

**Informal Camping in Scotland
Mountaineering Scotland briefing for MSPs
Members' Business 9th September**

Motion Number: S5M-22367

Lodged By: Murdo Fraser

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Title: Tackling Dirty Camping

Mountaineering Scotland represents nearly 15,000 members and 162 mountaineering clubs in Scotland. We welcome the debate on the motion on 'Tackling Dirty Camping'. This is a matter that requires attention at a national level, as well as action locally.

The headline points that we wish to emphasise in all discussions on camping are:

1. Access to land for recreational purposes is permissible for everyone in Scotland under the Land Reform (Scotland) Act 2003, with the need to behave responsibly while so doing. This includes informal camping with a tent.
2. The right to camp is not an excuse for anti-social or illegal behaviour. It is the behaviour of certain campers that is the problem, rather than the activity of tent-based camping itself.
3. Additional legislation, byelaws or permit schemes are not the solution. Existing laws and regulations are more than adequate, but require more effective education and enforcement, and resources allocated to enable this to happen.

We call for the Scottish Government to *facilitate local partnerships* of authorities, agencies local communities working together with landowners to *develop solutions to specific local problems* including:

- Provision of better public information, education and local interventions which encourage and promote responsible behaviour whilst ensuring a consistent approach to enforcement where required.
- Recognition of the need to take a strategic approach to create appropriate visitor infrastructure, including better public transport to reduce the need for car parking, accessible parking, provision of public toilets, more regular refuse collection and provision of bins and more low-cost facilities for campers and motorhomes.
- Acceptance that adventure tourism is a key part of the Scottish tourist industry and that investment to improve visitor management will have positive consequences for local communities as well as visitors.
- Improving the visitor experience and ensuring we preserve the quality of the landscape and environment of Scotland that visitors come to enjoy.

Background

There is a long history of informal camping in Scotland and the Land Reform (Scotland) Act 2003 establishes a statutory right of access to land for recreational purposes, with the Scottish Outdoor Access Code including wild camping as an activity coming under these access rights. Camping by tent or bivvy may be done on land wherever the right of access applies.

It is important to recognise that the right of access only applies to non-motorised users, including pedestrians, cyclists and horse riders. It does not extend to vehicles, such as cars, campervans and motorhomes, which are covered by Road Traffic Acts and associated regulations.

Wild camping will continue to be done by people in Scotland, and is an enjoyable activity when done considerately with the personal benefits of exercise and health and well-being. Camping behaviour that is anti-social and involving noise, littering, waste or environmental damage, behaviours that contravene other legislation, is not included under access rights.

It is difficult to estimate the numbers of people who camp informally in Scotland however a study published on behalf of the UK Caravan and Camping Alliance (UKCCA) in 2019 found that Scotland's outdoor holiday industry generates £772.3 million in annual spending, representing 8.4 per cent of the nation's total tourism income.

By following the guidance given in the Scottish Outdoor Access Code, those taking recreational access to the countryside can avoid causing problems for land managers and the natural environment. Many people already do this, but by its definition, it is hard to detect this light-touch camping as it leaves no trace

The need for public discussion

There have recently been complaints of congestion caused by cars, campervans and motorhomes, damage to road verges and problems of waste disposal, and abandoned camping kit, litter and human waste.

The frustration and anger of land managers and local communities has been expressed at their apparent helplessness to deal with litter and waste left behind by irresponsible camping, calling for restrictions to be put in place.

Creating new powers to restrict wild camping in Scotland is potentially more expensive than using the existing legislation and would face problems with resourcing proper monitoring and enforcement. Considerate campers would suffer, while rural communities would be no further forward.

Without addressing behavioural activity, there is the strong probability that a ban or restriction in one area will displace the same activity elsewhere.

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The National Access Forum publication 'Managing informal camping under the Land Reform (Scotland) Act 2003 - Guidance Paper for land and recreation managers (updated 2016) - <https://www.outdooraccess-scotland.scot/managing-informal-camping-under-land-reform-scotland-act-2003> sets out the range of activities that come under informal camping and highlights the various problems that can arise from the behaviour of some campers.

It goes on to comprehensively list in an Appendix the various legislative and regulatory measures currently available to address these different aspects of irresponsible and criminal behaviour while camping.

There would be benefit in encouraging Local Authorities and other agencies and organisations to work together with local communities and with landowners. The sharing of ideas and resources to develop local solutions in different areas will help tackle the need for specific vehicular tourism facilities and infrastructure, and to address localised camping problems.

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