

## Camping permits, bureaucracy and the implications for access rights

### Description



Tents at the St Fillans end of the Loch Earn south camping permit zone – much of the camping is on beaches.



Parkswatch has, since the camping byelaws came into force on 1st March, documented how the Loch Lomond and Trossachs National Park Authority Park is trying to force campers into areas totally unsuitable for camping. Relatively little coverage has been given to how the LLTNPA is managing the permit areas which are being used by campers. Last Saturday, as part of a walk over hills east of Ben Vorlich, four of us walked through the South Loch Earn camping permit zone, the largest in the Loch Lomond and Trossachs National Park. It provided plenty of evidence of the incoherent thinking behind the camping management zones.



The first thing that struck me was that people were enjoying themselves, despite the biting wind. Yes, there were a few beer bottles out – we were offered a couple after helping a child to swing from an old rope hanging off an oak tree – but people were fishing, using their ingenuity and natural



materials to construct shelters, socialising, cooking on the camp fire, foraging for wood (a criminal offence now under the byelaws), taking a short walk up into the woods to find a place to have a crap, out for walks. Lots of families, not just adults, many of whom had been coming for years, giving lie to the Park's claim that the byelaws were needed to encourage families back to the lochshores. Examples of connecting with nature in way that is just not possible for most people in their day to day lives.



Loch Earn Leisure Park

The contrast with the sanitised environment of the Loch Earn Leisure Park which sits between the camping management zone and St Fillans was striking. Now, I am not disputing caravan parks meet a demand – the Leisure Park is enormous and it would appear more people go there than to camp – but in terms of connecting with nature, what offers the better experience, staying in a chalet or camping by the loch shore? What has the bigger impact on the landscape – the suburban style chalets or the tents on the loch shore whose presence is temporary (even if abandoned)?

Whatever the LLTNPA may have claimed in the past about roadside camping not being wild camping, the campers on south Loch Earn were out enjoying nature in a way that is just not possible in a chalet park. This surely should be at the centre of what our National Parks should be about – “connecting people with nature” – but in the whole development of the camping byelaws the LLTNPA never once articulated the value of camping by the lochsides. If it had done so, it would have wanted to encourage more people to camp, instead of trying to restrict numbers and confine campers to a few permit areas.



South Loch Earn is the only extensive permit zone the LLTNPA has

created (all the others are very restricted) and the only place therefore where camping could carry on anything like it did previously with people turning up and having a wide choice of places to camp. Its therefore atypical.

The reason for this became clear from discussions with campers. Many have been coming for years – there would have been a riot if the LLTNPA had tried to ban them – and the Ardvorlich Estate appears to support their presence, not least because of the income it derives from fishing permits. Hence, the LLTNPA had very little choice but to allow camping to continue here.

## **The enforcement of camping permits**

We talked to some campers who had been advised by the estate to buy permits beforehand and others who had just turned up, and bought a permit online when requested to do so by Rangers. Most saw £3 a night as a small price to pay to be able to continue to camp as they had done previously. The big issue I believe will arise on popular weekends when 100 tents turn up, most of whom will be regular visitors, in a zone where the Park has allocated places for 38 tents (this is an arbitrary figure decided by Park staff). I don't envy the Rangers who are tasked with sending these people away.



The LLTNPA is going to have to work very hard indeed if its going to turn people who have been lucky enough to get a permit against those who haven't.



The bureaucracy and cost of enforcing the camping byelaws was only too apparent on our visit. We heard from the campers that there had been one round of Ranger visits in the morning to check permits – that's when some people applied for them online. The campers had then received a visit from the water bailiff, checking that those fishing had fishing permits. Then, late in the afternoon, the Rangers visited again.





We watched them for a time, referring to note books after getting out their vehicle and then walking down to each tent to ask campers for their permit. They appeared to be having long conversations with campers and I would say it took 5-10 minutes to check each tent. Now I don't know what the Rangers were saying because the LLTNPA have refused to provide me with what they have briefed rangers to do stating this would prejudice enforcement of the camping byelaws:

*“Release of this information is likely to have a negative impact on the ability of the Rangers to perform an effective role in working with the police, interacting with the public and, where required, submitting byelaw contravention reports” (see [EIR 2017-029 Response](#))*

What is 100% clear though is that the new permit system has resulted in three check up visits in one day for people who go to camp to escape from the rules and regulations of everyday life! An intrusion



into our freedom to enjoy the outdoors, an attempt to bureaucratised the experience in the name of social control. The costs are enormous – for whose benefit is this? Where will it go next?

While people may be buying permits when requested, its quite clear that the permit are having little impact on either the quality of the environment or the behaviour of campers.





At the St Fillans end of the zone, there was a significant amount of rubbish which has been blown against the boundary fence. We got talking to the people camping there – they had been coming for 12 years – and they told us the area had been like that before they arrived. What this highlighted is that the introduction of camping management zones is not going to do anything to reduce the amount of litter along the loch shores unless there is actually someone employed by the LLTNPA to pick it up.



Unlike other Council areas within the National Park, Perth and Kinross provide bins the whole way along the road and they are well used – and not just by visitors. As a result the Loch Earn shoreline has far less litter than other areas in the National Park.

Where litter is dropped though – whether by visitors, residents, people passing through or campers – it appears the LLTNPA Rangers are not picking it up – and from I previously established from talking to them is they are not allowed to put litter in vans. This has three consequences. First, it's unlikely that the permits will have much impact on litter in the Park – the only thing it might prevent is people who have applied for a permit abandoning their campsites as they can be traced. This however was only a tiny part of the problem.





The impact of flytipping was greater than anything left by campers

Second, the permit system does not help identify the sources of other litter along the loch shores, much of which does not come from campers, so will do nothing to prevent it. Third, the sensible solution to all of this would be for Rangers to get their hands dirty, set a lead – and invite campers to help them to clean up the lochshores. Whether people will do this now they are being forced to pay is less certain: if people are paying for a permit they have the right to expect the LLTNPA ensures the area is clean before they arrive.





An example of a camper occupying more than the 5 x 5m area allowed for by the Park in each perm

During our visit we saw plenty of evidence to show that the Rangers at present are failing to enforce the terms and conditions associated with the camping permits. Among the camping permit terms and conditions, breach of which is a further criminal offence with fine of up to £500, are the following:

- *Ancillary items must be kept to a minimum and limited to items reasonably necessary in connection with recreational camping activities; e.g. toilet tents, gazebo, fire bowl/bbq*
- *The total area occupied by your tent and ancillary items must not exceed 5 m x 5m*

The toilet tent in the above photo is allowed under the permit system but it and the tent occupy an area greater than 5 x 5 square metres, the maximum allowed by the Park. So, a criminal offence committed but it appears the Rangers have done nothing to prevent this. One cannot blame them –



what a stupid rule! Who would want to sleep right next door to the toilet tent?



The daft rules associated with the permits are also illustrated by the photo which

featured at the top of this post and shows a shelter hanging between two trees (again, with the tent, occupying an area greater than 5m x 5m). Now, under the byelaws, while the public can put up a shelter during the day, its an offence to leave one up overnight unless its an umbrella. So, will these campers be told to take the shelter down each night? The rules are daft – an inevitable consequence I believe of trying to control every aspect of campers behaviour rather than leaving people with the right to make their own decisions.

default watermark





Contrast the stultification of the Park bureaucracy with the ingenuity of campers making use of natural materials.

The most obvious failure in terms of enforcement however were campfires (as in photos above), which were everywhere, and in a number of cases clearly breached the byelaws.





The things people do – Dave Morris, veteran access campaigner, with firewood which someone had disposed of in the bin!

While a number of campers had brought their own wood, others were collecting it locally – an offence under the byelaws. Whether they were doing harm of course is another matter – there were large amounts of wood available in the plantations above the road – and the estate had been busy chopping down trees. People were carrying felled off-cuts back down to the shore to burn.





Now, I believe the way the provisions of the byelaws in respect of fires – collection of wood is an offence – is both wrong and is well nigh impossible for Rangers to enforce. As a society do we really want to criminalise an eight year old who collects a twig to add to a fire on which they are cooking or to prosecute an adult who has picked up a log to burn (both of which we saw happening)? The focus of the LLTNPA should be on preventing live wood being felled for fires – otherwise Rangers are being given an impossible task.

The basic problem on Loch Earn at present is not the quantity of dead wood – lots has been felled – but rather what wood the estate is happy for campers to use and what not. There are no messages about this and as a result people forage. To ensure damage is not done inadvertently or wood, intended for another purpose, is not burned, the solution is surely for the LLTNPA to provide wood to people who want it for a small price. Indeed, under the original Five Lochs Management Plan the idea was to provide wood stores at campsites, a proposal that has since disappeared without trace. It



would be far better use of Rangers time to spend a small portion of it providing wood to campers than checking up on permits.

## **The real failure in enforcement**



Unlawful camping notice in the management zone – the camping ban applies from 1st March to 30th and general notices such as this are thus contrary to access rights.

The most significant failure of the LLTNPA Ranger Service however to enforce the law, has nothing to do with campers. The Park Ranger service drive by these signs, which are contrary to access rights and go beyond anything agreed by the byelaws, every day. For some reason they don't see it as their job to take enforcement action – or rather I suspect they have been told by the Park's senior



management to do nothing. One rule for campers, another for landowners.



I first noticed a no camping sign here in May 2015 and reported it to the LLTNPA with a number of other access issues [access issues LLTNP identified May 2015](#). At the time I thought there was only one sign here but on this visit counted over ten signs on a 100m stretch of road just before St Fillans – could you get more unwelcoming than that? At first the LLTNPA responded positively to my report of the issues and Claire Travis, the member of staff responsible, told me Park staff had been to see the sign at Auchengavin and it was then removed. Senior management then banned her from speaking to me – I know because I obtained the information through data protection – and provided me no further progress reports on what action the LLTNPA was taking. It appears the LLTNPA senior management decided not to take any action, a fundamental failure in their responsibilities as an access authority. This is further evidence that this National Park is being run in the interests of landowners – good for the Ardvorlich Estate and the few other landowners who still tolerate campers but shame on Forestry Commission Scotland which has gone along with this whole charade – not of ordinary people. If any readers are willing to report the signs at the east end of the south Loch Earn Rd as being contrary to access rights – best to use your own photos – parkswatch would be delighted to publish any responses from the LLTNPA.



## The implications of the permit zone for access rights

At the end of our walk, both Dave Morris and I agreed, that really the introduction of the permit zone on Loch Earn has so far, changed only one thing. It has introduced charging for access. The permits have done nothing to address the litter or other basic infrastructure issues that the LLTNPA should be addressing.

So what, it might be argued, people appear to be accepting the £3 charge. Well, so would most people faced with the choice of a charge or a ban from staying in a place you have been visiting all your life. That doesn't make the charge right – people are getting nothing for it except bureaucracy and intrusion – and of course what is likely to happen is that sometime in the next year or so a report goes up to the LLTNPA Board explaining openly for the first time the enormous enforcement costs and suggesting these should be recovered from campers. If people accept the principle of permits and charges, our access legislation will be in tatters.

What needs to happen – and the LLTNPA is currently consulting on its new Five Year Partnership Plan – is the resources currently being spent on enforcement of the permit system (which means almost the entire time of Park Rangers) should be redirected to other tasks. High on my priority list would be removal of litter – including Rangers encouraging campers and other visitors to take part in litter picks – and provision of wood for campfires. Ranger services were never intended as quasi – or is that Stasi? – type police forces and the Park Ranger service should be allowed to return to its educational role, which should include leading by example.

### Category

1. Loch Lomond and Trossachs

### Tags

1. camping
2. Camping bye laws
3. Forestry Commission Scotland
4. Litter
5. LLTNPA
6. visitor management

### Date Created

April 21, 2017

### Author

nickkempe