

# Citizen Participation and Public Petitions Committee

16th Meeting, 2022 (Session 6), Wednesday  
23 November 2022

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

## Note by the Clerk

**Lodged on** 15 September 2022

**Petitioner** Lynn & 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>

## Introduction

1. This is a new petition that was lodged on 15 September 2022.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. While not a formal requirement, petitioners have the option to collect signatures on their petition. On this occasion, the petitioner elected to collect this information. 604 signatures have been received.

5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered. A response has been received from the Scottish Government and is included at **Annexe C** of this paper.
6. A submission has been submitted by Maurice MacRae. This is included at **Annexe D**.

## Action

7. The Committee is invited to consider what action it wishes to take on this petition.

**Clerk to the Committee**

# Annexe A

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

## Petitioner

Lynn & Darren Redfern

## Date Lodged

15 September 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

The logo for SPICe, featuring the letters 'SPICe' in a white, sans-serif font on a dark purple background.

**The Information Centre**  
An t-Ionad Fiosrachaidh

Briefing for the Citizen Participation and Public Petitions Committee on PE1962: Stop motorhomes parking overnight outwith formal campsites, caravan parks and Aires, submitted by Lynn & Darren Redfern

### Background

- Motorhomes should only park on privately owned land with the permission of the landowner.
- Overnight motorhome parking in local authority owned off-street car parks is normally prohibited. Any such prohibition will be set out in the Designation Order, which establishes the rules governing how individual car parks can be used.
- Overnight motorhome car parking in privately owned off-street car parks is allowed at the discretion of the car park owner.
- Overnight motorhome parking in roadside lay-bys is not specifically prohibited unless a Traffic Regulation Order banning such parking in designated lay-by(s) is in force.
- Overnight motorhome parking at the roadside is not specifically prohibited. However, a police officer can require a driver to move a vehicle causing an obstruction to other road users.
- Rule 156 of the Highway Code states “Do not park in passing places” which must be kept clear so vehicles travelling in opposite directions on single track roads can pass.
- Permits are required for motorhome parking in several areas of the Loch Lomond and Trossachs national park between 1st March and 30th September.
- It is an offence to dump sewage waste, including the waste from chemical toilets, into the natural environment.

### Scottish Government Action

In 2021 and 2022 Forestry and Land Scotland, the Scottish Government agency responsible for managing Scotland's national forests and land, allowed motorhomes to stay overnight, during summer months, in selected forest car parks as part of its [Stay the Night](#) pilot project.

## Scottish Parliament Action

The Scottish Parliament has not previously considered a formal prohibition on overnight motorhome parking outwith designated areas.

**Alan Rehfisch**

**Senior Researcher**

10 October 2022

SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at [spice@parliament.scot](mailto:spice@parliament.scot)

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

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## Annexe C

### 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).

## Annexe D

### Maurice MacRae submission of 24 August 2022

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

The creator obviously does not know that motorhomes, campervans and caravans have toilets fitted to the majority of them and do not need to defecate in laybys and bushes unlike cyclists, motorcyclists Van drivers and hillwalkers who I have witnessed defecating in public places and roadsides.

As long as the SNP and councils in Scotland continue to close public toilets and fail to empty litter bins all over the country, including the mentioned A9, then the problem will continue.

A better proposal would be to improve the facilities for all our tourists and welcome them to our country and spend their money not what Lynn & Darren Redfern and Maree Todd MSP are proposing.

Obviously a few give everyone a bad reputation but why not follow other European countries who welcome travelling tourism and lay off the Campervans Motorhomes and caravans? Create more parking and toilet emptying facilities. The famous NC500 has only 3 official places to empty cassette toilets for example.

France have grey water and toilet emptying facilities in the majority of their petrol stations and many more dedicated Aires and rest sites.

This is a booming industry in Scotland and campsites are full and visitors have no option than to find alternative parking for the night.

The majority of Motorhome owners have spent a lot of money on their hobby and are responsible respectful citizens who are just trying to enjoy the outdoor environment.