

Argyll and Bute Council
Comhairle Earra Ghaidheal agus Bhoid

Customer Services
Executive Director: Douglas Hendry



Kilmory, Lochgilphead, PA31 8RT
Tel: 01546 602127 Fax: 01546 604444
DX 599700 LOCHGILPHEAD
e.mail –douglas.hendry@argyll-bute.gov.uk

30 July 2013

NOTICE OF MEETING

A meeting of the **MID ARGYLL, KINTYRE AND THE ISLANDS COMMUNITY SAFETY FORUM** will be held in the **BURNET BUILDING, CAMPBELTOWN WITH A VC FACILITY TO ISLAY SERVICEPOINT AND MARRIAGE ROOM HELENSBURGH** on **TUESDAY, 6 AUGUST 2013** at **2:00 PM**, which you are requested to attend.

Douglas Hendry
Executive Director - Customer Services

BUSINESS

1. **APOLOGIES**
2. **MINUTES OF THE PREVIOUS MEETING HELD ON 7 MAY 2013**(Pages 1 - 6)
3. **PROGRESS OF ACTIONS**
4. **BUDGET AND FUNDING APPLICATIONS**
 - (a) Community Safety/Problem Solving Grants - Budget
The budget is now - £1579.00

£293.00 was apportioned to Kintyre Crime Prevention Panel for leaflet printing.
5. **VIOLENT CRIME, DISORDER AND ANTI SOCIAL BEHAVIOUR**
 - (a) Race/Homophobic Crime
 - (b) Regulatory Services
 - (c) CCTV Update and BIDS for Camera usage
6. **VULNERABLE PERSONS**
 - (a) Domestic Abuse
 - (b) Child Protection/Youth Projects
 - (c) Older People

(d) Home Safety

7. HEALTH

(a) Health Activities

8. ENVIRONMENTAL SAFETY

- (a) Police Scotland (Pages 7 - 12)
- (b) Strathclyde Fire and Rescue Service
- (c) Road Safety
- (d) Proposed Referral Partnerships
- (e) Water Safety

10. EMERGING TRENDS

11. FORTHCOMING KEY EVENTS DIARY

(List of events to be submitted by all partners where there may be an impact upon another service/organisation)

DATE	TIME/VENUE	EVENT

12. NEW ACTIONS

13. WILD CAMPING

Update and Memorandum of Understanding by Access Manager. (Pages 13 - 18)

14. ANY OTHER BUSINESS

MID ARGYLL, KINTYRE AND THE ISLANDS COMMUNITY SAFETY FORUM

Councillor Anne Horn

Contact: Theresa McLetchie - Tel: 01546 604511

MINUTES of MEETING of MID ARGYLL, KINTYRE AND THE ISLANDS COMMUNITY SAFETY FORUM held in the CONFERENCE ROOM, DALRIADA HOUSE, LOCHGILPHEAD WITH A VC FACILITY TO BURNET BLDG CAMPBELTOWN, ISLAY SERVICEPOINT BOWMORE AND HELENSBURGH on TUESDAY, 7 MAY 2013

Present:

(Chair)
Councillor Anne Horn

	Morag Brown	Argyll & Bute Council
	Stephen Doogan	Argyll & Bute Council
	Chief Inspector Marlene Baillie	Police Scotland
	Andy Maclure	Scotland Fire & Rescue
	Helen Lambertini	Argyll and Bute Rape Crisis
	Peter Howland	RNLI
Islay	Glenmore Roberts	Islay CC
Campbeltown	Andy Hemmings	Campbeltown CC/KCP
Helensburgh	Robert Cowper	Argyll & Bute Council

1. APOLOGIES

Apologies for absence were intimated by:-

Councillor Sandy Taylor
Johnny Durnan

2. MINUTES OF THE PREVIOUS MEETING HELD ON 5 FEBRUARY 2013

The Minute of the previous meeting held on 5 February, 2013 was approved as a true and correct record.

3. PROGRESS OF ACTIONS

No matters which are not covered later in the Agenda.

4. COMMUNITY RESILIENCE

The Partnership heard from Morag Brown, IOD Programme Manager, on the background to Community Resilience at Argyll and Bute Council. She advised that following on from the recent Kintyre Emergency, 47% of local Community Councils across the Argyll and Bute area were preparing emergency plans and her team was tasked with assisting in the development of these plans. In the MAKI area 33% were in the process of compiling plans. She reported that the Scottish Government had provided a £10,000 grant and this funding had been utilised to purchase emergency kitbags. These are to be distributed to participating Community Councils and other appropriate groups, as necessary.

At the recent MAKI Business Day held on 1 May, there had been a debrief to capture local issues encountered during the recent Kintyre Weather Emergency and Attendees had comprised representatives from local

communities, Elected Members and local Partners. This debrief was thought to have been effective and again highlighted the necessity for good communication at all levels.

Discussion continued in regards responsibility of the Civil Contingency Team on the Islands. Glenmore Roberts stated that the Community Council were happy with the level of support by the Civil Contingency Team on Islay. Morag Brown offered assistance in reviewing the current Islay Emergency Plan; and detailed the benefit of having 2 interrelated plans in place in the event of future emergencies; the first plan being the emergency services response in the event of an emergency and the second being the community response which can help target the emergency services response. Chief Inspector Baillie reiterated this point and highlighted the need to target and formalise local intelligence.

Councillor Horn indicated that she had concerns regarding a specific local community council and would make direct contact with Morag Brown to discuss the detail.

Decision

It was agreed that Morag Brown would instigate a meeting with Glenmore Roberts to give further discussion and guidance on their Emergency Plan.

5. BUDGET AND FUNDING APPLICATIONS

(a) COMMUNITY SAFETY/PROBLEM SOLVING GRANTS - BUDGET

The balance of funding remained at £1872.00.

No applications have been received, as yet.

6. VIOLENT CRIME, DISORDER AND ANTI SOCIAL BEHAVIOUR

Domestic abuse figures were down from last year and the detection rate for recorded crimes amounted to 83%

(a) RACE/HOMOPHOBIC CRIME

Chief Inspector Baillie reported on the new recording system and detailed the stats for the MAKI area. There had been no homophobic incidents reported in the last reporting period.

(b) REGULATORY SERVICES

No update.

(c) CCTV UPDATE AND BIDS FOR CAMERA USAGE

7. VULNERABLE PERSONS

Helen Lambertini, Argyll and Bute Rape Crisis, detailed the work currently being undertaken by her organisation and distributed a pack to the group which provided her contact details and an information booklets.

Helen reported on the group's funding restrictions and requested that she attend a future meeting to give a presentation.

Decision

Helen was invited to give a presentation at a future meeting.

Helen's contact details are detailed below:-

Helen Lambertini

helen@ab-rc.org.uk

Tel: 07733881710

(a) **DOMESTIC ABUSE**

The number of incidents is substantially down for the reporting period.

(b) **CHILD PROTECTION/YOUTH PROJECTS**

Chief Inspector Baillie reported that youth crime and disorder showed an upward trend. The Police were working with local schools and the Youth Cafe to endeavour to address this issue

(c) **OLDER PEOPLE**

Andy Hemmings reported on the issue of bed remodelling at Campbelltown Hospital which was an on-going issue and in his opinion, would result in problems in the provision of care perhaps raising the need for additional resources to ensure adequate care.

(d) **HOME SAFETY**

Andy McClure reported on the on-going SFR Home Fire Safety initiative and requested that Partners continue to refer people who, in their opinion, would benefit from this service.

(e) **HEALTH**

No update.

(f) **HEALTH ACTIVITIES**

No update received.

8. ENVIRONMENTAL SAFETY

Stephen Doogan updated the group on the Green Dog Walking schemes initiative.

The group decided that in the MAKI area there was no quantified recognised need to adopt this scheme, given the other measures in place.

He reported on the 'No Cold Calling initiative' led by Trading Standards with police support which is being piloted on Bute and produced an example of a display notice. Chief Inspector Baillie indicated that Sergeant Mark Wilson is involved in planning this initiative and the Area Governance Officer agreed to liaise with both Mark and Trading Standards.

Decision

An update on the Cold Calling scheme would be brought to the next meeting in August.

(a) **POLICE SCOTLAND**

Peter Howland enquired if local stats were being received on a timely manner after the implementation of the new Police Force. Chief Inspector Baillie reported that stats were produced on a weekly basis and accurately reflected the MAKI stats.

She reported on Fuel Theft, which was an Argyll and Bute wide issue and advised that one theory put forward was perhaps an increase in fuel consumption by householders, utilising a higher level of usage. Perhaps leading to the assumption that fuel was being stolen.

Chief Inspector Baillie advised that the Police had liaised with local fuel companies on this issue to ascertain historical usage by householders to gauge if there was a criminal element to this.

She commended the fuel leaflet devised by KCP, highlighting precautions that homeowners may take to avoid fuel theft.

Andy Hemmings reported on the compilation of a further leaflet providing information to teenagers moving to cities. The leaflet was in the process of being produced and would be ready for distribution in August.

(b) **STRATHCLYDE FIRE AND RESCUE SERVICE**

Andy McClure reported that there were no local operational changes to the new Scotland Fire and Rescue Service. He advised that Paul Connelly, Area Commander, was now based in Helensburgh.

Andy highlighted the recent spate of grass fires which had been a serious issue during the month of April.

He advised the group that recruitment was being progressed effectively.

(c) **ROAD SAFETY**

Chief Inspector Baillie detailed the latest stats for the area and

reported that these were a similar picture to the previous year.

(d) **PROPOSED REFERRAL PARTNERSHIPS**

None reported.

(e) **WATER SAFETY**

Peter Howland enquired if Scotland Fire and Rescue had boats which were available for inland waterways. Andy Maclure replied that they had boats which were available. However, they were not utilised in tidal waters.

10. EMERGING TRENDS

This was discussed at Item 9 (a).

11. FORTHCOMING KEY EVENTS DIARY

DATE	TIME/VENUE	EVENT
13 May 2013	Victoria Halls	Campbeltown Hospital Beds Remodelling/Methadone Clinic
8 June 2013	Tarbert	RNLI Safety Day
9 June 2013	Portavadie	RNLI Safety Day
22 June 2013	Strachur Village Hall 1.30-5.30p.m.	Safe and Sound event

12. NEW ACTIONS

The Area Governance Officer reported on a forthcoming event ' Safe and Sound' in Cowal and distributed a leaflet advertising the event. He would provide feedback to the group at the next meeting.

13. ANY OTHER BUSINESS

Glenmore Roberts highlighted the issue of signage on certain Islay beaches and enquired on the status of this issue.

The Area Governance Officer agreed to contact the Islay technical officer to check on the status of the signage.

Multi Member Ward Area Report For Mid Argyll MMW No 0403

Week Ending	19/05/2013 Week 7	26/05/2013 Week 8	02/06/2013 Week 9	09/06/2013 Week 10	16/06/2013 Week 11	23/06/2013 Week 12	30/06/2013 Week 13	07/07/2013 Week 14	Yesterday Week 15	CYTD 01/04/2013->	PYTD 02/04/2012->	+ / - (%)
Crimes Count												
Groups 1-4	1 (1)	1 (1)	2 (2)	3 (0)	4 (1)	0 (1)	1 (1)	2 (0)	0 (0)	29 (12)	43	-33
Groups 1-5	2 (2)	1 (1)	4 (5)	4 (1)	5 (1)	2 (3)	3 (1)	4 (5)	3 (3)	49 (33)	60	-18
All Group 1	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	1	-100
Murder / Att Murder	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0	
Serious Assault	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	1	-100
Robbery	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0	
Common Assault	0 (0)	0 (0)	1 (1)	1 (1)	4 (4)	0 (0)	0 (0)	2 (2)	1 (1)	15 (17)	19	-21
Knives/Offensive Weapons	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	2 (2)	1	100
Consumption of Alcohol **	0 (0)	0 (0)	4 (4)	1 (1)	1 (1)	0 (0)	0 (0)	0 (0)	0 (0)	6 (6)	11	-45
Drugs Supply / Production	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	1 (1)	1 (1)	1	0
All Group 2	1 (1)	0 (0)	0 (0)	1 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	2 (1)	1	100
Rape CL & Stat	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0	
Detections Count												
Dangerous Driving	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(1)	(4)	-75
Drink / Drug Driving	(0)	(1)	(1)	(0)	(0)	(1)	(0)	(0)	(0)	(6)	(2)	200
Disqualified Driving	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(1)	(2)	(1)	100
Incidents Count												
Stop and Search	4	11	14	26	9	23	13	13	4	232	209	11
Street Drinking	0	0	1	0	0	1	0	0	0	2	1	100
Antisocial Behaviour	2	1	2	5	5	4	4	1	0	41	75	-45
Domestic Abuse	0	1	1	2	2	2	1	2	1	20	20	0
Hate Crime	0	0	0	0	1	0	0	0	0	2	1	100

*Detections are shown as ()'s **Due to this offence being ticketable there is a 4 week lag applied to the count

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Multi Member Ward Area Report For Kintyre and the Islands MMW No 0402

Week Ending	19/05/2013 Week 7	26/05/2013 Week 8	02/06/2013 Week 9	09/06/2013 Week 10	16/06/2013 Week 11	23/06/2013 Week 12	30/06/2013 Week 13	07/07/2013 Week 14	Yesterday Week 15	CYTD 01/04/2013->	PYTD 02/04/2012->	+ / - (%)
Crimes Count												
Groups 1-4	1 (1)	0 (0)	3 (1)	3 (3)	1 (0)	2 (0)	3 (4)	4 (0)	1 (0)	28 (10)	25	12
Groups 1-5	1 (1)	1 (1)	3 (1)	6 (5)	1 (1)	3 (1)	4 (4)	11 (8)	1 (0)	43 (25)	39	10
All Group 1	0 (0)	0 (0)	1 (1)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	1 (1)	0	
Murder / Att Murder	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0	
Serious Assault	0 (0)	0 (0)	1 (1)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	1 (1)	0	
Robbery	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0	
Common Assault	0 (0)	2 (2)	0 (0)	1 (1)	0 (0)	0 (0)	2 (2)	0 (0)	0 (0)	8 (8)	1	700
Knives/Offensive Weapons	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	1 (1)	1	0
Consumption of Alcohol **	0 (0)	0 (0)	1 (1)	1 (1)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	3 (3)	3	0
Drugs Supply / Production	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	1 (0)	1 (2)	0 (0)	2 (2)	1	100
All Group 2	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	1 (0)	1 (0)	1	0
Rape CL & Stat	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	1 (0)	1 (0)	0	
Detections Count												
Dangerous Driving	(0)	(0)	(0)	(1)	(0)	(0)	(0)	(0)	(0))	(1)	(0)	
Drink / Drug Driving	(0)	(0)	(1)	(1)	(0)	(1)	(0)	(0)	(0))	(4)	(2)	100
Disqualified Driving	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0))	(0)	(0)	
Incidents Count												
Stop and Search	6	3	3	37	8	8	38	8	1	140	72	94
Street Drinking	0	0	0	0	0	0	0	0	0	0	0	
Antisocial Behaviour	4	4	5	5	0	2	4	2	1	46	75	-39
Domestic Abuse	0	1	0	0	0	1	1	1	1	9	12	-25
Hate Crime	0	0	0	0	0	0	1	0	0	1	0	

*Detections are shown as ()'s **Due to this offence being ticketable there is a 4 week lag applied to the count

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Multi Member Ward Area Report For South Kintyre MMW No 0401

Week Ending	19/05/2013 Week 7	26/05/2013 Week 8	02/06/2013 Week 9	09/06/2013 Week 10	16/06/2013 Week 11	23/06/2013 Week 12	30/06/2013 Week 13	07/07/2013 Week 14	Yesterday Week 15	CYTD 01/04/2013->	PYTD 02/04/2012->	+ / - (%)
Crimes Count												
Groups 1-4	7 (2)	1 (1)	6 (2)	7 (2)	3 (6)	1 (2)	0 (1)	6 (4)	5 (2)	63 (36)	61	3
Groups 1-5	8 (2)	2 (1)	11 (8)	7 (2)	3 (6)	7 (8)	0 (1)	7 (5)	5 (2)	89 (61)	91	-2
All Group 1	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	6	-100
Murder / Att Murder	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	4	-100
Serious Assault	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	2	-100
Robbery	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0	
Common Assault	0 (0)	2 (0)	0 (1)	1 (1)	0 (0)	3 (3)	0 (0)	2 (1)	0 (1)	16 (15)	28	-43
Knives/Offensive Weapons	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	1 (1)	0 (0)	0 (0)	0 (0)	1 (1)	0	
Consumption of Alcohol **	0 (0)	2 (2)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	5 (5)	22	-77
Drugs Supply / Production	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	1 (1)	0 (0)	0 (0)	0 (0)	2 (2)	2	0
All Group 2	2 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (1)	3 (0)	7 (3)	2	25
Rape CL & Stat	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (1)	0 (0)	1 (2)	0	
Detections Count												
Dangerous Driving	(0)	(1)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(2)	(1)	100
Drink / Drug Driving	(0)	(1)	(0)	(0)	(0)	(0)	(0)	(1)	(1)	(3)	(2)	50
Disqualified Driving	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(1)	-100
Incidents Count												
Stop and Search	12	27	40	36	25	37	64	37	14	516	484	7
Street Drinking	0	0	1	0	0	0	0	0	0	2	1	100
Antisocial Behaviour	7	3	7	5	1	1	3	6	3	69	110	-37
Domestic Abuse	4	3	1	3	1	2	0	2	0	19	27	-30
Hate Crime	0	0	0	0	0	0	0	2	0	3	0	

*Detections are shown as ()'s **Due to this offence being ticketable there is a 4 week lag applied to the count

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Memorandum of Understanding – Management of Informal Camping

Introduction this memorandum is intended to inform those Police and Council Officers and called upon to deal with issues arising from Wild Camping. Land Managers may also be involved and this memo will be circulated via the National Farmers Union Scotland and Scottish Land and Estates to their members.

Wild Camping is becoming more popular as the cost of tents etc. falls and as the number of campsites choosing to accept tents decreases; it can be over 20 miles drive to a commercial campsite in some areas.

This document does not cover camping by travellers or gypsies which is a separate issue.

The Land Reform (Scotland) Act 2003 gives the public a right of responsible non-motorised access to land and water for recreation and passage. The Act is supported by the Scottish Outdoor Access Code <http://www.outdooraccess-scotland.com/outdoors-responsibly/access-code-and-advice/soac/>

Scottish Outdoor Access Code - These rights include the right to wild camp and the following advice is given to the public, land managers and Local Authorities regarding responsible behaviour in the code.

RESPONSIBLE BEHAVIOUR BY THE PUBLIC

> WILD CAMPING

Access rights extend to wild camping. This type of camping is lightweight, done in small numbers and only for two or three nights in any one place. You can camp in this way wherever access rights apply but help to avoid causing problems for local people and land managers by not camping in enclosed fields of crops or farm animals and by keeping well away from buildings, roads or historic structures. Take extra care to avoid disturbing deer stalking or grouse shooting. If you wish to camp close to a house or building, seek the owner's permission. Leave no trace by:

- taking away all your litter;
- removing all traces of your tent pitch and of any open fire (follow the guidance for lighting fires);
- not causing any pollution.

RESPONSIBLE BEHAVIOUR BY LAND MANAGERS

If you are experiencing large numbers of roadside campers or have well-used wild camping areas, you could work with your local authority and with recreational bodies to assist the management of such camping.

What is Wild Camping?

- Small number of people, small tents, one or two nights
- Behaving responsibly i.e. no litter, dogs under control, possibly in some locations a small fire, little noise
- Generally not causing a problem, may be beside a layby in some locations away from houses or on a beach
- May rarely include a horse drawn gypsy type caravan and horse

What is not Wild Camping?

- Camper vans, mobile homes and caravans - they refer to anywhere they are not on a recognised site as wild camping. This is not recognised in law as such, it is simply free and may not be a problem in many instances.
- Anyone behaving irresponsibly or in an anti-social manner i.e. heavy drinking, littering, vandalism, uncontrolled fires or in an area where they are disturbing people or livestock.
- Large groups of people in one place staying for several nights.
- Vehicles parked illegally or irresponsibly

Identifying irresponsible behaviour - *The Land Reform (Scotland) Act 2003* states;

Section 2 Access Rights to be exercised responsibly

(1) A person has access rights only if they are exercised responsibly.

(2) In determining whether access rights are exercised responsibly a person is to be presumed to be exercising access rights responsibly if they are exercised so as not to cause unreasonable interference with any of the rights (whether access rights, rights associated with the ownership of land or any others) of any other person, but—

(a) a person purporting to exercise access rights who, at the same time—

(i) engages in any of the conduct within section 9 below or within any byelaw made under section 12(1)(a)(i) below; (Section 9 excludes various activities including criminal activity, shooting, allowing a dog to worry stock or use of a motor vehicle unless used by someone with a disability) or

(ii) does anything which undoes anything done by Scottish Natural Heritage under section 29 below, is to be taken as not exercising those rights responsibly; and (*Section 29 signage erected by SNH to protect wildlife or habitats*)

(b) regard is to be had to whether the person exercising or purporting to exercise access rights is, at the same time—

(i) disregarding the guidance on responsible conduct set out in the Access Code and incumbent on persons exercising access rights; or

(ii) disregarding any request included or which might reasonably be implied in anything done by Scottish Natural Heritage under section 29 below.

(3) In this section the references to the responsible exercise of access rights are references to the exercise of these rights in a way which is lawful and reasonable and takes proper account of the interests of others and of the features of the land in respect of which the rights are exercised.

To Summarise - if an individual is damaging the interests of another person, wildlife or committing a crime they lose their right of responsible access and can be asked to leave by the land owner or the police.

What happens if someone is behaving irresponsibly? - For more minor problems and smaller groups the land owner may approach the individual or group and ask them to change their behaviour. If they do not change their behaviour they can be asked to leave, if they do not the police should be called. This should be done politely to avoid inflaming the situation and you be prepared to walk away if you are challenged.

The Police have stated that they would prefer it if Land Managers contact them early in the day before things become more serious, when campers are still sober and likely to listen to reason.

If the group is large, likely to be threatening, any kind of criminal activity is suspected or it is late at night the police should be called for assistance by land managers.

Police Response - If the Officers attending are unable to encourage the individuals to behave responsibly the following legislation is available, assuming no other offences have been committed;

Activity	Statutory reference	Comments
Driving a vehicle off road	Road Traffic Act 1988 (Section 34)	It is an offence to drive a motor vehicle without lawful authority on: <ul style="list-style-type: none"> • land of any description (not forming part of a road), or • a footpath or bridleway except in an emergency. It is not an offence to drive a motor vehicle on land within 15 yards of a road for the purpose of parking the vehicle – although this does not confer any legal right to park the vehicle.
Dropping of litter	Environmental Protection Act 1990 (Section 87)	It is an offence to leave litter in any public open place (a place in the open air where you can go without paying).
Lighting Fires	Civic Government (Scotland) Act 1982 (Section 56)	Any person who lays or lights a fire in a public place so as to endanger any other person, or to give reasonable cause for alarm or annoyance, or so as to endanger any property is guilty of an offence. A public place is any place to which the public have unrestricted access.
Polluting water	Control of Pollution Act 1974 (Section 31)	If you cause or knowingly permit to enter surface or ground water <ul style="list-style-type: none"> • any poisonous, noxious or polluting matter, or • any solid waste matter, you are committing an offence.
Vandalism	Criminal Justice (Scotland) Act 1980 (Section 78)	Anyone who, without reasonable excuse, wilfully or recklessly destroys or damages another's property commits this offence of vandalism.
Collective trespass	Criminal Justice and Public Order Act 1994 (Section 61)	If two or more people are trespassing with common purpose to reside on land for any time, and: <ul style="list-style-type: none"> • have caused damage, or • used threatening, abusive or insulting words or behaviour, or • have between them 6 or more vehicles, they can be directed to leave by the police. If they fail to do so, they commit an offence.

Scottish Outdoor Access Code Annex 1 - Existing criminal offences created by statute

Other offences are listed in Annex 1 and cover a range of offences including;

- Control of dogs, worrying of livestock and dog fouling
- Aggravated Trespass
- Damage to Ancient Monuments, using metal detectors
- Disturbance of animals, wild birds, and damage to some wild plants
- Fishing without a permit, poaching
- Lighting fires
- Polluting Water

Landowner's and Manager's Responsibilities - The removal of litter left on private land by a third party is the land owner's responsibility. The Police and Council Environment Wardens may be able to issue fixed penalty notices where they witness an individual dropping litter; however this will be difficult in practice. Therefore it is in the landowner's interest to monitor who is on their land, what they are doing and report it to the police if it is serious. The land manager is advised to obtain vehicle registration numbers and if possible the names and addresses of users of their land if they are able to do so without putting themselves at risk. These can be passed to the police if there is a problem.

Sites in Argyll & Bute known to be popular for Wild Camping

Bute & Cowal

- Ardyne Point and Loch Striven
- Lock Eck shore
- Ardlamont and Ostel Bay

Mid Argyll Kintyre and the Islands

- West Port Beach at Machrihanish
- Clonaig – roadside to Skipness
- Roadside locations along the A83 between Arrochar and Furnace

Helensburgh & Lomond

- Loch Long shore
- Portincaple

Oban Lorn & the Isles

- Loch Awe shore line and Islands
- Loch Etive

Need for Directed Policing – there are locations including those above which have been popular in the past and the police may wish to patrol them regularly at weekends, particularly during good weather in the summer months. A foot or mountain bike patrol in an area favoured by wild campers calling on those sites where there is litter or other reason to stop and chat will persuade people that the area is under observation. Patrols around 9am on Saturday, Sunday and Bank Holiday Monday mornings calling on sites where there is evidence of litter and large fires may deter those intent on anti-social behaviour from returning in the future. They could also be encouraged to tidy up their site to avoid a similar “rude awakening” the following morning!

Support from the Access Team – The Access Team can prepare and supply suitable signage to encourage people to camp responsibly based on work already done by SNH. The team can also provide advice and support to Police Officers, communities and land managers.



Related Issues

Mobile Homes & Campervans - Although there is no legal right to camp in a camper van, mobile home or caravan, officers should use their discretion and where the vehicle is away from housing, parked responsibly, no litter or fires are present and they are likely to stay for only one night it will not generally be appropriate to take any action.

Mobile homes and camper vans are used increasingly by visitors to Argyll & Bute, do contribute to the local economy and are seldom a problem, most users are responsible. If the current trend for increasing numbers of these vehicles continues local communities may wish to consider creating "Aires De Service" as French municipalities have done where some communities provide an overnight parking place with minimal facilities in an appropriate location in return for a small charge. This kind of an approach has been piloted successfully on Tiree.

Provision of Additional campsites – Where there is high demand for wild camping it may be appropriate to consider whether it would be appropriate to provide a formal campsite. This could be run by a land manager or a community as a social enterprise to provide facilities at a charge and manage the problem as a commercial venture.

Contact Details

Access Manager – Jolyon Gritten - 0154 660 4314 - Mobile: 0782 788 3167

Email: Jolyon.Gritten@argyll-bute.gov.uk

Access Officer – Douglas Grierson - 0154 660 4228

Email: Douglas.Grierson@argyll-bute.gov.uk

Development & Infrastructure Services
Argyll & Bute Council
Manse Brae Offices
Lochgilphead
ARGYLL
PA31 8RT

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