

Citizen Participation and Public Petitions Committee
Wednesday 23 April 2025
7th Meeting, 2025 (Session 6)

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

Introduction

Petitioner Lynn and Darren Redfern

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to improve licensing enforcement on motorhomes to ensure they are only parking in designated and regulated locations.

Webpage <https://petitions.parliament.scot/petitions/PE1962>

1. [The Committee last considered this petition at its meeting on 15 May 2024](#). At that meeting, the Committee agreed to write to the Scottish Government.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new written submissions from the Petitioner, the Scottish Government, and Ed Hall, which are set out in **Annexe C**.
4. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage](#).
5. [Further background information about this petition can be found in the SPICe briefing](#) for this petition.
6. [The Scottish Government gave its initial response to the petition on 21 September 2022](#).
7. Every petition collects signatures while it remains under consideration. At the time of writing, 1,072 signatures have been received on this petition.

Action

8. The Committee is invited to consider what action it wishes to take.

Clerks to the Committee
April 2025

Annexe A: Summary of petition

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

Petitioner

Lynn and Darren Redfern

Date Lodged

18 August 2022

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to improve licensing enforcement on motorhomes to ensure they are only parking in designated and regulated locations.

Previous action

There have been several emails between ourselves and Maree Todd, our local MSP, as well as emails with various people within the highland council. All of which have not managed to solve the issue.

Background information

We believe that motorhomes that choose not to use campsites, caravan parks or Aires (small-scale designated campsites with only basic facilities) place an unnecessary burden on local communities by parking inappropriately, disposing of their rubbish, chemical toilet and dirty water as well as defecating at the side of the road. Regulated parks offer all these facilities in one safe location. Motorhomes often park in an unsafe manner, where regulated parks are required to keep motorhomes 6m apart for fire risk (motorhomes use LPG), Unregulated parking places them much closer together and is a disaster waiting to happen.

The Scottish Outdoor Access Code does not apply to motorised vehicles and motorhome users who must have the permission of the landowner before parking overnight. This almost never happens. Although there is much documented evidence of motorhomes parking in adverse spots across the Scotland, enforcement is not being implemented to stop this happening.

Annexe B: Extract from Official Report of last consideration of PE1962 on 15 May 2024

The Convener: PE1962, on stopping motorhomes being parked overnight outwith formal campsites, caravan parks and aires, was lodged by Lynn and Darren Redfern. It calls on the Scottish Parliament to urge the Scottish Government to improve licensing enforcement on motorhomes to ensure that they are parked only in designated and regulated locations.

The Scottish Government's recent submission states that the work of the camper van and motorhome working group is still under way and that no formal report has been submitted to the visitor management steering group. It was agreed that a formal report would be provided at the end of last year. I understand that that group has met and that that information is now on the Scottish Government's website.

The petitioners have shared information about the prevalence of motorhomes being parked outwith campsites or aires and the associated issues. The information includes figures on roadside waste disposal, scorch marks and litter. The petitioners believe that, if the tourist levy is applied to campsites but not to motorhomes on roadsides, the number of people who opt to stay outwith formal sites will "increase significantly". The submission also highlights the positive economic impact of the holiday park and campsite sector. Here we are in May 2024, going into the summer season, when I imagine that such issues will be at their most prevalent.

Do colleagues have any suggestions?

Fergus Ewing (Inverness and Nairn) (SNP): I would like to raise two issues that the Scottish Government has not addressed satisfactorily throughout the petition's history. I will not refer to any particular businesses in the Highlands, but I will raise two points of principle.

First, earlier in the passage of the petition through the committee, I suggested that funding might be made available for things called aires, which are serviced areas that can be used for the parking of camper vans. They are frequently found in France, for example, and are designed to provide a safe and secure place for camper vans to park—with water and toilet replacement facilities, which are obviously needed—and to stop the antisocial behaviour that results from camper vans being parked illegally overnight in lay-bys and so on, blocking single-track roads.

The reason why I mention that is that, in its reply, the Scottish Government said, "Yes, we're looking into this." That was positive, and I think that it was agreed that aires should, indeed, qualify for funding under the rural tourism infrastructure fund. However, at about the time when that was agreed, the fund ran out of money.

We learned from the clerks that VisitScotland's capital budget, from which the fund is derived, was reduced from £7.9 million to £2.6 million last year. If those figures are correct, that is, according to the Scottish Tourism Alliance, a fairly swingeing cut,

given that the overall capital budget was depleted by 8, 10 or 12 per cent. This particular tourism budget seems to have been axed in a savage manner.

The sad thing is that I have just learned in response to a letter that I had written to Malcolm Roughead of VisitScotland about funding for maintenance of the south Loch Ness trail—that is a constituency matter that has been raised with me, and I have sent a copy of the letter to the clerks in case it is required for the record—that no less than £20 million has been provided through the rural tourism infrastructure fund, which has allowed many good things to be done, but that, sadly, things are now difficult.

I am sorry that I am taking so long, but I want to set out the details. We should ask the Scottish Government, given the new regime, to reflect that a 67 per cent reduction is just absurd and to consider adjusting it.

Incidentally, I think that aires should be run commercially. The Government's role is to provide the servicing of the plots, but aires should operate commercially so that the Government does not provide an unfair subsidy that would disadvantage existing camping and caravan sites.

The second point that I want to raise relates directly to overnight stops of camper vans. I understand that that will not be covered under the visitor levy but that camping sites and fixed caravans will. That seems to be anomalous. It will almost provide an incentive not to have a fixed site but to have a camper van and move around. I am not a wild fan of the visitor levy anyway, but it seems that that will create an obvious anomaly that will cause a great deal of upset, especially in the Highlands and particularly among people who run camping and caravan sites. When I was the tourism minister, I went round a great many such sites and developed great admiration for people's professionalism, hard work and diligence, as well as for the high standards of cleanliness and safety that were maintained at almost all the sites. For them to be discriminated against in this way seems to be *prima facie* unfair.

If committee members agree that that is a fair point, given that the Visitor Levy (Scotland) Bill is at stage 2, we could ask the Scottish Government whether it has any intention of removing the anomaly. If it does not, the matter will come back to bite it, as so many things do when there is ill-considered legislation.

The Convener: We can do that if members are happy with that. You asked whether the Government would consider afresh the 67 per cent reduction in funding. We could also ask the Government what it thinks the consequences of such a reduction would be for the industry and communities.

Fergus Ewing: Yes. The industry is of huge benefit to the Highlands, so I have a particular interest. However, the funding benefited a huge number of projects all over Scotland, and most of my colleagues at the time regarded the fund as very popular, successful and simple to operate, relative to many others.

CPPP/S6/25/7/9

The Convener: Do members agree to keep the petition open and to pursue the issues that Mr Ewing identified?

Members *indicated agreement.*

Annexe C: Written submissions

Petitioner written submission, 23 September 2024

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

Recent events have highlighted several inconsistencies and loopholes in caravan park law and the whole system of regulating and licencing of caravan parks.

Firstly, it seems that car parks where motorhomes “park overnight” do not have to be licenced or follow the Scottish Government’s guidance ‘**Fire safety - existing premises with sleeping accommodation: practical guidance**’ – particularly car parks operated by the local authority.

The rules on Fire Safety seem to have been blurred recently and we believe that clarification is required.

The Scottish Fire and Rescue Service are recommending **6m spacing** between units.

The Caravan and Motorhome Professional Association (CAMPA) are recommending **4m Spacing**.

The Campaign for Real Aires (CAMPrA) are recommending **3m spacing**.

Forestry and Land Scotland (FLS) Stay the Night scheme require motorhomes to be **4m apart**.

Scottish Canals Motorhome Transit Stopovers require motorhomes to be **3m apart**.

A recent FOI request to FLS also revealed that they do not have specific fire risk assessments for their Stay the Night locations.

Currently any motorhome parking outwith a regulated space can do what they like.

Fire Safety guidance needs to be made clear and needs to be standardised so that it is the same for everyone.

We recognise that motorhome fires are rare, however they do happen. Motorhomes use gas for cooking and heating as well as petrol/diesel for transport. These substances can explode – the spacing requirement is in place so that any fire does not spread from one unit to another. Also if people are sleeping at the time when this happens their reaction times will be slower – hence the specific guidance for sleeping accommodation.

Fire Safety is very important, but such places should have adequate facilities to deal with the rubbish that these motorhomes produce, they should also all have facilities to deal with wastewater and chemical toilets in order to stop people from disposing of waste in inappropriate places.

As Campsite owners we are looking for level playing field competition. We want the same health and safety rules applied to these “overnight motorhome parking” facilities, that we have to abide by, and we also want to see them run on a commercial basis so that they are not undercutting us on price – it costs a lot of money to host motorhomes and those outside the industry are unaware of the huge costs involved.

Finally, legislation surrounding motorhome parking needs to be looked at properly. **It is becoming apparent that the current legislation covering caravan sites is out of date and needs to be reviewed to include this new phenomenon of overnight motorhome parking.** We would like to see all locations that offer overnight motorhome parking required to be licenced like caravan parks and we would like to see that applied to all such locations like car parks and laybys. We also need to see the rules enforced.

Scottish Government written submission, 17 March 2025

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

Rural Tourism Infrastructure Fund

Since the query was made the Scottish Government announced in the 2025/26 Budget £4 million of RTIF funding was allocated. This will assist projects which enhance transport links and infrastructure in areas that experience high visitor numbers. This will help communities to reap the rewards of their tourism offer, driving growth and sustaining vital jobs. In addition a further £2 million, delivered through Visit Scotland, will include support for activity to spread visitor numbers more equally across Scotland helping local communities, including by promoting some of the country’s lesser-known beauty spots and attractions. It will also support activity to grow direct international connectivity.

Visitor Levy (Scotland) Bill

The Scottish Government remains open to discussion with stakeholders on the issue of a levy on motorhomes and campervans, and will consider any developed proposals that work to support the visitor economy. Discussions with council and land management stakeholders have highlighted significant issues with such a levy, with potential difficulties in application, administration and compliance. A local authority could choose to use funding raised from a visitor levy to fund services that relate to motorhomes, such facilities to be used by those in motorhomes.

Directorate for Business and Better Regulation

Ed Hall written submission, 26 March 2025

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

Perhaps the Committee could consider and verify some legal points regarding the issues concerned in this petition.

Under the Caravan Sites and Control of Development Act 1960, any vehicle designed or adapted for human habitation is a "Caravan". The same Act defines a caravan site as "any land upon which a caravan is stationed for the purpose of habitation". The Act requires landowners to adhere to certain requirements if they are operating as a caravan site under this definition.

I question whether there are legal or legitimate ways for those living or staying in a caravan to do so outwith caravan sites as defined in this Act.

Parking, under road traffic legislation, does not include habitation of a caravan, it only applies to motorhomes which are unoccupied. If caravans are used for "habitation" they fall under the 1960 Act.

To occupy land in a vehicle without legal authority is a criminal offence under the Trespass (Scotland) Act 1865, as the Land Reform (Scotland) Act excludes motorised activity. You are not permitted to encamp on the highway.

So therefore, if I occupy my motorcaravan on land without permission, I am breaking the law. If I stay with permission, the landowner must be operating within and adhering to the requirements set out in the 1960 Act, or they are breaking the law.

If a landowner is operating legally within the 1960 Act, that land IS considered a caravan site. Any place allowing overnight habitation of a caravan which falls outwith the exemptions in the Act is an illegally operating caravan site, and should not be permitted.

Given the above, and the vast numbers involved, where are the huge numbers actually staying if they "choose" not to use caravan sites? And how can they be doing so legally?