

Undermining access rights – Balqhidder and the Loch Lomond and Trossachs National Park's draft Partnership Plan

Description



The LLTNPA has now failed to remove signs such as this for 20 years. The land may be private owned and camping is still lawful here outside the camping bye law season.

Ten days ago I was in Balquidder and as far as I could tell most of the unlawful no access signs along the shore of Loch Voil are still there [\(see here\)](#). Some of these signs pre-date the Land Reform (Scotland) Act 2003 which created access rights and the formation of the Loch Lomond and Trossachs National Park Authority (LLTNPA).

18 months ago in a report to their Local Access Forum LLTNPA officers excused their failure to do anything on a lack of complaints. The LLTNPA's statutory duty as an access authority to uphold access rights does not only apply in cases where there has been a complaint. The real explanation lies in the unwillingness of senior managers at the LLTNPA to use the Park's resources to take on the landowners who continue to blatantly ignore access rights.

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LLTNPA No camping sign carefully placed behind protection of barbed wire fence. Whoever was responsible here never questioned the impact of this barbed wire fence on people's ability to enjoy the shoreline.

Having allowed the local landowners to leave no access signs in place for over 10 years, the LLTNPA then turned the north shore of Loch Voil into a camping management zone under the camping byelaws. These created an exclusion to access rights along Loch Voil and banned camping between 1st March and 30th October except for one small permit area. This effectively rewarded those local landowners who had ignored access rights for the first ten years of the LLTNPA's existence. It also enabled the LLTNPA to use their resources to enforce local landowners' wishes for eight months of the year.

An official eight month a year ban camping ban was still, however, not good enough for some

landowners and the “No camping” signs – which imply no camping year round – were allowed to remain in place. It would have been easy enough for the LLTNPA to contact local landowners and say “now we’ve helped you, its your turn to help us and remove the unlawful signs” but they didn’t.



There is no public transport down Balquhidder but soon after we had parked our car where this forest track meets the public road an LLTNPA van with two rangers drove past. It was presumably checking to see whether any people were camping illegally (breaking the byelaws is a criminal offence).

A couple of minutes after seeing the Rangers we walked up this forestry road to find the gate locked, an obstruction in terms of the law. One suspects the rangers are so busy policing campers that none has ever been allowed out their car long enough to check the access to various paths and tracks in the glen. This is a completely wasted resource.

The LLTNPA's Ranger Service must have driven by the various signs and access obstructions along Loch Voil hundreds of times now but done nothing. It would not take much for Rangers to approach irresponsible local landowners, just as they approach members of the public, and ask them to respect the Scottish Outdoor Access Code and the law. But they don't.

At one time in Scotland ranger services played an important role in facilitating access to the countryside but now in the LLTNPA they are forced to serve as one-sided police force which acts in the interests of a few selfish landowners and shows little interest in fairness.

The LLTNPA's National Park Partnership Plan ([see here](#)) refers to the importance of equality of access in several places but contains not a single mention of access rights.

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CREATING A SUSTAINABLE, LOW-CARBON DESTINATION
Improving Popular Places and Routes

AIM BY 2045

Enjoyment of the most popular places and routes in the National Park is underpinned by holistically managed and resourced services delivery efficiencies and improvements for public service delivery. Ranger presence will help reduce footprint of visitors on climate and nature and promote responsible behaviours.

How might we measure success?
See page 87

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OBJECTIVES BY 2030	ACTIONS
Partnership Approach to Visitor Management To ensure a strong partnership approach to co-ordinating all public bodies with a role in supporting the safe and responsible enjoyment of the National Park.	Jointly plan visitor management to ensure a co-ordinated approach to presence on the ground, litter management, visitor information campaigns and publicly managed visitor facilities. Further develop the volunteer ranger programme to support and supplement the professional Ranger service with our visitors.
Byelaws National Park Camping and Loch Lomond Byelaws will be kept under review and amended as necessary where a regulatory response is needed to address issues of concern arising from changing recreational demand and behaviours	If approved by Scottish Ministers changes to the Loch Lomond Byelaws will provide safe recreational experiences at reducing conflicts between powered activities. Review the Loch Lomond & The Trossachs National Park Camping Management Byelaws provide a high quality camping experience and define Camping Management Zones.
Promoting Visitor Safety A co-ordinated approach will be taken across responsible bodies to ensure the safe enjoyment of publicly managed and other popular visitor sites.	Take a consistent approach to the signage, public rescue equipment and information campaigns across all public bodies to raise awareness of issues and potential hazards in the park particularly in relation to water safety.

A pre-condition of people being able to enjoy ALL the countryside – the LLTNPA’s “plan” is limited to “the most popular places and routes” – is access rights. Locked gates and locked car parks, such as that at Salloch (see here), are absolutely no good for people with disabilities. Indeed in its failure to uphold access rights within the National Park and to create infrastructure to support this the LLTNPA has made equality of access, which it claims to care so much about, worse not better. It needs to get the basics right.

The papers for the meeting of the LLTNPA Local Access Forum (LAF) in April 2022 referred to the signs in Balquhidder but strangely those for the next meeting in November 2022 (see here) did not. The LAF, which is supposed to advise the LLTNPA on the upholding of access rights and officially meets twice a year, has not met since. As a consequence the LAF has also been excluded from commenting on the draft NPPP or raising concerns such as I have described in this post.

This is history repeating itself.. The LLTNPA failed to convene their LAF a single time in 2021, despite all the access difficulties that emerged during Covid, and before that they ensured the LAF did not meet at all during the extended consultation on the camping byelaws.

These failures to uphold access rights can only get worse if Scottish Ministers are allowed to push ahead with their misconceived proposals to focus National Parks on addressing climate change and biodiversity, rather than people's ability and rights to enjoy nature. I hope Lorna Slater, the Minister responsible for National Parks will think again, re-iterate the important role National Parks should be playing in enabling people being able to get out and enjoy the countryside and insist outdoor recreation and access rights are fully embedded in a revised National Park Partnership Plan.

If she doesn't, however, the logical conclusion would be to remove the LLTNPA's responsibilities as an Access Authority and transfer these and the staff responsible to local authorities. The current situation in which the LLTNPA is allowed to ignore their responsibilities in relation to access rights and whatever anyone tries to say or do makes no difference must not be allowed to continue.

Category

1. Loch Lomond and Trossachs

Tags

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

Date Created

July 25, 2023

Author

nickkempe

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