

# Response 380

## Respondent Details

### Information

**Respondent Number:** 380

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**IP Address:** 149.5.137.42

**Respondent ID:** 201829866

**Date Ended:** 19/10/2022 16:27:16

**Translation:** English

**Country:** United Kingdom

## Your details

**Q1. Name:** (This information will only be used should we need to contact you about your submission)

Friends of Loch Lomond and The Trossachs

**Q2. Email address:** (This information will only be used should we need to contact you about your submission)

jamesbfraser@aol.com

**Q3. Age:**

65+

**Q4. In what capacity you are responding to this survey?**

**Other (please specify):**  
Independent conservation charity covering the National Park area

**Q5. Organisation (if appropriate):**

Friends of Loch Lomond and The Trossachs

**Q6. What activities do you take part in on Loch Lomond? (Tick all that apply)**

**Other (please specify):**  
Our members take part in a range of activities and have an interest in promoting responsible public enjoyment of the loch

## Consultation questions

**Q7. Do you agree with the following six key changes being proposed as part of this review? Proposal 1: Introduce Low-Powered Activity Zones (Set out on pages 7-17 of the Consultation Document)**

Yes

**Please add a comment to explain your answer**

We strongly support the introduction of low powered activity zones in the areas identified but would suggest that consideration is also given to the inclusion of some in other busy areas such as Aldochlay and Bandy Bays as exclusion zones particularly for jet skis which are a source of serious safety problems and where there are conflicts with other water users in popular bays.

At Luss Pier we would suggest there is relaxation of the area covered by the exclusion zone to enable commercial passenger boats sufficient space to access and egress the piers. Commercial passenger operators advise us that it would be difficult for them to get in and out of the piers safely if the exclusion zone for them is so tightly drawn.

Effective enforcement is a key issue and we consider there is no point in introducing these exclusions zoned unless they are patrolled more frequently and the rangers and police have more powers to take action in appropriate circumstances when there are breaches of the byelaws and irresponsible behaviour.

**Q8. Proposal 2: Realignment of the current 11kph boundary to the south of the island of Inchmoan (Set out on pages 18-19 of the Consultation Document)**

No

**Please add a comment to explain your answer**

We are not convinced that the boundary should be realigned as this allows powered craft to come nearer the islands and shoreline at high speeds with noise related issues. We consider it would be preferable to mark the existing boundary more effectively with coloured buoys. We would like to ensure the peace and tranquility of the islands is a priority and the contraction of the lower speed zone in this area is contrary to this.

**Q9. Proposal 3: Compulsory wearing of Personal Flotation Devices for young people (under 16) on all vessels when on an open deck (Set out on page 20 of the Consultation Document)**

Yes

**Please add a comment to explain your answer**

A qualified yes but we would like this particular proposal to be extended cover adults as well using certain types of powered and non-powered craft such as jet skis, power boats, canoes and the growing number paddleboards. We don't accept the suggestion put forward in the consultation document that all adults are capable of making a decision on whether to wear a personal floating device or not. There is plenty evidence to suggest this is not the case and increasing water safety for all users of these craft and floating equipment should be paramount irrespective of age.

**Q10. Proposal 4: Transfer liability for offences committed by young persons in sole charge of powered vessels to the Owner or Registered Owner of the vessel (Set out on page 21 of the Consultation Document)**

Yes

**Please add a comment to explain your answer**

We agree with the rationale put forward in the consultation document for introducing this measure.

**Q11. Proposal 5: Introduce a Loch Lomond User Registration Scheme (Set out on page 22 of the Consultation Document)**

Yes

**Please add a comment to explain your answer**

We agree with the rationale put forward in the consultation document for introducing this measure.

**Q12. Proposal 6: Amend the existing Permission to Trade byelaw to solely deal with business practices causing nuisance on the Loch and its surroundings (Set out on page 23 of the Consultation Document)**

Yes

**Please add a comment to explain your answer**

We agree with the rationale put forward in the consultation document for introducing this measure and particularly for passenger boat operators who are stringently controlled by the Maritime & Coastguard Agency regulations and annual inspections.

## Consultation questions

**Q13. Do you have any alternatives or proposed changes to the byelaws that have not already been captured in this review? Please provide an outline of these and your reason for them.**

Yes- we do as we don't think the byelaws go far enough and a much bolder approach is required to ensure all users of the loch, local residents and visitors on the lochside can enjoy the special qualities of Loch Lomond safely and with less noise intrusion from some of the categories of powered craft. We strongly consider it is time to take action to reduce noise and carbon emissions generated by power craft and it should not be another 10 years before action is taken given the climate and nature emergencies which are now being widely publicised and acknowledged. The Park Authority should be leading the way and the byelaws review provides an opportunity to take more positive and direct action.

Our specific suggestions for additional byelaws are as follows:

1. Noise Emissions-In an effort to maximise the enjoyment of the loch for all users on the loch and those living or visiting the hinterland of the loch a specific byelaw should be introduced to ensure powercraft emitting a defined level of decibels should be fitted with silencers or appropriate kit to reduce noise levels. Such equipment is now fairly advanced and inexpensive and this should be explored further so that a specific byelaw can be introduced as part of the final submission to the Scottish Government. This would help transform the Loch Lomond experience for visitors and local residents. At present some of the noises from jet skis and other high powered craft can be heard clearly on hilltops around the loch and along the busy West Highland Way which is not desirable and spoils the wild and quiet enjoyment qualities many members of the public are seeking.

2. Carbon Emissions-There is an opportunity to greatly reduce carbon emissions from powered craft using Loch Lomond and to contribute positively to carbon emission reduction targets in the Loch Lomond area. A specific byelaw should be introduced to cover fuel types that can be used by existing power or new power craft on Loch Lomond. There are more environmentally fuels available such as HVO (hydrogen vegetable oil) which are suitable for a number of vessels and is being successfully introduced elsewhere in the National Park. It should be possible to set carbon threshold caps linked to fuel advances which are not costly. We appreciate this will require further consideration to define more clearly for byelaw purposes but we consider the NPA should be grasping the nettle on this and not wait for a further 10 years when the next byelaw review will take place.

3. Third Party Insurance- Owners of power craft, including jet skis should have third party insurance and show evidence of this when they are registering vessels to use the loch.

4. Strengthened Powers for Rangers and Police-We strongly support measures which will strengthen the powers of rangers and police patrolling the loch and the busy areas where there are conflicts between different types of users. The current arrangements which involve reporting serious cases of irresponsible behaviour to the Procurator Fiscal is unsatisfactory and over bureaucratic resulting in very few prosecutions and we therefore support introducing of fixed penalty fines where appropriate. We also consider there should be provision for banning orders of variable duration for repeat offenders relating to irresponsible behaviour use of specific types of craft. If this cannot be covered adequately by enhanced byelaw provisions then steps should be taken to lobby for specific legislation to enable this to happen. It is important those patrolling the loch have sufficient powers at their disposal to clamp down on irresponsible behaviour as part of a concerted effort to improve water safety for everyone.

**Q14. Do you have any other comments on the review of the byelaws?**

The staff who undertook the review of the byelaws are to be complimented for the lengths they have gone to consult specific user groups and others before preparing a series of proposals to strengthen the byelaws. The supporting documentation is also very detailed and clear.

The emerging proposals have much to commend them but as mentioned earlier they do not go far enough and a bolder approach is required to strengthen water safety and the enforcement powers of the rangers and police so that they can do their jobs more effectively and efficiently. We would also like to see some specific additional byelaws covering noise and carbon emissions and this should not be delayed until the next review in 10 years time. We cannot afford to wait a further decade to tackle the climate and nature emergencies and we owe it to the many millions of Loch Lomond visitors and the many local residents on the lochside to ensure the special qualities of the loch are safeguarded while also addressing the safety and loch user behaviour issues through education and more effective enforcement of much strengthened byelaws.

We appreciate considerable resources are allocated by the Park Authority to managing the existing boat registration scheme and ranger patrols on land and water but additional resources require to be allocated to step up patrols in particular hotspots such as Luss Bay. We believe there is a strong case for the introduction of a 'baywatch scheme' here during holiday periods and at weekends between April and October. We also appreciate considerable efforts are being made to educate loch users but we consider more steps should be taken on the enforcement front to deal with irresponsible behaviour which comprises the safety and enjoyment of the loch by others. The introduction of spot fines and banning orders for persistent offenders should be part of the byelaws and enforcement tools available.

## **Equalities**