

Scottish Government submission of 21 September 2022

PE1962/A: Stop motorhomes parking overnight out with formal campsites, caravan parks and Aires

The Scottish Government acknowledges that there can be challenges associated with the behaviour of some motorhome users. It is our understanding however that most motorhome users are not purposely disrespectful and many are seeking to enjoy a quiet, peaceful getaway and dispose of their waste at a suitable location.

Facilities

The Scottish Government has recognised that there has been an increasing trend in the use of motorhomes. We therefore established the [Rural Tourism Infrastructure Fund](#) which has helped local and national park authorities to provide facilities and address instances of irresponsible waste water disposal, including chemical toilet waste and or grey sink waste water which, if no facilities are available and tanks are full, may result in it being released by the side of the road or disposed of in public toilets.

These facilities are designed to offer minimal basic services, to reduce the frequency of waste being disposed of inappropriately, whilst not competing with commercial provision.

Scottish Outdoor Access Code

Whilst the Scottish Outdoor Access Code does not extend to motorised vehicles, motorhome owners should ensure they do not cause any damage or obstructions.

Last year NatureScot revised its guidance to indicate that it is legitimate for land managers to prohibit off-road parking, and they believe this strengthened message helps ensure that the issues raised by the petition can be dealt with by landowners.

The relevant [information](#) on the website regarding overnight stays in campervans and motorhomes, clearly states that 'Access rights do not include motor vehicles.'

Information within the [guidance for managing camping with tents](#) makes clear that parking a vehicle without lawful authority may constitute trespass.

Enforcement

Recognising that the Scottish Outdoor Access Code does not apply to motorhomes or campervans, the same conditions apply to those overnighiting in vehicles.

Trunk roads

Overnight parking is permitted in laybys on the trunk road network, unless prohibited (by exception) with relevant road orders and signage.

We would not expect this to be a common choice for motorhome users as it would not provide a comfortable experience next to a busy road.

It would be a matter for Police Scotland or the Local Authority to enforce.

Local roads and car parks

We understand that some motorhomes use unregulated, local authority car parks for overnight stays. Local authorities may either block access to such car parks, or choose to regulate them. If regulated, users are subject to certain conditions which will be outlined at any relevant car parks.

Currently, 21 local authorities in Scotland have Decriminalised Parking Enforcement (DPE) powers. They are responsible for parking enforcement on local roads in their area. In areas where local authorities do not have DPE powers, parking enforcement is a matter for the Police.

Private roads

Landowners may prohibit and enforce against unwanted parking at their discretion.

For example, when parking on private land, such as a supermarket car park or a privately owned multi-story car park, users may be deemed to enter an implied contract with the landowner. If there are clear signs displayed in the car park setting out rules for using the car park, then these are the terms of the contract. If any of these rules are broken, then the car park owner can take steps to enforce them. There is often a parking operating company managing the car park for the owner or landlord.

Engagement and Awareness

In 2020 the Scottish Government established a [Visitor Management Group](#) to identify how it might address issues associated with campervan activity and dirty camping at a strategic level.

The work of this group has been successful in the 2021 and 2022 summer seasons leading to reduced challenges at a national level. Its work has included co-ordinated use of frontline staff, such as countryside rangers, traffic wardens and police officers as well as engagement with relevant stakeholders. This has included campervan rental companies to ensure accurate and appropriate messaging is provided to renters. There have also been a number of awareness campaigns targeted at key audiences including one by VisitScotland aimed at encouraging responsible behaviour by visitors in motorhomes.

Building on this work, the Visitor Management Group will consider how it can continue to address challenges in the coming years through the development of a new 3 year strategy. Campervan activity will be considered as part of this.

Scottish Government's position

While we recognise there has been increasing use of campervans and motorhomes in Scotland in recent years, we believe our current response to be sufficient.

By March 2023 we will have invested £18m through the Rural Tourism Infrastructure Fund in rural car parks, toilets and motorhome waste facilities. New signage has been approved by Transport Scotland to signpost these facilities.

Awareness raising and engagement with campervan stakeholders and communities has also been fruitful and stakeholders are aligned on our

messaging, recognising that they do not want campervan users to be demonised. Responsible practice is therefore promoted.

Local authorities and public landowners are taking action to regulate or prohibit use of sites where appropriate and to direct users to sites with facilities. Local authorities and private landowners have the ability to enforce against parking where it is prohibited and the ability to prohibit overnight parking where required, either directly or through the help of Police Scotland.

Campervan/motorhome users don't always want or even need the full range of amenities and we understand that the appeal of using a motorhome is to provide freedom to travel and overnight where one may please, rather than plan a trip that requires fixed overnight locations. Staying on commercial sites also come with an additional cost, which may lead to consumers to prefer parking in a quiet area with no facilities rather than a regulated campsite, given the high cost of hiring or purchasing a motorhome.

Although it is suspected that the majority of campervan users will travel around Scotland responsibly, it is unfortunately a minority of users who may, through ignorance or conscious choice, choose to risk parking, littering or other fines. There are however powers to enforce against these behaviours.

VisitScotland and other public bodies are working at a national level to communicate to campers and campervan and motorhome users what the Outdoor Access Code actually permits and encouraging best practice – as well as booking ahead if visiting a designated site.

Members of the Visitor Management Steering group also believe that that campervans have been managed better in 2022 than in previous years with only localised areas of concentrated activity.

Although users are encouraged to book ahead and plan well, the Scottish Government would not consider introducing a formal requirement to use specific sites as we do not believe this would have the desired impact of addressing the challenges outlined in the petition. The issue is less about where motorhome users choose to park but rather concerns the behaviour of a minority of users. We do not believe that ignorance is the cause for littering or the inappropriate dumping of chemical waste and Police Scotland actively enforces against this. Rather, we believe the solution to be a mix of both better service provision across Scotland (which may

address more pressing situations, such as outdoor toileting) accompanied by existing enforcement against clearly illegal behaviours (like littering).