

# Pentland Hills Regional Park Joint Committee

10am, Friday 25<sup>th</sup> January 2013

## Sustainable Management of Recreational Events in the Pentland Hills Regional Park

Item number

Report number

Wards

Pentland Hills, Colinton/Fairmilehead

### Links

Coalition pledges

P32, P42, and P45

Council outcomes

CO10, CO17, and CO19

Single Outcome Agreement

SO2, SO3, SO4

**David Jamieson**

Parks & Greenspace Manager

Contact: Keith Logie, Parks Development Manager

E-mail: [keith.logie@edinburgh.gov.uk](mailto:keith.logie@edinburgh.gov.uk) | Tel: 0131 529 7916

# Executive summary

## Sustainable Management of Recreational Events in the Pentland Hills Regional Park

### Summary

---

This report provides an overview of existing arrangements for managing recreational events in the Pentland Hills Regional Park and sets out new proposals for their sustainable management.

### Recommendations

---

It is recommended that the Joint Committee notes the current position regarding events and requests that a new regulatory approach be developed based on a concordat between the Regional Park, partner local authorities and principal land managers.

### Measures of success

---

Success will be measured by agreement of a formal concordat between the Regional Park and land managers and subsequently by the achievement of a balanced and sustainable programme of outdoor events throughout the year. Feedback will be sought from land managers, event organisers, participants and other recreational users of the Regional Park about the extent to which a sustainable programme has been achieved. The environmental impact of events will be monitored.

### Financial impact

---

Working with event organisers and land managers is an ongoing activity which is resourced from existing revenue budgets. A new concordat would streamline the process allowing more efficient use of staff resource. Additionally there is an opportunity to formalise the way in which event organisers contribute towards the maintenance and development of facilities in the Regional Park.

### Equalities impact

---

The contents and recommendations of this report do not detract from the delivery of the general public sector equality duties. The work of the Regional Park as described in this report does not infringe upon the ten areas of rights and makes a positive contribution to 'age' (facilities, information and resources are provided to help people of all ages learn about and enjoy the Regional Park) and 'disability' (access infrastructure

and other amenities are designed to be accessible to people of all abilities). Over the previous two years, the Friends of the Pentlands have hosted an event specifically for people with disabilities. These events have been well supported and are likely to be further developed in the years ahead.

## **Sustainability impact**

---

The Pentland Hills Regional Park supports sustainability objectives by: 1) providing a managed resource for non-motorised recreation and physical activity; 2) acting as a carbon sink through the protection and enhancement of woodland, wetland and moorland; 3) enhancing the biodiversity of Edinburgh and the Lothians; 4) protecting the landscape and environmental quality of the Pentland Hills; and 5) supporting sustainable economic development of the rural economy. Inappropriate events have the potential for adverse impact on habitat and wildlife, unsustainable erosion on vulnerable paths and ground, and interference with land management activities. With careful planning however, these can be avoided. The proposals would significantly reduce the risk of adverse impact from events. Events have the potential to contribute towards social and economic sustainability by supporting local businesses, involving local people, and paying land managers for providing services and facilities.

## **Consultation and engagement**

---

The Pentland Hills Regional Park is governed by a Joint Committee comprising of elected members from all three partner local authorities: the City of Edinburgh Council, Midlothian Council, and West Lothian Council.

The Regional Park is advised by a Consultative Forum comprising of a wide range of interests including: farmers and land owners; recreational users; community councils; wildlife interests; Friends and other voluntary groups; sporting interests; public agencies; and national governing bodies. The Forum acts as the primary consultative mechanism for Regional Park matters.

It is proposed that the Consultative Forum takes the lead in developing a concordat in full consultation and active engagement the principal land managers in the Regional Park.

## **Background reading / external references**

---

Further background information about the Regional Park is available at [www.pentlandhills.org](http://www.pentlandhills.org)

The Scottish Outdoor Access Code (available at [www.outdooraccess-scotland.com](http://www.outdooraccess-scotland.com))

Pentland Hills Regional Park Visitor Survey 2006

## Sustainable Management of Recreational Events in the Pentland Hills Regional Park

### 1. Background

---

#### Recreational Activities in the Regional Park

- 1.1 The Pentland Hills Regional Park attracts over 600,000 recreational visitors annually. Recreational activities are diverse and include walking, cycling, horse riding, hill running, orienteering, angling, field sports, kayaking, open water swimming and paragliding.

#### Events in the Regional Park

- 1.2 In addition to informal recreation, the Regional Park is a popular location for recreational events. In 2011, 26 events were held with a total of 1880 participants. In 2012, 36 events took place with a total of 3,356 participants. Over recent years, the Regional Park has experienced an increase in the number of enquiries from event organisers.
- 1.3 Based on an analysis of the events held in 2011 and 2012 the following patterns can be identified:
- the majority of events involve walking, hill running or orienteering (68%);
  - the proportion of cycling events is relatively low (5%);
  - there is a significant demand for water based events (18%);
  - a significant proportion of events are run for charitable purposes (42%);
  - few event organisers currently make a financial contribution towards the maintenance of the Park (3%); and
  - hill running and orienteering events take place all year round, while other events take place primarily between spring and autumn.

#### Outdoor Access Rights & Responsibilities

- 1.4 Part 1 Land Reform (Scotland) Act 2003 provides a right of responsible access to most land and water for non-motorised activities. Access rights apply only

when they are exercised responsibly. Responsibilities for both access takers and land managers are defined in the Scottish Outdoor Access Code (SOAC). While failure to comply with the Code is not, of itself an offence, failure to do so will be taken into account where a dispute is referred to the Sheriff for determination. The Code therefore has evidential status.

1.5 Section 3.60 of the Code advises that it is good practice for event organisers to *liaise* with land managers and states that land manager *permission* is required if the event either:

- requires new or temporary facilities; or
- is likely to an unreasonable extent hinder land management operations, interfere with other people enjoying the outdoors, or affect the environment.

Given the range of land uses and high levels of informal recreation of the Regional Park, the majority of proposed events fall into the category of requiring land manager permission.

### **Existing Arrangements for the Management of Events**

1.6 Most event organisers contact the Regional Park during the planning of their event. Unless the event is planned entirely on local authority owned land, the Regional Park is not in a position to give or withhold permission. Instead, the Regional Park acts in an advisory capacity. This involves:

- referring the organiser to the events organisers guidance available on the Regional Park Website (Appendix 1);
- asking the organiser to complete and return a form summarising the key features of the proposed event and prompting the organiser to think about some of the key requirements;
- on receipt of the form, discussing the proposed event with the organiser with reference to the good practice advice in the guidance;
- where appropriate advising on the proposed route, location, timing and other relevant considerations that may not be immediately apparent to the organiser; and
- providing land manager contact information to enable the organiser to seek the required land manager permissions.

1.7 While this process often helps to minimise the potential for negative impacts, the role of the Regional Park is advisory rather than regulatory. The Regional Park cannot, and does not either authorise or veto individual events. Providing land

manager permission has been granted, an event organiser can go ahead, even if this is contrary to the advice provided by the Regional Park. In practice this occurs rarely, but it does serve to illustrate the limitations the Park has in its ability to regulate events and their associated impact.

## **Opportunities and Impacts**

- 1.8 The Regional Park is essentially a recreational designation. The Park aims to provide a positive visitor experience by balancing recreation with landscape and habitat conservation and primary land uses such as farming. Participation in events is one way in which people enjoy the hills and in doing so supports local and national objectives for health, well being and physical activity as well as playing a part in raising the profile of Edinburgh and the Lothians as a place to visit. It is appropriate therefore for the Regional Park to have a key role in supporting the sustainable management of successful events.
- 1.9 One of the key roles of the Regional Park is to maintain and develop the access infrastructure including paths, gates, signage and way marking, car parks and access points. The natural environment in the hills is fragile. Climate change models predict, and recent experience has confirmed that we are experiencing more intense patterns of rainfall which has accelerated erosion on many of the Pentland paths. It is a significant challenge to ensure that the Regional Park has the necessary resilience to cope with the recreational demands placed on it.
- 1.10 Inappropriate events carry the risk that the carrying capacity of the access infrastructure is exceeded leading to further degradation of the path system which serves to protect the natural environment and supports informal recreation throughout the year. With the recent increase in demand for events, a more effective mechanism is required to ensure that events are managed sustainably.

## **2. Main report**

---

### **Objectives**

- 2.1 The objectives of these proposals are:
  - to regulate events such that the annual programme is measured and sustainable;
  - to provide a clear and robust framework to help event organisers hold successful, high quality and well supported events;

- to mitigate the impact on paths, land management activities, and informal recreation;
- to encourage event organisers to contribute to the maintenance and upkeep of the facilities they use; and
- to develop a co-operative partnership between the Regional Park and land managers regarding recreational events.

### **Proposals for Sustainable Management of Events**

- 2.2 It is proposed to develop a concordat between the Regional Park and principal land managers which would serve to better regulate recreational events in the Pentland Hills Regional Park.
- 2.3 The Concordat would support the provision of clear and consistent advice to event managers, provide an agreed basis on which to grant or withhold permission and establish a clear protocol for agreeing a contribution towards the provision and maintenance of facilities.
- 2.4 It is proposed that the Concordat be developed by a sub-group of the Consultative Forum working with land managers and event organisers.
- 2.5 It is recognised that a concordat will be achieved through a process of negotiation and is ultimately dependent on reaching consensus.
- 2.6 The Concordat would be based on the good practice already established and set out in the existing guidance. It would however go an important step further and set out clear and agreed criteria for assessing whether or not permission should be granted. This would for the first time provide an effective mechanism for ensuring that the annual programme of events in the Regional Park is sustainable.

## **3. Recommendations**

---

- 3.1 It is recommended that the Joint Committee:
- 3.1.1 requests that the Consultative Forum be asked to form a sub group to develop a draft concordat on events between the Regional Park and land managers;
- 3.1.2 requests that subject to consensus being reached a draft concordat be presented to the Joint Committee for approval.

**David Jamieson**

Parks Development Manager

## Links

---

<b>Coalition pledges</b>	<b>P32</b> - Develop and strengthen local community links with the police <b>P42</b> - Continue to support and invest in our sporting infrastructure. <b>P45</b> - Spend 5% of the transport budget on provision for cyclists
<b>Council outcomes</b>	<b>CO10</b> - Improved health and reduced inequalities <b>CO7</b> - Edinburgh draws new investment in development and regeneration <b>CO19</b> - Attractive Places and Well Maintained – Edinburgh remains an attractive city through the development of high quality buildings and places and the delivery of high standards.
<b>Single Outcome Agreement</b>	<b>SO2</b> - Edinburgh’s citizens experience improved health and wellbeing, with reduced inequalities in health <b>SO3</b> - Edinburgh’s children and young people enjoy their childhood and fulfil their potential <b>SO4</b> - Edinburgh’s communities are safer and have improved physical and social fabric
<b>Appendices</b>	<b>Appendix 1:</b> Guidance for Organised Outdoor Access Events in the Pentland Hills Regional Park