

The Ministerial reasons for approving camping bye laws

Description

Among the papers for the LLTNP Board meeting on 14th March is a letter from Aileen McLeod, Minister for the Environment, setting out why she explained camping bye-laws. [Agenda Item 8](#) [Appendix 1](#) [Ministerial Letter to Linda McKay](#) [Byelaw decision](#) It is essential reading. Beneath the spin about listening to a range of views, the letter shows Aileen McLeod has got her facts wrong, has no understanding of access rights and has undermined the will of the Scottish Parliament in respect of the Land Reform Act.

The Minister's judgment

Aileen McLeod, the Minister for the Environment, believes that:

- that the measures are not a ban on camping – this is Orwellian newspeak. Camping will only be allowed in specified places and it is banned elsewhere.
- permits are not incompatible with access rights – the whole point of the access legislation is it gave you rights, to go and NOT ask permission. Permits require you to ask permission and the byelaws will create criminal offences for campers who don't.
- to allow camping to continue would risk these special places being lost to future generations – this is purple hyperbole! Ground vegetation recovers in days or weeks, even the worst litter bio-degrades in a few years, trees regenerate as they always have and dare I say it crap biogrades in a few months. The Minister and her civil servants appear to have no knowledge of basic science.
- that camping has negative impacts on local communities and business – where then is the economic impact assessment that demonstrates this? The anglers who camp around Loch Earn directly create local jobs (two water bailiffs), maintain the viability of local shops etc. The Park has done no evaluation of the business that will move elsewhere.

The Minister does not say why she has reduced the period of operation of the byelaws by one month, October. This is unsupported by any evidence supplied by the Park. Out of the summer period angling is the biggest single reason people camp and the angling season extends to the end of October. While its good to know anglers are not the cause of the problems, this looks like a political sop.

The Minister's justification of the need to manage camping is threefold, volume of campers, environmental damage and anti-social behaviour. Here I will focus on volume campers (I have covered environmental fairly extensively but will come back to this and rural crime in separate posts).

Volume of campers

I find it staggering that the Minister has accepted the Park's claims that volumes of campers are a problem. This is totally contrary to what the Scottish Parliament intended in respect of access rights. The Land Reform Act contains NO provisions about limiting numbers accessing the countryside and for a very good reason - it was about enabling whoever wanted to to enjoy our countryside. The Park has tried to change to take us back to the Countryside in 1970 Conference, where members of the establishment promulgated scare stories about the large numbers of visitors predicted to swamp the countryside: as a result of which it was decided to promote the idea that the law of trespass meant you had no rights to be on land in Scotland. The Land Reform Act overturned thirty years nonsense about this from public agencies but now the Minister, without any reference to the Scottish Parliament, has simply reversed this. Her decision is wrong in principle.

The Minister's decision has pandered to nimbysism in the Park as demonstrated by the Chief Executive claims that the Park was being swamped by campers and this email, from a Councillor on the Board to their Convener which I obtained through a Subject Access Request:

From: Martin Earl
Sent: 11 September 2015 17:47
To: Linda McKay
Subject: Re: Sunday Herald

Thanks Linda,

I only mention because Mr Kempe has always only talked about how to deal with bad campers and never acknowledged that **a major part of the problem is too many people in some highly desirable locations (my emphasis).**

Regards

Martin

The facts are that large numbers of people are limited to a few weekends of the year when there is good weather. According to the Minister's letter though, this might risk the Park's reputation at both home and abroad as being a premium tourist destination. I thought the Scottish Government was committed to tackling social exclusion but instead it seems it wants to ban people from the Glasgow conurbation, many of whom could never afford accommodation in the Park, from camping.

For people whose sense of order is offended by the freedom of people enjoying themselves out of doors, there are simple solutions to help people who want to get out at these times to do so. For example, in the English National Parks, farmers open up fields for camping with portaloos - so why not in Loch Lomond and the Trossachs?

So is there anything good in the letter?

Yes, the campaign is far from over:

- The annual updates required of the Park by Ministers should provide plenty of opportunities for further campaigning.
- The formal three year review is better than the ten years that some were pushing but will only have a real impact if recreational interests insist they are properly consulted, unlike for the deeply flawed Review of the east Loch Lomond byelaws (see my [Report on Your Park consultation process and critique of proposals 150618 \(corrected version\)](#))
- The delayed implementation date of March 2017 gives plenty of time for the decision to unravel or be overturned by a new Minister for the Environment.
- The Minister has put no cap on the number of camping places and states 300 is only the initial target for next year. This offers continued opportunities to question the rationale of any proposals the Park comes up with...and these are then likely to collapse as they are based on prejudice not reason.

Category

1. Loch Lomond and Trossachs

Tags

1. Camping bye laws
2. conservation
3. LLTNP
4. Minister Environment
5. Scottish Government

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