

## **Loch Lomond Byelaws Review**

### Proposals

- A) Introduce Low-Powered Activity Zones
- B) Realignment of the current 11kph boundary to the south of the island of Inchmoan
- C) Compulsory wearing of Personal Flotation Devices (PFDs) for young people (under 16) on all vessels when on an open deck
- D) Transfer liability for offences committed by young persons (under 16) in sole charge of powered vessels to the Owner or Registered Owner of the vessel
- E) Introduce a Loch Lomond User Registration Scheme
- F) Amend the existing Permission to Trade byelaw to solely deal with business practices causing nuisance on the Loch and its surroundings

## **Consultation Survey**

### **1) Do you agree with the six key changes being proposed as part of this review?**

A)	<p>No.</p> <p>The issue is speed and irresponsible behaviour. The existing byelaws cover this with 11kph within 150m of the shore. If there is a problem enforcing the existing byelaws the same problem will exist enforcing the proposed byelaws.</p> <p>The creation of a further 7 zones will present an additional burden on the LLTNP to enforce the byelaws which is counter productive when they are struggling to enforce the current byelaws.</p> <p>We are opposed to yet more flashing buoys on the Loch to delineate the zones. Flags on shore should be sufficient.</p> <p>The proposal for Luss looks horrendously complicated with many boats manoeuvring into the pier. It appears to require an additional 8 buoys which will require to be illuminated. Loch Lomond Leisure operate safety boats from the Luss shore.</p> <p>PWC seem to be the fundamental target as they present dangers from speed, (random) manoeuvrability, inappropriate operator behaviour and so on but rather than ban them from these zones use of a wider set of criteria e.g. HP means less problematic powered vessels are included. The main safety issues are speed, responsible behaviour and good watch-keeping not purely engine power.</p> <p>All craft should be allowed to access piers and jetties to pick up and drop off as necessary.</p>
B)	<p>Yes.</p> <p>It is not clear whether the marker points referred to on the map are to be flashing lights. The described lack of knowledge of the current straight line boundary is not adequately explained. How a more complicated shaped boundary that relies on real time distance measurement will be easier to see is not explained either. Possibly clearer marking buoys.</p>

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C)	<p>Yes.</p> <p>Only a small gain (94 to 100%) but worth pursuing. Difficulty in age identification may be a barrier to enforcement. Is it expected that everyone carries ID?</p> <p>There will be occasions on hot sunny days when young people want to use the boats swim platform without the restriction of a life jacket. It needs to incorporate a clause to state that this is only a requirement when the vessel is in motion.</p> <p>Possible unintended consequence of creating a deterrent to family use of the Loch if kids don't want to go because they can't sunbathe or swim – could be quite boring to sit trussed up on a boat all day or have to stay below decks.</p> <p>Is there any evidence to suggest that young people are more susceptible to drowning than older people?</p>
D)	<p>Yes.</p> <p>No evidence cited to determine existing problem therefore no way of seeing improvement. Reasonable request and easy to apply without adverse effects so worth doing.</p>
E)	<p>No.</p> <p>This seems a draconian measure and won't necessarily make identification of an individual any easier. What is the cost of such a scheme? Will the LLTNP be seeking powers to undress individuals to force them to remove hoodies/hijabs? Even with a photo registration scheme it could still be difficult to prove identity in a court, particularly as not practical to ask individuals to carry ID with them. What a hassle if you want to allow a friend to use your boat especially if the LLTNP is shut at the time.</p> <p>LLTNP are struggling to keep up with the current system with 51% of contraventions relating to the existing registration scheme. This proposal would add to the bureaucratic burden.</p> <p>This proposal is aimed at making identification of individuals easier and as 44% of contraventions relate to speeding it has to be concluded that the LLTNP wish to prosecute more people for speeding.</p> <p>Enforcement is only easier if users have registered, if not registered, then same ID problem as exists now.</p> <p>If proposal D) is easy to apply, then a similar change should more easily solve the problem with ID of offenders. Transfer liability to owners for all unidentified users not just &lt;16ys. Use of fixed penalty notices has been suggested. Again, if they go unpaid then the vessel should not be eligible for re-registration.</p>
F)	<p>Yes.</p> <p>No evidence cited to determine existing problem therefore no way of seeing improvement. Easy to apply without adverse effects so worth doing.</p>

## 2) Do you have any alternatives or proposed changes to the byelaws that have not already been captured? Please provide an outline of these and your reason for them.

<u>Alternative to proposal</u>	<u>Reason</u>
Proposal A) : Status quo.	Existing byelaws if enforced are sufficient.
Proposal B) : Clearer buoy marking.	At the moment the marker buoys are small and often too far away to identify to irregular loch users. Visitors in particular ought to have

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All craft to have a 'chart/schematic' onboard with the main hazards and zones marked. NP could supply these free with registration.	a chart the main navigation buoys described. Schematic stickers could be used if paper charts are impractical.
Proposal C) : Education and encouragement on cold water immersion including appropriate clothing & use of PFDs and rescue techniques.  Exceptions for vessels at anchor or moored.	Plenty of training material is available in the public domain and can be highlighted in brochures or websites.  Young people should be allowed to enjoy the loch as much as adults and sunbathing on deck & swimming close to the mother craft should be allowed. There is a difference between parentally supervised swimming and falling overboard.
Proposal E): Transfer liability of 'any' user to the owner as suggested for minors in proposal #4.  Fixed penalty on the spot fines – if not paid then owner cannot re-register craft the following season(s) until paid.	If liability can be transferred from minors to owners then expand that to cover all ages. If users break the bye-law for not registering their ID then the bye-law is redundant.  Refusal of vessel registration is the ultimate sanction and therefore deterrent and registration is tied to ownership.

### 3) Any Other Comments

In general, yet more rules and regulations should be AVOIDED.

Education is the key but we accept there are some that can't be educated!

Many of the proposals appear to be the result of the LLTNP's inability to enforce the existing byelaws so rather than create more analyse existing failure points. This may lead to simplification or even relaxation of many current regulations. The targeting of purely safety and nuisance issues may in turn lead to increased compliance, less cost and easier monitoring.