

## The implications of the proposed review of the camping byelaws

### Description

When Aileen McLeod, the Minister for the Environment, approved the camping byelaws she made a couple of conditions, that the Loch Lomond and Trossachs National Park produce annual reports and undertake a three year review. The Park had previously undertaken a review of the east Loch Lomond byelaws, which was deeply flawed, but which they used as the basis for their proposal to extend the camping byelaws. I therefore decided to ask the Scottish Government some questions about the review of the east Loch Lomond byelaws and proposed review of the new camping byelaws.

On Friday I received [Scottish Govt EIR Response 29 April](#) which makes for interesting reading.

The first thing it tells us is that the Scottish Government carried out NO evaluation of the LLTNPA's [Review of the east Loch Lomond byelaws](#). This was a deeply flawed document and a number of people highlighted this to the Government, e.g the Mountaineering Council of Scotland debunked the Park's use of police statistics. I provided a critique in my [Report on Your Park consultation process and critique of proposals 150618](#) (see pages 19-25). I think we can take from the fact that the only document the Scottish Government holds on the review of the east Loch Lomond byelaws, apart from a covering letter from Gordon Watson and this [thank you letter](#) from Paul Wheelhouse, the previous Minister, to the Park Convener, Linda McKay is that they given NO consideration to these criticisms. The review document was supplied, the box was ticked and that was that – one wonders whether anyone in the Scottish Government even bothered to read the criticisms of that Review?

What the alternative analyses show is that the improvements on east Loch Lomond could be accounted for by other actions, such as the creation of the clearway on the road to Rowardennan, the alcohol ban, site specific measures (eg blocking off parking spots) and targetted policing rather than the camping byelaws. Indeed arguably the main impact of the camping byelaws was to victimise innocent backpackers walking the West Highland Way. Yet, none of this seems to have mattered – or perhaps crossed the desk – of the Minister charged with taking the decision. Another reason why removal of access rights should require approval from the Scottish Parliament.

What the EIR response also shows is that the Scottish Government has set no criteria about how it thinks it will be able to judge the success or otherwise of the proposed camping byelaws in three years time. It seems wrong that the Scottish Government should remove our access rights without apparently having any idea of what would justify continuing a ban and what would justify revoking it. The lack of any criteria suggests that the Government have assumed the camping byelaws should be a permanent measure and the review is simply a sop to critics, just like the east Loch Lomond byelaw review. This suggests that the only thing that is likely to matter in deciding whether or not the Scottish Government continues with the camping byelaws is whether they prove enforceable or not – evidence is unlikely to come into it.

The second question the Scottish Government did provide an answer to was why they had reduced the period of the byelaws from that recommended by LLTNPA by one month, October:

*This decision was based on a view that visits to the National Park and the affected areas naturally start to tail off in October, in part due to falling overnight temperatures*

This is yet further proof the byelaw proposals are not based on evidence. The Park never gave the Government its patrol data – it presented to Ministers what purported to be a summary of the data it held. If had Ministers had asked for and checked the data held by the Park they might have realised that ranger patrols stop at the end of September and the Park had made its proposals without holding any data at all for October. In fact if Ministers had looked at the patrol data, they also might have realised that the Park held almost no data for March either as ranger patrols tend to start on 1st April (apart from on east Loch Lomond, where backpackers start walking the West Highland Way quite early in the year). The cool overnight temperatures justification for removing the ban October, made by the Government in their EIR response, is as applicable to March and – as we know from this year – April. Indeed, there is likely to be more camping in October due to the fishing seasons than in March or April with the exception of the Easter weekend. It appears the Scottish Government's decision to reduce the period of the camping byelaws and restore camping rights for the month of October was another political sop to try and appease the opposition.

The ranger patrol records also show very low numbers of campers in many of the places in the proposed camping management zones and, that even in popular areas, higher levels of camping are infrequent. The Scottish does not appear to understand this but then, it never asked for the data and as we know now, appears not to analyse the information it does receive. A neglect of its duty. I am not a statistician but if there is anyone out there who knows of a student or someone with statistical knowledge who would be prepared to analyse the ranger patrol data and produce a report on what it does show, do please get in touch.

### **Category**

1. Loch Lomond and Trossachs

### **Tags**

1. access rights
2. Camping bye laws
3. LLTNPA
4. Minister Environment
5. Scottish Government

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