



**LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY**

**SCHEME OF DELEGATION RELATIVE TO:**

**IMPLEMENTING THE LOCH LOMOND & THE TROSSACHS NATIONAL PARK  
CAMPING MANAGEMENT BYELAWS 2017**

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## **LOCH LOMOND & THE TROSSACHS NATIONAL PARK CAMPING MANAGEMENT BYELAWS 2017**

### **SCHEME OF OFFICER DELEGATION OF THE LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY (THE "PARK AUTHORITY")**

#### **PART 1: GENERAL REQUIREMENTS**

1. This Scheme of Officer Delegation ("Scheme of Delegation") is prepared in accordance with the provisions of Section 8 and Schedule 1 (Paragraph 17) of the National Parks (Scotland) Act 2000 (the "2000 Act").
2. The Loch Lomond & The Trossachs National Park Authority (the "Park Authority") remains responsible for all the functions of the Park Authority. Notwithstanding the provisions of this Scheme of Delegation, the Park Authority may at any time determine any matter within the competence of the Park Authority either at the Park Authority's own initiative or on the recommendation of an officer to whom the matter is delegated.
3. The Park Authority may from time to time make a direction in respect of a delegated officer that the authority of the person(s) specified in that direction to act as delegated officer shall be:
  - a) suspended;
  - b) reduced;
  - c) subject to conditions; and/or
  - d) exercisable by another person or class of persons,in each case as specified in the direction.
4. In exercising the delegated powers set out below, the Director of Conservation and Visitor Operations and the Visitor Operations Manager (or other appropriate officer(s) as determined by the Chief Executive Officer ("CEO") from time to time) shall observe the following general requirements:
  - a) all determinations shall be carried out in accordance with the provisions of the Loch Lomond & The Trossachs National Park Camping Management Byelaws 2017 (the "2017 Byelaws");
  - b) no determination shall be made which conflicts with a decision made by the Park Authority Board (the "Board") or the Planning & Access Committee (the "Committee") on a previously similar application or enforcement matter in the same location; and
  - c) all determinations made under this Scheme of Delegation shall be reported to the Board, for information.

Any reference in this Scheme of Delegation to a "Byelaw" is to a byelaw in the 2017 Byelaws.

5. In a number of the categories of delegation there is the need for a degree of judgement in interpretation on the part of Park Authority officers. As with all Schemes of Delegation this is unavoidable. Park Authority officers will have to use their professional discretion to determine if any matters should best be considered by the Board. This Scheme of Delegation does not prevent a matter being determined by the Board if the decision could otherwise be taken by a Park Authority officer.
6. The weekly planning schedule will be used to note decisions taken by officers under Part 2 of this Scheme of Delegation.

## **PART 2: DELEGATED POWERS TO DETERMINE APPLICATIONS EXEMPTING LAND FROM THE 2017 BYELAWS**

7. Authority is hereby delegated to the Director of Conservation and Visitor Operations and the Visitor Operations Manager under Byelaw 10. A decision to exempt an area from the application of the 2017 Byelaws will, where reasonably practicable, be taken following consultation between the relevant authorised Park Authority officers. In the event of holidays, illness or other absence, this Scheme of Delegation specifically authorises either officer (or another appropriate officer(s) as determined by the CEO from time to time) to take the decision without recourse to the other(s), provided always that reasonable efforts will have been made to ensure proper consultation. The relevant authorised Park Authority officers are hereby authorised to sign any and all documentation on behalf of the Park Authority relating to exemption under Byelaw 10.
8. All applications will be determined (either approved or refused), subject to the general requirements of the operation of the Scheme of Delegation as outlined in Part 1 above.

## **PART 3: DELEGATED POWERS TO AUTHORISE INDIVIDUALS, GROUPS OR ORGANISATIONS TO UNDERTAKE OR PROVIDE FACILITIES FOR UNDERTAKING ANY ACTIVITY IN A MANAGEMENT ZONE OTHERWISE PROHIBITED UNDER THE 2017 BYELAWS**

9. Authority is hereby delegated to the Director of Conservation and Visitor Operations and the Visitor Operations Manager to undertake the following:
  - a) authorise individuals, groups and organisations under Byelaw 11 to undertake activity which would otherwise be prohibited by Byelaws 6 and 7 within the Management Zone (as defined in the 2017 Byelaws);
  - b) specify the terms and conditions which apply to any such authorisation issued under Byelaw 11; and / or
  - c) sign any and all documentation on behalf of the Park Authority relating to such authorisation under Byelaw 11.

10. A decision to issue an authorisation under Byelaw 11 will, where reasonably practicable, be taken following consultation between the relevant authorised Park Authority officers. In the event of holidays, illness or other absence, this Scheme of Delegation specifically authorises either officer (or any other appropriate officer(s) as determined by the CEO from time to time) to take the decision without recourse to the other(s), provided always that reasonable efforts will have been made to ensure proper consultation. The relevant authorised Park Authority officers are hereby authorised to sign any and all documentation on behalf of the Park Authority relating to authorisations issued under Byelaw 11.

#### **PART 4: AUTHORISATION OF OFFICERS UNDER THE 2017 BYELAWS**

11. Authority is hereby delegated to the CEO to authorise Park Authority Rangers, Ranger Team Leaders, Ranger Service Manager and any other Park Authority officer to act as duly authorised officers of the Park Authority under Byelaws 9 and 13, and any such duly authorised officer shall be entitled to enforce the terms of Byelaws 9 and 13 and shall be entitled to sign any and all documentation on behalf of the Park Authority relating to the enforcement of the terms of Byelaws 9 and 13.
12. This Scheme of Delegation may be varied or revoked by the Park Authority.