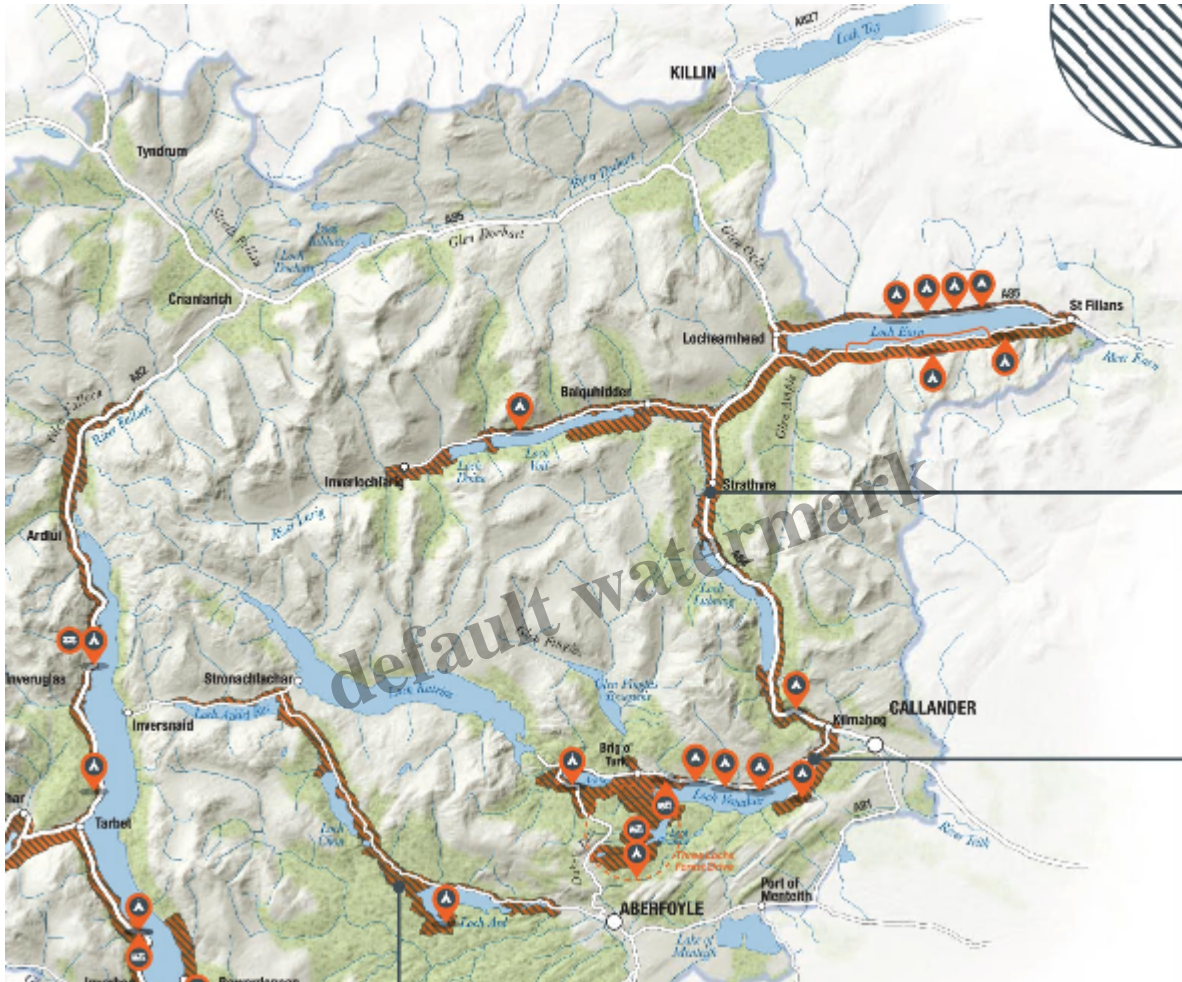


The camping byelaw beast has half collapsed

Description



Extract from new camping permit zone map – spot the motorhome permit areas

The Loch Lomond and Trossachs National Park’s new camping byelaw “season” started last Thursday, unnoticed in the midst of the chaos created by the “beast from the east”. It was announced in a wonderful piece of parkspeak, *“National Park prepares to welcome campers as byelaws come back into effect”* ([see here](#)). A strange welcome you might have thought, banning people, as if campers weren’t welcome before the 1st March but the most important piece of information was missed out, the LLTNPA has effectively accepted that the byelaws are unenforceable against campervans.

The collapse of the camping byelaws against campervanners and motorhomes

One of the main justifications for the “camping” byelaws was to stop people stopping off overnight in campervans and last year Parkswatch exposed both the lack of provision for campervans in the

camping management zones and how the legal right to stay on a road overnight in a vehicle effectively made the byelaws unenforceable. The LLTNPA always denied this and failed to make any mention of this fundamental flaw in the byelaws in its Report to Scottish Ministers of the operation of the first year of the byelaws, but the Park's website now proves that the Park has effectively decided the byelaws cannot be enforced against campervans.



Search on the website now for campervans and almost all the

information about campervans has gone! What's more, so have most of the campervan permit areas. Only three remain, Forest Drive, Firkin Point and Inveruglas. What do these have in common, they are on private land controlled either by the LLTNPA (Inveruglas and Firkin Point) or Forestry Commission Scotland? All the other motorhome areas such as those along the north side of Loch Earn (left) have gone. Campervanners are now free, once again, to stop off wherever they like. A great thing, but the manifest injustice the the LLTNPA is still trying to enforce the byelaws against campers should be evident to all.

Some interesting legal and public interest issues remain about whether the LLTNPA and FCS can charge for campervans to stop off at Firkin Point, Inveruglas and Forrest Drive which they are in effect treating as private campsites. People have driven along the old public road at Inveruglas, where the campervan and camping permit area is located, for years and its almost certain therefore that there is a right of access and therefore if people stop off without needing a permit. As agreed by Ministers, the byelaws only contained an exemption to allow people to sleep overnight in vehicles on PUBLIC roads, but LLTNPA staff then changed that definition without reference to their Board or Scottish Ministers to include private roads over which there is a right of access. FCS lock the gates to Forest Drive each night, presumably in an attempt to maintain it as a private road, but this is public land. I have my doubts about how far a court case against a campervanner refusing to buy a permit on public land would go. And at Firkin, now that the gates are no longer locked – that was scandalous – I think it would be challenging for the LLTNPA to refer a campervanner to the Procurator Fiscal for breach of the byelaws.

What the LLTNPA has done in effect is to treat the three remaining campervan areas like campsites – places where you charge for facilities. Fair enough, no-one is arguing for the right to do that but look on the LLTNPA website and for all three campervan permit areas it now states *“Please note that motorhome chemical toilets cannot be emptied”*. So, why should people pay for nothing?

The campervan permit areas are still a con and a desperate attempt to try and maintain the illusion that the byelaws still apply to campevans.

A new improved system for campers?

The news release continued with the same old guff in relation to camping: only 4% of the Park covered by the byelaws – maybe, but 95% of the places people used to camp; the alleged high number of campers – erhh, so campers aren’t welcome then; damage to the environment by campers – when this is pifling compared to the damage done by other visitors and the National Park itself through the development planning process.



The shelter which resulted in the angler being referred to the procurator fiscal last year

Given the media reaction to the beast from the east, I suspect they might have assumed that no-one would want to camp just now. They would be wrong. Last year I featured the case of the angler ([see here](#)), who for a number of years had spent March fishing for ferox trout on Loch Earn whatever the weather. He was referred by the Park to the Procurator Fiscal for the crime of putting up a shelter to enable him to fish in the place he had always fished. If not in prison for non-payment of the fine or driven elsewhere, I suspect he will have been back on Loch Earn, thankful maybe that last week Ranger Patrols will have been suspended for health and safety reasons. (Indeed on 3rd March, rather too late, the LLTNPA put out a notice advising people not to camp – proof that the creation of the permit system has created new legal liabilities for the LLTNPA and that if there was an accident they could be sued).

The angler's case, however, encapsulates the reasons why the camping byelaws are fundamentally wrong and need to be dropped. They stop you and me, however responsibly we act, from being able to enjoy the countryside by choosing where to camp and take responsibility for this. The people who arguably have been most affected by the beast of the byelaws are anglers, with camping being criminalised along large sections of the loch shores, including some of the best places to fish. In response to this injustice the LLTNPA is now saying it is looking to create 20 new permit places this year to help. This fails to address the fundamental point: the serious angler, along with many other folk who like to camp by the lochshores, do not want to be packed with others into a small permit area and charged for doing so.

The Park's approach though is to claim they are listening, learning from experience and making improvements to the camping permit system – all in an attempt to persuade people that what they are doing is acceptable and worthwhile: *“the byelaws are still relatively new and there is always room for improvement”*. Besides the press release, the Park issues an email update to stakeholders (see below) and created a “you said, we did” section on their website ([see here](#)) which is full of spin. Here are some examples:

- *Opening toilets at Firkin Point from 1st March to be in line with the start of the camping season.*

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I have learned not to trust anything the Park says so dropped to Firkin Point yesterday on way back climbing on Beinn Udlaidh – even the disabled toilet was locked although the signs saying that the toilet re-open 1st April had gone.

- *“Litter and human waste are ongoing issues which we are looking to address through communications and joined up working with partner organisations and landowners”.*

On human waste, what is needed at facilities, but part from Firkin, the Park appears to have no plans to address this – it would cost money – and instead is going to rely on “education”. This misses the point, people visiting the countryside need places to go. I was in Crianlarich on Tuesday for the Board meeting and the gents public was blocked – it still was yesterday!



Layby Glen Falloch last Tuesday – no bins!

On litter, the LLTNPA is still in denial that the main issue in the National Park has nothing to do with campers but people chucking stuff out of cars – and no-one has ever claimed that the answer to this is to ban people from driving! The verges of the A82 at present are a national disgrace but there is still no sign of any effective action to address this.



Layby on A82 just past Pulpit rock looking south



and north! This is in the Lomond camping management zone

- *“all-weather pitch surfaces, improved water facilities and connectivity to make bookings on site at Loch Chon campsite.”*

Parkswatch last year exposed how many of the so-called pitches at Loch Chon were uncampable. We have been shown to be right. Whether this is the right solution however is a moot point. It would have been far better than instead of creating pitches the Park allowed people to choose where to camp. The reference to “improved water facilities” is a joke. The LLTNPA provided a certificate to itself last year saying the water was all working – this was needed for the campsite to open – when it wasn’t and they were forced to provide bottled water much of the year. You still cannot book to stay overnight in a campervan at Loch Chon – despite the large number of parking places – but perhaps this is because there is no chemical disposal point and campervans can stay for free in the car park? The biggest change the Park has made is all to do with enforcement – a satellite powered link to the permit booking system so campers no longer have any excuse not to pay! The investment at Loch Chon just demonstrates the Park’s real priorities, discipline and control, and this has almost nothing to do with facilitating recreational enjoyment of the countryside

What needs to happen

Now the byelaws have collapsed against campervans for legal reasons, people who care about access rights need to be telling anyone prepared to listen, and also those who aren't, that the camping byelaws are totally unjust.

Meantime, the LLTNPA is not to be trusted. They have tried to cover up the collapse of the byelaws against campervans and their claims to have listened to feedback should be taken with a big pinch of salt. Parkswatch is of course pleased that a couple of issues – which anywhere else would have resolved years ago – such as the closure of the toilets at Firkin are now apparently being addressed. The LLTNPA though is still not listening to those who are rightly arguing that the byelaws are fundamentally wrong and a complete waste of public resources.

Category

1. Loch Lomond and Trossachs

Tags

1. access rights
2. camping
3. Camping bye laws
4. conservation
5. LLTNPA
6. natural environment

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