

## The “Your Park” camping development plans

### Description

The Loch Lomond and Trossachs National Park Authority Board Meeting last Monday included a paper on “Your Park” after a request from a Board Member at the previous meeting for regular updates this year. That there is now some public reporting on how the Park is developing its camping proposals is a step forward. The Board Member who suggested this should be commended. The original proposals for the byelaws were developed in a dozen or so secret “Board Briefing Sessions”<https://parkswatchscotland.co.uk/2016/03/02/driving-force-behind-camping-byelaws/> for which no minutes were taken. The Park has refused to publish the written information it holds on these meetings and these are currently subject to an appeal to the Freedom of Information Commissioner. So, we should welcome the greater transparency the publication of this paper represents.

It was not a good sign though that Fergus Wood, a Councillor on the Board and farmer in Strathard, had declared an interest at the start of the meeting without saying what this was, although every Board Member seemed to know. It suggests Board Members had discussed this at the secret Board Briefing session which took place that morning. Anyway, Cllr Wood left the meeting for the item which I think was right and proper. My guess is he did this because he is now talking to the LLTNPA about providing a campsite on his land by Loch Ard – which would be an obvious declarable interest (one wonders if he left the secret Board Briefing session in the morning if the camping plans were discussed there). A shame though the Park could not be open about this and an opportunity lost – “Board Member shows lead to other farmers in the National Park”.

The most negative aspect of the [Board\\_20160613\\_Agenda8\\_Your Park](#) paper was the continued secrecy about the Park’s Camping Development Plan. For over a year now there have been references to negotiations with landowners and significant progress delivering camping places but the only proposal that is public is that at Loch Chon <https://parkswatchscotland.co.uk/2016/06/07/park-authority-applies-planning-permission-unwanted-campsite-loch-chon/>. The huge flaws in that proposal show just why the LLTNPA needs to be open about what it is doing and consult with local communities and recreational organisations. While there was reference by Board Members at the meeting to the outcry from local residents at Loch Chon and the need to consult earlier there was not a single reference to engaging with recreational organisations. This is unacceptable and a path to disaster. I suspect when the LLTNPA do go public with their proposals it will be far too late to change anything and we will end up with more daft ideas like the proposals for camping on wooden platforms at Loch Chon.

The paper revealed that there appears to have been a significant shift by the LLTNPA about the number camping places needed: “There is also a commitment to bring forward further facilities

beyond this date (March 2017 when the Park has said it will provide 300 new camping places). Now I had previously asked under FOI about how the Park had decided 300 camping places were needed in the camping management zones when its own figures shown on a popular weekend 850 or so tents have been recorded. The response I got then indicated there was no science behind the figure – its was simply based on the view of unnamed staff – and basically that it had been plucked out of thin air. If the Board has recognised this, its a step forward. The problem however is twofold, the LLTNPA is still not being open about how many places it will deliver in the longer-term (I would suggest that will depend on the amount of public pressure to deliver new places) and how it proposes to manage all the “surplus” campers in the short-term?

The paper also included updates on the development of the proposed permit system which was never part of the Your Park consultation and, needless to say, about which there has been no public consultation or engagement. The most interesting revelation was that the LLTNPA is proposing an on-line booking system which it is developing in conjunction with Digital Scotland – in other words with the involvement of central government. While no details were provided about how this will work, David McKenzie – the Board Member who suggested Owen McKee should be reported to the Standards Commission – asked about developing 4G coverage in the National Park so people could book remotely and Martin Earl asked if staff knew where mobile phones work in the proposed management zones. Indeed Martin Earl followed up his question by asking how people would access permits and how the LLTNPA would approach people who did not have one? He assumed there would be a need to be flexible and understanding, to which there was general assent, but there was no detail of what this meant apart from people might be able to get permits from local businesses (another about turn as a previous meeting Gordon Watson had stated all permits would be issued centrally).

The clear implication of this is the LLTNPA Board have started to realise that booking permits in advance won't work. Unfortunately the discussion did not go quite far enough. No Board Member thought to ask what would happen if say a cycle tourer decided they wanted to stop and found all the local places where one could camp with a permit were occupied. Unfortunately too, no Board Member thought to ask what happens on a sunny weekend and 600 people turn up in the Park to camp. They still seem to be crossing their fingers that this won't happen.

I was struck too that in contrast to the discussion on how the LLTNPA could enforce Fixed Penalty Notices for litter, where the Board seems to have realised that education will work far better then enforcement, there were no questions about whether the proposed permit system will be enforceable. All it will take is for people to carry on camping and the permit system will collapse, whatever plans the LLTNPA has for joint work with the police and FCS.

My prediction is that the LLTNPA will very soon start to realise it cannot manage the camping permit systems as currently proposed and that where Rangers find people camping without a permit, they will simply ask the person to apply for one rather than referring them to the Procurator Fiscal for breach of

byelaws. There might be some exceptions, where people are camping too close to houses or within the boundaries to villages, but other than that people will end up being able to camp where they always have. The difference will be there will be a CHARGE for doing so. This is why the camping byelaws and proposed permit system are still so dangerous. They would in effect introduce a charge for access which undermines the whole basis of our access rights and which, if successful, will provide a precedent for every landowner in Scotland. People need to remember that the agenda of landowners now is no longer predominantly about preventing access, though there are still some battles about this, but about how they can make money from what should be a public good. The Duke of Buccleuch's attempts to charge for access at Dalkeith Country Park being a case in point.

In the limited discussion that took place on the Your Park item, the other major omission was no Board Member asked any questions about the implications for civil liberties. I have not touched on this so far on Parkwatchscotland but, for a permit system to work, the Park needs to keep information on irresponsible campers, for example, people who have been issued with a permit but then abandon their tents. This means the LLTNPA needs to keep a data base on you and me and to have developed a clear and open system about how it will use this data to make decisions. For example, if a 17 year old with a permit leaves litter around their tent and is banned, how long will this be for? For life? We simply don't know. If on the other hand permits set no conditions about use, it begs the question why they were ever proposed. I am amazed that not a single Board Member has questioned the civil liberties implications. The civil liberties aspect of the camping management proposals is reason in itself why the permit system should be subject to full public consultation and is something the Minister at the time, Aileen McLeod, should have insisted upon before approving anything.

## What needs to happen?

The best solution to the ill-thought out proposals of the LLTNPA and their implications for access rights and civil liberties would be for the Minister to suspend the decision to implement the bye-laws and require the LLTNPA to consult publicly on the development of new camping places.

Meantime though I believe the LLTNPA should:

- publicly consult on its camping development proposals and engage with recreational organisations of location, design and numbers of camping places
- consult with the Scottish Human Rights Commission on the civil liberties aspect of the byelaws
- fully explain the implications of their proposals for access rights
- fully explain how it intends to enforce these byelaws in conjunction apparently with Police Scotland and Forestry Commission Scotland

## Category

1. Loch Lomond and Trossachs

## Tags

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

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