



Mr N Kempe  
nickkempe1@gmail.com  
FOI Ref: 2015/025

8<sup>th</sup> June 2015

Dear Mr Kempe,

### **REQUEST UNDER FREEDOM OF INFORMATION (SCOTLAND) ACT 2002**

Thank you for your 11<sup>th</sup> request for information under the Freedom of Information (Scotland) Act 2002, received by email on 6<sup>th</sup> May 2015, and your subsequent letter of clarification, received on 10<sup>th</sup> May 2015. Your specific requests and the relevant information held by the National Park Authority are provided below.

**If you use the Your Park definition (of encampments) in your recording systems, I would be happy for you to answer my questions according to that definition as it should make data extraction quite simple**

#### **1. Does the Park record data on encampments? If so, how is this done?**

The National Park Authority does not hold records specifically referring to encampments. Records are taken of the number of tents, caravans and motorhomes observed whilst on patrol at locations that form part of a pre-determined patrol route. These patrol records are held in a ranger patrol database.

A record made by the ranger service of locations where caravans have been present, recorded in 2013, is also held, this record shows caravans/motorhomes at the following locations:

- Loch Earn north: horse shoe lay-by
- Loch Earn north: boundary lay-by
- Loch Earn north: long lay-by
- Loch Earn north: Derry wood lay-by
- Loch Venechar north
- Inveruglas
- Tarbet
- Tarbet isle
- Duck Bay
- A 82 Seven bays (north bound) old road lay-by
- A 82 Three bays (south bound) lay-by
- A 82 Culag lay-by

#### **LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY**

National Park Headquarters, Carrochan, Carrochan Road, Balloch, G83 8EG Long: 4°34'24"W Lat: 56°00'12"N  
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**2.What procedures does the Park have, and what guidance does it give to staff, about what action to take in relation to encampments including joint action with Police Scotland? If the Park has no policy and procedures, how are decisions taken?**

The National park Authority does not have powers to take action in respect to long stay caravans, tents or motorhomes and therefore has no policy or procedure for taking action. However the National Park Authority has powers in respect to planning development and these apply in specific circumstances.

The siting of a caravan for the purpose of human habitation will usually require both planning permission and a caravan site licence. If a site licence is not required, planning permission will not be required as legislation provides that this will be “permitted development”. There are a number of exemptions to the requirement for a site licence, including but not limited to:

- use of land for up to two nights by a person travelling with a caravan;
- use of holdings (5 acres or more) as a caravan site for a maximum of 3 caravans at any one time on not more than 28 days in a 12 month period;
- use of land by exempted organisations (e.g. The Caravan Club); and
- use of land by travelling showpersons.

The National Park Authority liaises with those with a role and powers to take any appropriate action. This is done on a case by case basis in conjunction with the visitor management and access and recreation teams.

**3.Please provide for 2013 and 2014 the numbers of complaints received from**

**a) community councils**

**b) the landowner on whose land the encampment took place**

**c) other members of local community**

**d) other organisations about encampments**

**either according to your definition of encampment if you have one or if not any tents, caravans or other vehicles that could reasonably be said to constitute an encampment and the location of these?**

The NPA has not recorded complaints specifically referring to the term “encampment” .We have received complaints and concerns about longer stay camping and caravans recorded in many forms including e-mails, responses to the Your Park consultation (available as a download on [www.thisisyourpark.org.uk](http://www.thisisyourpark.org.uk) ), community action plans, verbal dialogue between public and rangers/ NPA staff, at community council meetings, in many cases held as part of the listening phase of Your Park, and at visitor management stakeholder group meetings such as for the 5 Lochs area.

We also respond to complaints received either by telephone or in person, where no information is recorded. It is not possible to provide figures according to the definition and categories that you have specified, this would involve the re-assessment of existing records and the creation of new records which is not required under the Freedom of Information (Scotland) Act 2002.

**4.Please could you also provide for 2013 and 2014 the numbers and location of all**

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**encampments that the Park was aware of (whether or not subject to complaints as in 3 above) which either meet the Park's definition of encampment or if you have no definition which could be reasonably said to constitute an encampment?**

The total number of tents recorded and caravans/motorhomes recorded for the years 2013 and 2014 are as follows:

<b>Calendar Year</b>	<b>Tents</b>	<b>Caravans</b>
<b>2013</b>	6037	3871
<b>2014</b>	3928	3520
<b>TOTAL</b>	<b>9965</b>	<b>7391</b>

This record is a snapshot taken during ranger patrols, it does not differentiate between long stay or short stays but gives an indication of how often tents and caravans/motorhomes are present at particular sites/locations.

The locations where records are made cover in excess of 200 sites, the locations that relate more specifically to longer stays have been provided in the response to question one above.

**5.Of the total number of encampments known to the Park for 2013 and 2014 does the Park hold any information about how many were agreed by the landowner or had been issued with fishing permits for the duration of the encampment? If so, please provide numbers and location of these. Of those not agreed by the landowner, in how many cases did the Park undertake any action to remove that encampment (either itself or together with other bodies like Police Scotland)?**

The records held of tents and caravans/motorhomes does not include information about any specific landowner agreements to allow camping or caravan/motorhome stays.

As stated previously the National Park Authority does not have powers to remove encampments. The National Park Authority does not hold information about the issuing of fishing permits, this activity is undertaken by the respective riparian owners and any associated arrangements for managing fishing permits.

The National Park Authority is aware of two sites where action has been taken to seek removal of longer stay caravans/motorhomes these are on the A 82 laybys where travelling people have occupied lay-bys; and on north Loch Earn where Drummond estate has worked with Police Scotland.

**6.Where the Park undertook action against encampments in 2013 and 2014 please provide information on what the outcome of that action was?**

No information held as the National Park Authority has no powers to take such action.

**Please also provide information about the numbers and location of encampments where the Park considered but did not initiate any action? What information does the Park hold which would indicate the reasons for this?**

As above.

Yours sincerely

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Information Officer

info@lochlomond-trossachs.org

### Review Procedure

If you are dissatisfied with this decision, or the way in which the Authority has dealt with your request, you are entitled to require the Authority to review its decision. Please note that in order for a review to take place you are required to:

- Send your request for review in writing, setting out in full the reasons why you are requesting a review.
- Submit your review request within 40 working days of either the date on which you received a response from the Authority or the date by which you should have received a response under the terms of the Freedom of Information (Scotland) Act 2002, whichever is the later.
- address your review request to the Director of Corporate Services:

Jaki Carnegie  
Loch Lomond & The Trossachs National Park Authority  
National Park Headquarters  
Carrochan  
Carrochan Road  
Balloch  
G83 8EG  
E-mail: [info@lochlomond-trossachs.org](mailto:info@lochlomond-trossachs.org)

The review will be handled by staff who were not involved in the original decision. You will receive notice of the result of your review within 20 working days.

If you are not satisfied with the response to your request for review, you can contact the Scottish Information Commissioner, the independent body which oversees the Freedom of Information (Scotland) Act 2002, at:

Scottish Information Commissioner  
Kinburn Castle  
Doubledykes Road  
St Andrews  
Fife  
KY16 9DS  
Tel: 01334 464610  
Website: [www.itspublicknowledge.info](http://www.itspublicknowledge.info)  
E-mail: [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info)

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