

**August 2016**

**Q.clarify in some detail the source of this power [to demand name and address details] they have assigned to their rangers.**

A.Under the National Parks (Scotland) Act 2000, the Park Authority can create byelaws to help manage and protect the environment or areas that suffer from the negative impact of recreational over-use or to address issues of safety.

Byelaws can be enforced by the Park Authority, therefore powers can be given to Park Authority Rangers as well as the police.

Byelaws work alongside other criminal laws which are enforceable by the police, and are an additional way of helping to manage significant problems in specific areas.

The final decision on the introduction of any new byelaws is made by Scottish Ministers.

**Q.I would like to know specifically how it has been possible to assign the powers previously only available to Police Officers to a Park Ranger and details of the legal mechanism that LLTNPA has used to achieve this capability.**

A.Rangers have the authority to request personal information, whereas Police Officers can compel an individual to provide their personal details, so the powers are not identical. Where an individual fails to provide their details when requested by Park Authority Rangers, they can request police assistance in order that the details are obtained and appropriate enforcement action can be taken.

By approving the byelaws, Scottish Ministers have conferred the Park Authority Board with the ability to enforce them. A scheme of delegation for the byelaws then transfers that ability from the Board to the Chief Executive as Approved Officer. The Chief Executive then authorises any officer of the Park Authority they require to enforce the byelaws as part of their duties.

**Q.I would like a copy of the documentation connected with the request for the bylaws to be put in place with full detail rather than what appears to be a short form summary in the bylaws leaflet. The byelaws state in section 16 that it is an offense not to give the information listed in section 11. What is the actual offense the individual is guilty of, for not giving their details to a park ranger?**

A.We think that the byelaw leaflet that you are referring to is the leaflet for the East Loch Lomond Byelaws 2011, which were approved by Scottish Ministers on 10 March 2011 following extensive public consultation. Please find attached documentation in Appendix A that formed the submission to Scottish Ministers in 2010 for confirmation of the East Loch Lomond Camping Byelaws.

The full text of the East Loch Lomond byelaws approved by Ministers is available in the byelaws leaflet available on our website; <http://www.lochlomond-trossachs.org/rr-content/uploads/2016/07/East-Loch-Lomond-Camping-Byelaws.pdf>

If an individual fails to provide their details to a Ranger on request, this offence is currently a contravention of Byelaw 11 of the East Loch Lomond Camping Byelaws 2011.