

The LLTNPA's failure to manage encampments on west Loch Lomond

Description



Caravan and awning in 3 bays Layby on southbound side of A82 14th August 2016

There has been a history of people staying in caravans in the laybys along the A82 south of Tarbert. The caravan in the photo above was still there when I went past on Monday 29th August. The Loch Lomond and Trossachs National Park Authority used long stays such as this, which are commonly known as encampments, to justify the proposed camping byelaws – despite powers being available to stop this under the Criminal Justice and Public Order Act 1994.

When I asked the LLTNPA about this over a year ago, I was told:

“The National Park Authority does not have powers to take action with respect to long-stay caravans, tents or motor homes and therefore has no policy or procedure for taking action”.



Loch Earn sign 2016 – similar signs were in place 2015. Photo Credit Cameron McNeish

This response is misleading. Section 61 of the Criminal Justice and Public Order Act can be used where two or more people on land “*with the common purpose of residing there for any period*” and “*reasonable steps have been taken by or on behalf of the occupier to ask them to leave*”. While the LLTNPA owns very little land in the National Park, I am sure the landowners who have been complaining about encampments would be only too happy to give their permission to the LLTNPA to act on their behalf. Indeed, this appears to have happened on the north side of Loch Earn (see left).

Further, one might have thought that with its Rangers out on daily patrol recording every tent, caravan and fire the LLTNPA would have a key role in supplying the evidence necessary for the police to take action under Section 61. The police can remove encampments where “any of those persons has caused damage to the land or to property on the land or used threatening, abusive or insulting words or behaviour towards the occupier, a member of his family or an employee or agent of his, or those persons have between them six or more vehicles on the land”.

However, [FOI 2015-025 Response encampment](#) also showed that besides having no policy or procedures to report encampments to the police, the LLTNPA’s rangers did not record how long tents or caravans were in place let alone whether there was any evidence of campers/caravaners causing damage. It also admitted that the LLTNPA had no means of identifying or recording when complaints were received about encampments – despite local communities stating they had submitted frequent complaints to the Park. If the LLTNPA had fixed these issues and created mechanisms to ensure adequate liaison between landowners, the police and itself most of the problems associated with encampments could have been addressed. And there would have been no need for the proposed camping byelaws.....

I find it curious that, to the best of my knowledge, the signs on Loch Earn are the ONLY initiative the Park has been involved in regarding encampments. There are NO signs like this on West Loch Lomond. This suggests to me that the signs on Loch Earn was very much an initiative from Drummond Estates, who had serious reservations about the proposed camping byelaws, and not the LLTNPA. Assuming that the LLTNPA believe the caravan in the above photo to be a problem, it appears that rather than take action about this now, along with the local landowner Luss Estates, they would prefer to ban camping and campervans completely.

Now there are limitations to Section 61. There need to be two people encamped and there have been caravans parked in laybys on the A82 that look as though they may be used by single people as a temporary home (if you are working in the area on one of the roads projects for example its far cheaper to park your caravan than rent a place to stay). The police also have no grounds to remove longstay campers/caravaners who abide by the Access Code in every respect except for the length of their stay (i.e they do nothing that could be classified as damage) and who remain polite at all times. However, I suspect very few people who “encamp” are aware of the law and if the Park put up some signs, like

Drummond Estates, and its Rangers spoke to the people in the caravans most would leave. Problem solved, no need for camping byelaws. There are no signs that the LLTNPA has done anything on West Loch Lomond and I am not aware of any other initiatives elsewhere in the Park. A complete indictment of its failures as a National Park.

To make matters worse, by opting for camping byelaws rather than using existing powers, the Park is proposing to stop all those people in campervans who stop overnight off the A82 (two of which are in the top photo), the cycle tourers, canoe tourers and fisherman none of whom cause any serious problems. This August I have seen dozens of campervans stopping off overnight in laybys along the A82, one of the two main tourist routes north. It appears the LLTNPA is in league with certain commercial caravan park owners on loch Lomondside to force all the campervans to stay in their sites. I guess the LLTNPA believe it will increase tourism revenues: its more likely to destroy the reputation of the National Park as a tourist definition.

What needs to happen

I suggested to Ministers last November that they should suspend any further work on the camping byelaws until the LLTNPA had used all the existing powers available to itself and its partners and shown that they were not sufficient. I never received an answer to my letter. The new Minister, Roseanna Cunningham, should now be asking the LLTNPA to provide an independent evaluation of the impact of the Drummond Estates initiative, the extent to which it has been successful or not, and the reasons for this. The Minister should also ask for a tourism impact assessment – none has ever been produced – on the likely impact of the byelaws not just in the National Park but for the whole of Scotland.

Category

1. Uncategorized

Tags

1. access rights
2. Camping bye laws
3. LLTNPA
4. Tourism

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