekends to engage with all camping groups on the key issues of, fires, litter and toileting. In addition, joint patrols were undertaken with Police Scotland and Community Wardens during late afternoon/evening to as campers arrived.
- As a direct result of this engagement and somewhat pleasantly surprising, litter was less of an issue than expected. The combination of visible patrols with face to face interaction, an increase in 'casual' litter picking by staff and visitors, and some element of 'self-policing' due to the high densities of campers on site contributed to this. Extra uplifts and bins were required for the litter that was generated by the visitors. With this success staff were able to focus on regulating fires and encouraging responsible toileting.
- Toileting was a considerable issue when the car parks were re-opened and the public toilets remained closed. The coastal sites suffered from indiscriminate toileting in and around the dunes and behind any building or container. The worst affected areas were disinfected. Once the toilets were re-opened this reduced the impact of human faeces. However, wet wipes and tissue paper was regularly found on site by patrolling staff.

Tents recorded at EL Coastal Sites



Overnight camping hotspots



8. Summary and 2021

East Lothian's coastline is virtually all subject to National, European and International designations to protect natural heritage and yet is the busiest by visits, per kilometre, in Scotland.

There was huge pressures on East Lothian Council's Countryside Team and Police Scotland in 2020 as a result of a significant increase in the numbers of people visiting East Lothian during the Covid-19 crisis. There was also unprecedented levels of camping near to beaches and other countryside locations.

Without the daily and intensive face-to-face engagement with campers during the summer by the Countryside Team, East Lothian may have suffered the "Dirty Camping" problem which as evident in the Pentland Hills Regional Park, Loch Lomond and other areas of the country.

With the above there is the likelihood of similar pressures in 2021, which are likely to include:

- High numbers of returning campers, between Easter and the September weekend, subject to weather conditions
- High numbers of day visitors and congestion in villages including indiscriminate and illegal parking
- High amounts of litter to manage

30 November 2020

Francesca Osowska
Chief Executive
NatureScot
Great Glen House,
Leachkin Road
Inverness
IV3 8NW

ceo@nature.scot

Dear Ms Osowska

East Lothian Countryside Ranger Service Scottish Outdoor Access Code

At its meeting on 27th October 2020 the Council supported a motion recognizing East Lothian's dedicated Countryside Ranger Service and their work in managing the considerable number of visits to the East Lothian coast during this summer in response to the Covid pandemic.

The motion called for *the Council "to write to the Scottish Government and NatureScot (formerly Scottish Natural Heritage) to highlight the experience of the Countryside Ranger Service in East Lothian; and to press for a further review of the Scottish Outdoor Access Code to deliver a more proscriptive and robust framework."*

The East Lothian coast is a narrow strip of land virtually all subject to national, European and international designations to protect natural heritage and yet it annually attracts 3 million visits. It is the most intense coast, by visits per kilometre, in Scotland. There were huge pressures on it and East Lothian Council's Countryside Ranger Service with a significant increase in the numbers of people visiting, a projected 4 million visits to the coast.

There was also unprecedented levels of camping near to and on beaches with a recorded 1,800 tents and motorhomes in July and August. Without the daily and intensive face-to-face engagement with campers during the summer by the Countryside Ranger Service East Lothian would have suffered the "dirty camping" problem which was reported in many other areas of the country. The East Lothian experience was very different because of this engagement and a very high percentage of campers were or attempted to be responsible and removed their litter. The focus of the Service was thereafter directed on to the more demanding aspect of responsible toileting and open fires.

East Lothian is a challenging landscape having a very accessible coast and a rich agricultural hinterland. This has caused East Lothian Council to have a longer history than most in encouraging responsible enjoyment of the outdoors. We welcomed and readily embraced the

Land Reform (Scotland) Act 2003 whereby the public and land managers/owners benefit from Act and Scottish Outdoor Access Code.

It is though very clear that there is a significant specific failing, which needs to be addressed, in the current SOAC. The term "wild camping" is poorly defined. People do not know what the term means. This has prevented better regulation of camping on our coast but more significantly this lack of clarity has been an obstacle for those trying to do the right thing and benefitting from this outdoor experience.

I am aware that there have been similar representations made when the SOAC has been previously reviewed. I also acknowledge the work with the National Access Forum and the lead taken at the moment by Visit Scotland.

Like many East Lothian Council are preparing and planning for 2021. I welcome NatureScot considerations on what it will do to clarify the term "wild camping".

Yours sincerely

Tom Reid
Head of Infrastructure



Tom Reid
John Muir House
Haddington, East Lothian
EH41 3HA

15 December 2020

Our ref: COR161351

Dear Mr Reid,

EAST LoTHIAN COUNTRYSIDE RANGER SERVICE – SCOTTISH OUTDOOR ACCESS CODE

Thank you for your letter of 30 November regarding camping and the Scottish Outdoor Access Code.

The visitor management pressures that arose last summer after the relaxation of travel restrictions have of course been widely recognised, and although the issues involved were not entirely new, their unprecedented scale reflected the exceptional circumstances during COVID-19. This experience has however clearly highlighted the importance of positive visitor management. We particularly recognise and strongly endorse the key roles that rangers have played in managing these pressures on the ground.

We also welcome your support for the Scottish Outdoor Access Code, which plays an important role in facilitating and managing access, alongside wider local visitor management. Any review of the Code would need to follow a formal statutory process which could not be completed in time for the 2021 season, and there are no current plans to do this. However, the definitive version of the Code, at 130 pages, is not in any case a front line communication tool, and key messages need to be simplified and repackaged for communication to the public, for example using online, social or other media. This allows plenty of scope to tailor the messaging where needed to improve clarity without any need for a formal review.

The Code provides general advice in relation to camping which is carefully worded to accommodate the wide range of circumstances that apply in different parts of Scotland. We would caution against focusing unduly on the term “wild camping”, partly because it does not necessarily define the full scope of access rights in relation to camping. There is also no universally shared definition of this term (or indeed of “camping”), and some people now use these terms to refer to sleeping overnight in campervans. Rather than trying to promote a

Appendix 2b

common understanding of “wild camping”, it is probably better to focus on key behavioural messages, taking care to explicitly distinguish between camping in tents and in campervans and, where necessary, between roadside and more remote settings. Our SOAC messaging increasingly takes this approach and does not refer to “wild camping”.

As you’ve noted, a national Visitor Management Strategy process has now been established, led by VisitScotland, and with considerable input from NatureScot. This includes a wide range of actions to facilitate the management of camping for the coming year, including:

- Renewed SOAC promotion, including messages about tent-based camping and issues such as fires, littering and parking. Although the Code is not directly relevant to campervan users, this audience will also be included in the wider communication campaign;
- A review of the guidance that has been developed by the National Access Forum to support local management of camping. This will include further reference to definitions and terminology (as above), and an updated version will be available early next year;
- A range of work is planned to explore potential funding streams and support infrastructure improvements in priority areas, although the provision of high quality infrastructure cannot all be achieved by spring 2021 and will require a longer timescale, and;
- The Visitor Management Strategy’s Prevention, Regulation & Reassurance sub-group (led by Police Scotland and including East Lothian Council) will be working to implement more co-ordinated local visitor management on the East Lothian coast (along with four other ‘pilot’ areas) ahead of spring 2021.

I hope this helps to address your concerns and to outline the wide range of relevant activity that is planned or underway. However, if you have any further queries or concerns, Mark Wrightham (mark.wrightham@nature.scot / 01463 725316), who leads on this area of work, would be pleased to discuss.

Yours sincerely,

Francesca Osowska OBE FRSE

Chief Executive

Francesca Osowska: Chief Executive / Àrd Oifigear

Great Glen House, Leachkin Road, Inverness IV3 8NW

Taigh a’ Ghlinne Mhòir, Rathad na Leacainn, Inbhir Nis IV3 8NW

01463 725000 nature.scot

NatureScot is the operating name of Scottish Natural Heritage

30 November 2020

Roseanna Cunningham MSP
Cabinet Secretary for the Environment, Climate Change and Land Reform
The Scottish Government
St. Andrew's House
Regent Road
Edinburgh
EH1 3DG

Roseanna.Cunningham.msp@parliament.scot

Dear Ms Cunningham

East Lothian Countryside Ranger Service

Scottish Outdoor Access Code

At its meeting on 27th October 2020 the Council supported a motion recognizing East Lothian's dedicated Countryside Ranger Service and their work in managing the considerable number of visits to the East Lothian coast during this summer in response to the Covid pandemic.

The motion called for *the Council "to write to the Scottish Government and NatureScot (formerly Scottish Natural Heritage) to highlight the experience of the Countryside Ranger Service in East Lothian; and to press for a further review of the Scottish Outdoor Access Code to deliver a more proscriptive and robust framework."*

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There was also unprecedented levels of camping near to and on beaches with a recorded 1,800 tents and motorhomes in July and August. Without the daily and intensive face-to-face engagement with campers during the summer by the Countryside Ranger Service East Lothian would have suffered the "dirty camping" problem which was reported in many other areas of the country. The East Lothian experience was very different because of this engagement and a very high percentage of campers were or attempted to be responsible and removed their litter. The focus of the Service was thereafter directed on to the more demanding aspect of responsible toileting and open fires.

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I am aware that there have been similar representations made when the SOAC has been previously reviewed. I also acknowledge the work with the National Access Forum and the lead taken at the moment by Visit Scotland.

Like many East Lothian Council are preparing and planning for 2021. I welcome NatureScot considerations on what it will do to clarify the term "wild camping".

Yours sincerely

Tom Reid
Head of Infrastructure

APPENDIX 3b

Cabinet Secretary for Environment, Climate Change and Land Reform
Roseanna Cunningham MSP

T : 0300 244 4000

E : scottish.ministers@gov.scot

Tom Reid
dcunningham1@eastlothian.gov.uk

Our Reference: 202000121256

Your Reference: Scottish Outdoor Access Code

22 December 2020

Dear Tom,

Thank you for your letter of 30 November 2020 in which you ask about clarification of the term “wild camping” as described in the Scottish Outdoor Access Code (SOAC).

Wild camping as defined by the SOAC (i.e. practised in small numbers away from roads and leaving no trace), causes few problems, and there are currently no plans to open the SOAC up for review.

In contrast, the widely-reported issues during the phased withdrawal from lockdown over the summer appear not to have fallen under the SOAC definition but were largely associated with what might be termed “congregational” roadside camping (i.e. aggregations of campervans, mobile homes and tents pitched close to a parked vehicle) coupled with components of so-called “party” camping.

Whilst the majority of people follow the rules and behave responsibly, we are acutely aware of heightened impacts associated with a small minority (particularly affecting rural communities and in areas with high visitor concentrations) and unfortunately, this has involved irresponsible and criminal activity including antisocial behaviour, littering, human waste, damage to property and the environment, fires and inconsiderate car parking.

As well as working closely with partner bodies over the summer to address these issues through improved coordination and stronger messaging, the Cabinet Secretary for Rural Economy and Tourism, Fergus Ewing MSP, convened a meeting of the relevant public agencies (chaired by VisitScotland) on 14 September to look carefully at the range of problems experienced around problematic camping.

Enhanced enforcement, education, infrastructure and visitor management are central to this coordinated strategic approach and we are confident that it will play a significant role in delivering long term solutions ahead of next year's tourist season.

This will include a review of the guidance that has been developed by the National Access Forum to support local management of camping, an updated version of which will be available for the spring.

East Lothian Council's approach to countryside rangers as part of this is to be commended, and I am glad that the particularly busy period following Covid-19 lockdown was so well-managed in East Lothian Council's area.

Yours sincerely,

Roseanna Cunningham

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016.

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APPENDIX 4 – ROADS AND PARKING

In response to the stay vacation phenomenon a review of local impacts on traffic and parking was undertaken to assess the appropriateness and relevance of improvements and interventions along the coast.

ON ROAD DANGEROUS PARKING

PROPOSAL:

To propose interventions to prohibit parking, at locations along the coast where indiscriminate dangerous parking has been experienced.

DETAIL:

Following the easing of Covid19 restrictions, a significant level of indiscriminate dangerous parking was experienced on the B1348 coast road between Port Seton and Longniddry, whereupon visitors unable to access the beach or avoiding coastal car park charges elected to park on the verge/carriageway reducing the free carriageway width and causing a road safety hazard.

The introduction of parking restrictions is in keeping with providing a Safer Environment and that East Lothian's homes and roads are safer - a key priority for East Lothian Council.



RECOMMENDATION:

To start the statutory procedure at the earliest convenience to introduce no waiting restriction on the B1348 from Dean road to Seton Sands caravan site for a distance of 780m or thereby and on the south side of the B1348 between Dean road and Lyars road Longniddry a distance of 1570m or thereby.

This will be accommodated within the Road service road marking programme.

NIGHT-TIME PARKING

PROPOSAL:

The purpose of this proposal is to investigate the impact of a night time ban on parking within coastal car parks to manage the significant increase in wild camping, motorhome activity, and night visits along the coast.

Detail:

Parking at all coastal car parks is currently controlled by The Road Traffic Regulation Act 1984 (as amended) Section 32 and 35 East Lothian Council (Off-Street Coastal Parking Places) (One Way) consolidated Order 2017 – TO/286/16 with overnight activity in accordance with Article 27 - Other uses prohibit any person from the use of coastal car parks for overnight sleeping or camping purposes. From experience this does not stop overnight parking and it is difficult to prove conclusively that the vehicle parked is being used for the purposes described, without straightforward opposition and appeal to any Penalty charge Notice raised.

Accordingly, an assessment of options to control and manage night-time operation of coastal car parks is reasonable in the circumstances considering the significant increase in demand and use taking a view on use, safety and benefits to the wider community.

OVERNIGHT OPTION APPRAISAL

Considering the volumes of visitors and disturbance caused by large numbers of unsolicited parking, significant change and adaptation to coastal car parking infrastructure and service levels would be required to provide an enhanced experience meeting customer expectation, legal standards, safety and security and addressing public concerns.

To manage and maintain reasonable operational controls with current levels of enforcement and resources is not viable. To provide infrastructure and amenities meeting appropriate standards a monetary charge equivalent to private premium camping facility would be required.

To understand and explore the viability further, discussions are ongoing with Tarmac of Barns Ness as a potential site specifically designated for motorhomes.

The operation of a motorhome site will present specific challenges and a better understanding of costs and infrastructure is needed. It is a criminal offence to operate a campsite or caravan site without a licence, if one is required. If a licence is in place, regular environmental health inspections will necessary to check compliance with the conditions. Gas safety certificates, spacing between units, fire points and other aspects may be inspected, and failure to comply with site licence conditions may lead to prosecution. This will all have to be adequately investigated and confirmed meeting legislative requirements.

In relation to existing coastal car park provision it is proposed to ban overnight parking, and control through a twilight parking enforcement service in the evenings and overnight. In this way, motorhome and campers can be directed to purpose built accommodation. This will ensure that the coastal car parks which have been established as a resource to enable locals and visitors to enjoy the coast as opposed to being motorhome sites.

A ban of overnight parking will effectively close the car parks for vehicle use and prohibit any vehicle from staying overnight.

The introduction of a twilight service will require the addition of 2 more parking attendants through the contract. It is anticipated a proportion of the cost will be offset by income generated through PCN's, and evening charging income.

The current annual permit permits visitors to park at all times. This will require to be amended within the context of the original Traffic regulation Order.

RECOMMENDATION:

To introduce an experimental Traffic regulation order (subject to Cabinet Approval in due course) to ban all overnight parking activity at all coastal car park sites. To add 2 additional parking attendants on a two year fixed term basis to establish the quantum of demand and reallocation of resources to manage a twilight service and increased parking enforcement over East Lothian's towns and villages.

CAMPERVAN PARKING

PROPOSAL:

The purpose is to highlight the impact of uncontrolled mobile home (motorhome) parking along East Lothian's coast and towns and villages and options available to control access of these vehicles.

Detail:

A significant issue experienced by local communities and consistently brought up by residents in East Lothian is the impact of Campervans or mobile homes have on parking facilities and the environment caused by overnight parking at various on street locations across East Lothian.

Campervans are allowed to park on street for free of charge or overnight as long as they are taxed, MOT'd and under 3.5 tonnes in weight without penalty.

The coastal car park Order does not allow for overnight parking as previously described, and in towns and villages there is no mechanism by means of Traffic Regulation Orders to stop vehicles parking on or off street with penalty. Generally, built up areas generate the greater complain with hotspots recorded at:

- Fisherrow Harbour, Musselburgh;
- Mountjoy Terrace, Musselburgh;
- Park & Ride, Wallyford;
- Tantallon Road, North Berwick;
- Heugh Road, North Bewrick;
- Shore Road, Dunbar;

Notwithstanding concerns raised by local residents in built up areas, the issue of campervans and mobile homes presents itself in coastal car parks through the summer months.

In September 2011 Cabinet approved a report to allow ELC to introduce a byelaw to prohibit overnight camping in North Berwick, however this was never introduced as when the byelaw went to the Scottish Government for approval it was deemed as unacceptable as these issues could be addressed through the introduction of Roads legislation in the form of Traffic Regulation Orders (TRO's).

In 2011 parking enforcement was carried out by the Traffic Warden Service who were part of Lothian & Borders Police and did not have the resource to enforce any new TRO's at these locations and therefore a decision was taken by Road Services that there was little point in progressing with additional TRO's without enforcement.

Police Scotland was formed in 2013 and as part of the cost saving restructuring the Traffic Warden Service was removed in 2015 which meant local councils were responsible for parking enforcement.

East Lothian Council applied for and was granted decriminalised parking enforcement (DPE) powers under the Road Traffic Act 1991 on 23rd January 2017. This constituted the making of:

- The Road Traffic (Permitted Parking Area and Special Parking Area) (East Lothian Council) Designation Order 2016;
- The Road Traffic (parking Adjudicators) (East Lothian Council) Regulations 2016;
- The Parking Attendants (Wearing of Uniforms) (East Lothian Council parking Area) Regulations 2016.

The granting of these powers have allowed ELC to carry out our own parking enforcement within East Lothian and presently have 6 Parking Attendants (PA's) who work on a 7 day daytime shift pattern with 3 PA's on and 3 PA's off at any one time between the hours of 8am and 6pm

East Lothian Council have entered into a Contract arrangement with NSL Ltd to provide parking management services by means of a City of Edinburgh Council (CEC) Framework Contract – ‘Contract for the Provision of Decriminalised Traffic and Parking Services’.

A Service Level Agreement (SLA) was also entered into with CEC to provide background services which includes things such as processing challenges and appeals.

As illustrated in Table 1 there are a number of the coastal car parks which currently have height restriction barriers which stops high sided vehicles entering the coastal sites. This has previous allowed ELC to control overnight parking and stopped vehicles such as campervans accessing the sites.

The height restrictors have also allowed ELC to deter the use of these sites for travellers at the likes of Longniddry, Yellowcraigs and Levenhall Links. The potential removal of these to allow overnight parking for all vehicles would open up to an increase in Traveller visits and the resultant clean up and resource implication once they leave the area.

Discussions are ongoing with Tarmac to use Barns Ness as a specifically designated site for motorhomes.

RECOMMENDATION:

To set aside a review of campervans and motorhome in the wider context of a county wide parking management review.

EXISTING COASTAL CAR PARK FACILITIES

Table 1 below illustrates the current coastal car parks within East Lothian and the facilities at each:

<u>Coastal</u>	<u>Pay & Display</u>	<u>TIM Ref</u>	<u>No of Spaces</u>	<u>No of Disabled</u>	<u>No of Motorbike</u>	<u>Charging Period</u>	<u>Toilets</u>	<u>Height Restrictions</u>
Back Sands, Musselburgh	N						Y	1.9m – 2.1m
Fisherrow	N						N	
Levenhall Links	N						N	1.9m – 2.1m
Morrison`s Haven	N						N	
Preston Links Sailing Club	N						N	
Longniddry No.1	Y	ELPD03, ELPD04	150	1	2	1st Oct - 31st March: 8.00am - 4.00pm, 1st April - 30 Sept: 8.00am - 6.30pm	Y	1.9m – 2.1m
Longniddry No.2	Y	ELPD05	100	1	2	1st Oct - 31st March: 8.00am - 4.00pm, 1st April - 30 Sept: 8.00am - 6.30pm	Y	1.9m – 2.1m
Longniddry No. 3	Y	ELPD06, ELPD07	600	2	4	1st Oct - 31st March: 8.00am - 4.00pm, 1st April - 30 Sept: 8.00am - 6.30pm	Y	1.9m – 2.1m
Aberlady Bay Local Nature Reserve	N		24	1	1		N	
Gullane Bents	Y	ELPD01, ELPD16	350	4	0	1st Oct - 31st March: 8.00am - 4.00pm, 1st April - 30 Sept: 8.00am - 6.30pm	Y	1.9m – 2.1m
Gullane Bents Overflow	Y						Y	1.9m – 2.1m
Yellowcraig	Y	ELCPD2, ELPD14	450	10	10	1st Oct - 31st March: 8.00am - 4.00pm, 1st April - 30 Sept: 8.00am - 6.30pm	Y	1.9m – 2.1m
East beach N B Castlehill	N						Y	1.9m – 2.1m
East beach N B Jacob`s Ladder	N							
East beach N B Haugh	N							
Tynninghame Links/ JMCP	Y	ELPD09	45	0	1	1st Oct - 31st March: 8.00am - 4.00pm, 1st April - 30 Sept: 8.00am - 6.30pm	N	
Linkfield /JMCP	Y	ELPD10, ELPD15	300	10	10	1st Oct - 31st March: 8.00am - 4.00pm, 1st April - 30 Sept: 8.00am - 6.30pm	Y	1.9m – 2.1m

Shore Road/JMCP	Y	ELPD11	120	1	1	1st Oct - 31st March: 8.00am - 4.00pm, 1st April - 30 Sept: 8.00am - 6.30pm	N	
White Sands	Y	ELPD12	250	2	2	1st Oct - 31st March: 8.00am - 4.00pm, 1st April - 30 Sept: 8.00am - 6.30pm	N	1.9m – 2.1m
Barns Ness	Y	ELPD13	25	2	2	1st Oct - 31st March: 8.00am - 4.00pm, 1st April - 30 Sept: 8.00am - 6.30pm	N	1.9m – 2.1m
Skateraw	N		15	1	1		Y	1.9m – 2.1m
Thorntonloch	N		15	0	0		Y	1.9m – 2.1m

ADDITIONAL CAPACITY – TYNINGHAME, GULLANE, YELLOWCRAIGS

PROPOSAL:

To illustrate potential overflow sites to assist in meeting increase demand over and above existing supply during summer months. To restrict access to car parks where the supply and additional supply is breached.

DETAIL:

Given the capacity issues at Tynninghame, Yellowcraigs, Gullane and Shore Road it would be of benefit to introduce various additional sites to mitigate the increase in demand between April & September.

The additional overflow car parks at Gullane, Yellowcraigs and Tynninghame will require the introduction of a new Traffic Regulation Order which can take approximately 18 months to implement given the level of possible public objection.

During development of the original coastal car park order consideration of parking charges was made at Back Sands, and Levenhall Links Musselburgh. Owing to significant investment costs and focus on beach parking, this was deferred. In view of the huge influx of visitors and having practical consistent management activity along the coast further consideration should be made to introducing charges in line with the existing arrangements on an experimental basis and monitor usage over 18 months.

Levenhall Links in particular has both the nature reserve and boating pond which attract a number of visitors along with it being a popular dog walking destination.

Given the close proximity of these 2 car parks to the Urban setting of Musselburgh, care is needed if and when the introduction of charges is made, as the parking could subsequently be displaced to on street. It therefore would be more appropriate to consider as part of the Musselburgh Town Centre parking review.

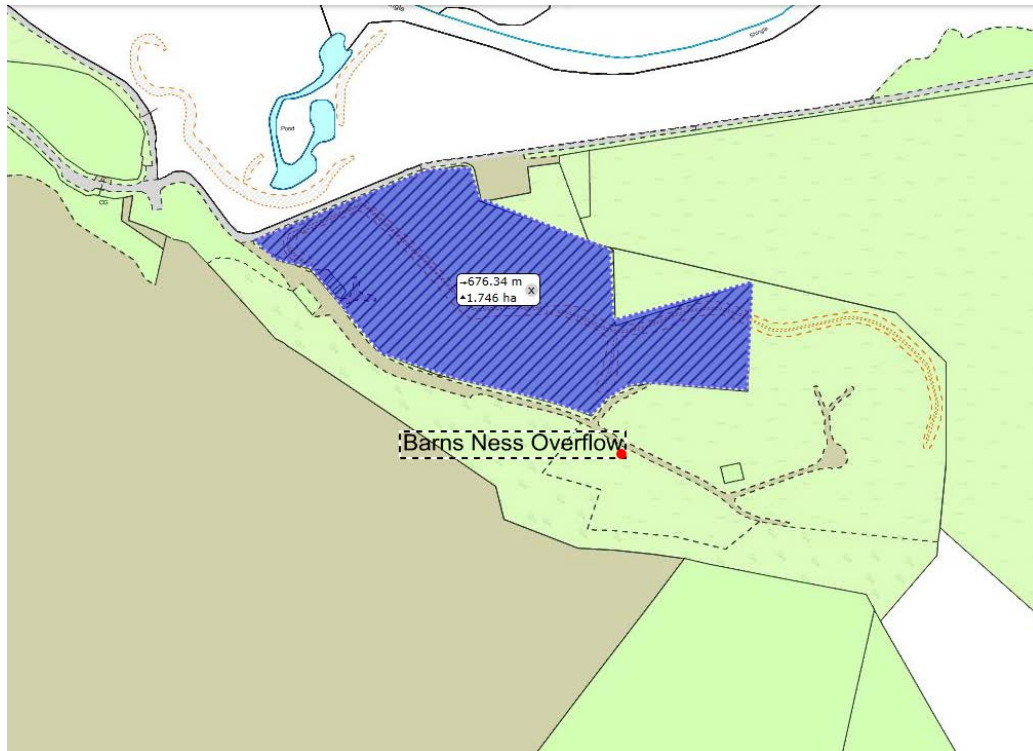
The following plans illustrate potential overflow sites that may be required to mitigate the increase in visitors to the Coastal Car Parks.



Yellowcraig Overflow car park carpark would substantially increase the supply to over 3 hectares. However, a hardstanding access point and cycling maintenance will increase the level of investment.

This will require land amalgamation to a minimum parking standard and associate land maintenance and repair costs.

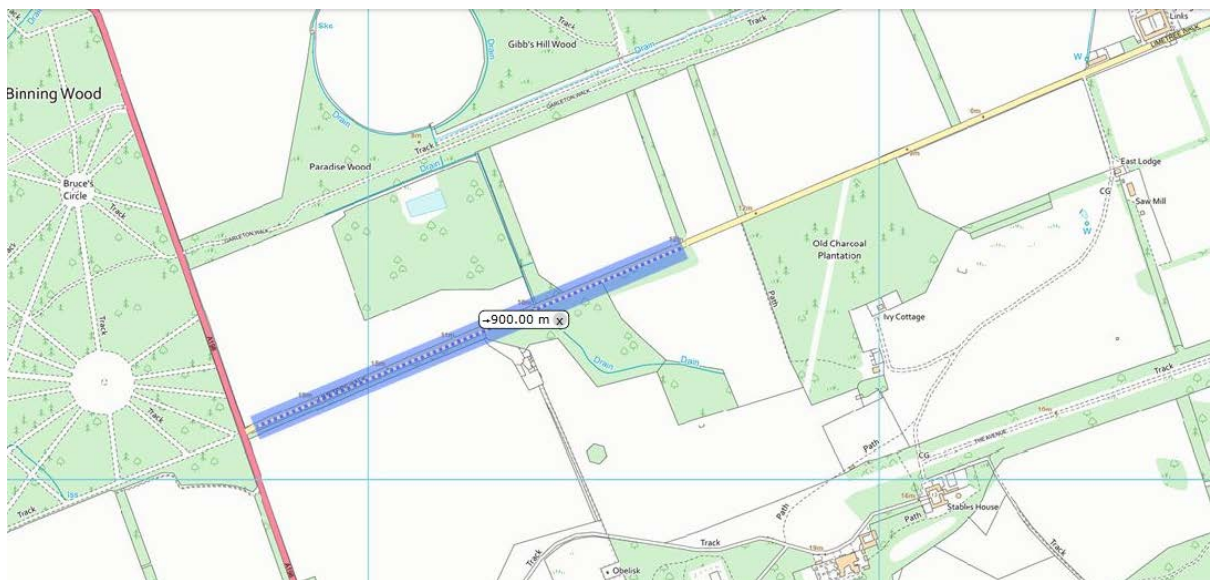
A temporary Traffic regulation Order (TTR) will be used to restrict access to car parks once the supply has been breached. However, studious management and parking layout would generate the income required to cover the investment subject to weather conditions and time of year.



Barns Ness overflow carpark will substantially increase the supply, utilising the former caravan site and hard standing areas. This will require some minor upgrade of the site and site clearance to bring this up to an acceptable standard. The exact size and available areas are subject to negotiation and approvals.



Gullane overflow carpark as recommended above will substantially increase the supply, however, this will require land amalgamation to a minimum parking standard and associate land maintenance and repair costs.



The proposal above needs to remain limited to control the impact on the environment as more and more visitors visit East Lothian's Coast line in particular Tynninghame Links.

Coastal areas are highly susceptible to increased public activity with care and attention needed to balance ecologically delicate areas and therefore an increase in visitors is likely to have a detrimental effect on the sensitivity of the area and that adequate mitigation requires further design and development. Unsolicited growth in demand has the potential to damage and erode existing paths and disturb wild life, therefore a comprehensive environmental impact assessment is required to progress increased parking supply further.

It is anticipated that all overflow carparks at Gullane and Yellowcraigs will be activated for 3 peak visitor months of the year subject to demand.

RECOMMENDATION:

The Car Parks at Back Sands, Musselburgh and Levenhall Links have lots of visitors and it is recommended that these 2 sites are in time reviewed for inclusion within the coastal charging regime. Consideration of Levenhall Links in particular, having both the nature reserve and boating pond, which attract a large number of visitors along with it being a popular dog walking destination should be considered as part of the Levenhall Masterplan. Back Sands being closer to the urban setting and characteristics of the site should be part of a wider Musselburgh Town Centre parking review. Both of these sites are on common good land, which will be a material consideration as part of those reviews. We would also engage with Fisherrow Harbour and Seafront Association as part of this review.

Further work is necessary to evaluate the impacts of additional verge car parking at Tynninghame Links, which will be evaluated in due course to fully understand of the ecological consequences of increased public activity on this sensitive ecological site. This is recommended prior committing to increasing parking provision. To manage additional summer peak parking demand temporary parking arrangements will be co-ordinated with the Road Services team to site vehicles temporarily on the verge as highlighted blue above.

It is not recommended to provide additional car parking at Barns Ness at this time as this site is considered too remote and require a disproportionate level of enforcement for the anticipate demand. To stop inconsiderate verge parking on the approach to White Sands, no waiting, loading or unloading restriction are planned in the near future.

It is recommended to upgrade overflow car parking provision at Gullane Links and Yellowcraig during the peak visitor months to manage expected demand.

RESOURCES AND ENFORCEMENT

PROPOSAL:

To record the amount of time and resource necessary to safeguard local community needs, address inconsiderate parking and control access to coastal beaches and attractions.

DETAIL:

We currently have a total of 6 Parking Attendants with only 3 operating across the county at any one time. They currently enforce between the hours of 8am and 6pm and operate on a 7day on 7day off rotation.

The introduction of Overnight Charging would result in ELC having to reorganise our current Parking Attendants operations.

To maintain our current daily enforcement operations it would be necessary to introduce additional seasonal parking attendant resources to help enforce the increased usage of the coastal car parks. 2 new parking attendants would be required to assist and they would join in with the current shift pattern that would be adapted in the new financial year to accommodate a twilight service.

The Ranger Service required support from Road Services which 'flexed' weekly to meet the demands faced and was managed and co-ordinated through the oversight group. This will be required in 21/22.

COSTS

The cost of introducing 2 new Parking Attendants would be met between the PCN recovery and income from charging periods.

The cost of Road service teams to support open space management to direct and control access to car parks and residential streets will be met from the income derived from visitor demand between April – September.

RECOMMENDATION

To increase the parking service by 2 additional parking attendants be added to the service to operate the business on a shift basis and road services direct labour team provide support on an ad hoc overtime basis when demand directs to direct and control access to coastal carparks.

INFORMATION TRAFFIC SYSTEMS

PROPOSAL:

To advise Cabinet on the provision of intelligent information traffic management systems to inform drivers of space availability at coastal car park sites.

DETAIL:

To understand the complexity of different systems and arrangements, a request was made of road services consultants Aecom specialist ITS team in Glasgow. They've advised that an indicative cost for a single display, such as that shown below, would be around £10-15k or circa £300K to manage the coast.



This includes supply and installation of the sign and the loops at the entry and exit (one point), an allowance for software (this may not be required if it was just one car park) and an allowance for contingencies (due to the unknowns). This assumes that a cabling route would be available.

RECOMMENDATION

It is not recommended to provide ITS signage at coastal car parks due to the cost of the infrastructure. To advise the public, communication will be released through communication channels in accordance with normal practice.

Appendix 5

Draft Land Management Rules

ELC Management Rules for Countryside sites, Parks and Greenspace.

East Lothian Council in exercise of the powers conferred on them by Section 112 of the Civic Government (Scotland) Act 1982 hereby make the following Land Management Rules for the Council's Countryside sites, Parks, Nature Reserves and Greenspace.

Preamble

Enjoying outdoors responsibly

The [Land Reform \(Scotland\) Act 2003](#) introduced new access rights to most land throughout Scotland. The Act and the accompanying Scottish Outdoor Access Code set out how to enjoy the outdoors and manage land responsibly. Users of East Lothian's Countryside sites, parks, Nature Reserves and greenspace are expected to enjoy them responsibly. Access Rights are fully explained in the [Scottish Outdoor Access Code](#).

Management rules for Countryside sites, Parks and Greenspace

The Council has a duty under the Land Reform Act to uphold and promote access rights. To do this and ensure access takers behave responsibly, we have introduced Land Management Rules for countryside sites, parks, Nature Reserves and Greenspaces.

Interpretation

In these Land Management Rules the following words have the meanings given to them:

“Council” means East Lothian Council.

“Countryside sites, Park or Greenspaces” means any land, provided, owned, leased, occupied or managed by the Council within East Lothian and used as a nature reserve, country park, recreation ground, public playground, public open space, public walk, walkway, car park, path, woodland, ornamental or pleasure ground or garden and all buildings and works connected therewith.

“Council Official” means an employee of the Council or any person authorised by the Council to enforce these rules;

“Camping” means inhabiting and sleeping overnight in a tent or temporary shelter or bivouac, being under canvas or equivalent fabric, including bivvy bags. This also includes camping for non-recreational purposes. Residing in a motorhome, caravan, car or other motorised vehicle is not a form of camping.

“Nature Reserve” is an area where the management objective is primarily to conserve or enhance nature.

“Wild Camping” is a type of camping that:

- is part of a pedestrian or cycled journey;
- is lightweight (every piece of camping equipment is carried as part of that journey by the camper);
- is done in small numbers (a maximum of 4 campers together);
- typically stays for two nights in any one site; where access rights exist.

The Rules General Rules Applicable to All Areas

Any person who appears to be breaking, has broken or is about to break any of the following Rules can be asked by a Council Official to leave the area.

1. No person shall in any countryside site, park, Nature Reserve or Greenspace wilfully obstruct, interrupt, interfere, impede, insult or annoy any Council Official in carrying out their duties.
2. Persons using countryside sites, parks, Nature Reserves or Greenspaces shall not wilfully obstruct, interrupt, interfere, impede or otherwise disrupt the enjoyment of others also using the site, park, Nature Reserve or Greenspace. Such behaviour may include, but will not be limited to:
 - using amplifying noise equipment, such as speakers;
 - using model aircraft, motorised drones, toy cars, boats or any other such motorised toy or model vehicles.
3. No persons with control of a dog or dogs shall allow said dog to enter any area in any countryside site, park Nature Reserve or Greenspace that has been designated as a dog free area, whether that designation is temporary, seasonal or permanent.

The Rules Specific to Camping and Barbeques Sites

Any person who uses designated camping sites in East Lothian Council must do so in accordance with the published rules of these sites. In addition, all sites must be used in accordance with the following rules. All ‘wild camping’ (defined in the introductory section to these rules) must be carried out within the confines of the rules in both this and the preceding sections.

4. Wild camping is the only kind of camping allowed outside of designated campsites.
5. When Wild Camping, all camping equipment and accessories must be cleared away once the campsite is no longer in use.

6. When Wild Camping, any barbeques and fires must not be lit in open areas or when a high fire threat has been declared. Any barbeques or fires lit must be kept within close control and active observation at all times. All fire and barbeque debris, detritus or refuse must be cleared away once the fire or barbeque is no longer required and is safe to be cleared away.

The Rules Specific to Motor Vehicles

The following rules apply to any motorised vehicle (with the exception of vehicles specifically adapted for use by person with a disability, provided the vehicle is being used by such a person) being operated, driven or used on, in or around any Countryside site, Park, Greenspace or Nature reserve as defined above, within the boundaries of East Lothian Council.

7. In the absence of written permission, no motorised vehicle shall be driven on any path, road or track other than those designated for use by motorised vehicles.
8. In the absence of written permission, no motorised vehicle shall be parked anywhere except designated parking bays and only in accordance with displayed parking regulations.
9. In the absence of written permission no motorised vehicle shall be parked, abandoned, left unattended or occupied overnight in any Countryside site, Park, Greenspace or Nature reserve within the boundaries of East Lothian Council.
10. In the absence of written permission, no motorised vehicle shall be operated in a way that disturbs wildlife.

The Rules Expulsion and Exclusion from any area

Any person who appears to be breaking, has broken or is about to break any of the following Rules can be asked by a Council Official to leave the area. Any person refusing to leave will be guilty of an offence and liable on summary conviction, to a fine not exceeding level one on the standard scale.

11.1 Where a Council Official has reasonable grounds for believing that a person has contravened, is contravening or is about to contravene any of these Management Rules, they may expel or asked to leave that person from the area.

11.2 Where a person has persistently contravened or attempted to contravene these Management Rules and in the Council's opinion is likely to contravene them again, the Council may decide to make that person subject to an exclusion order for a specified period of up to one year.

11.3 An exclusion order made under Rule 12.2 shall take effect on such date as the Council may decide, being not less than 14 days after the decision to make that person subject to an exclusion order. A person who has been made subject to an exclusion order:

i) shall be entitled to written notice of the decision to make the exclusion order, containing a statement of the reasons for that decision, and

ii) shall be entitled to make written or oral representations to the Council at any time up to the time that the order would have taken effect but for the representation being made.