



Loch Lomond & The Trossachs National Park Authority  
Carrochan  
Carrochan Road  
Balloch  
G83 8EG

EIR Ref: EIR 2023-002  
27<sup>th</sup> February 2023

## REQUEST UNDER FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

We refer to your requests for information, received in three emails on 31<sup>st</sup> January 2023. The information you have requested is environmental information, as defined in Regulation 2 of the Environmental Information (Scotland) Regulations 2004 (EIRs). We have therefore applied the exemption in section 39(2) of FOISA and dealt with your request under the EIRs alone.

Your specific requests and the Park Authority's response are provided below.

**'Please provide me with copies of all the responses to the Loch Lomond byelaw review that were made by organisations (as opposed to individuals). In my view, the LLTNPA Publication Scheme should make publication of such responses routine, as happens with responses to Scottish Government consultations.'**

The National Park Authority has published all consultation responses received in relation to the Loch Lomond byelaw review on our website at: [Loch Lomond Byelaws Review - #LetsDoNetZero -Loch Lomond & The Trossachs National Park \(lochlomond-trossachs.org\)](#)

Survey respondents were asked to state what capacity they were responding as. The following options were given:

- Individual loch user,
- Local recreation / loch user group,
- National recreation / loch user group,
- National Park resident,
- Community organisation in the National Park,
- Business operating on Loch Lomond,
- Business operating elsewhere in the National Park,
- Land / riparian owner,
- Partner organisation or public body,
- Visitor to the National Park,
- Other (please specify):

### LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY

National Park Headquarters, Carrochan, Carrochan Road, Balloch, G83 8EG Long: 4°34'24"W Lat: 56°00'12"N

t: 01389 722600 f: 01389 722633 e: [info@lochlomond-trossachs.org](mailto:info@lochlomond-trossachs.org) w: [lochlomond-trossachs.org](http://lochlomond-trossachs.org)

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The pdf search functionality in the document can be used to identify the responses to the Loch Lomond byelaw review that were made by organisations. We can therefore advise under R6(1)(b) of the EIRs that this information is already publicly available and easily accessible.

**‘Please provide me with the number of breaches under the Loch Lomond byelaws referred to the Procurator Fiscal between 2012 and 2022 broken down by the type of craft and offence.’**

Details of breaches of the Loch Lomond byelaws reported to the Procurator Fiscal by the National Park Authority between 2012 and 2022 are provided in the table below. There were no breaches reported to the Fiscal in 2017 and 2020. Accordingly, we have to advise under Regulation 10(4)(a) of the EIRs that this information is not held.

There was one case reported to the Fiscal in 2012, under the Loch Lomond Byelaws 2006, for the offence under *section 3.5(6(a) Lifejackets – “The master of a boat (other than a personal water craft including a jet ski or jet bike) shall ensure that at all times the boat is carrying sufficient lifejackets or buoyancy aids of the standard specified in sub section (d) of an appropriate size and weight for each person on board at any one time”*

The full text of each byelaw offence from 2013 on, referenced by byelaw number in the table below can be found in the Loch Lomond Byelaws 2013, which are available on our website at: [Boating & Powercraft - #LetsDoNetZero -Loch Lomond & The Trossachs National Park \(lochlomond-trossachs.org\)](http://Boating & Powercraft - #LetsDoNetZero -Loch Lomond & The Trossachs National Park (lochlomond-trossachs.org))

Cases	Year	Byelaws section	Craft Type
1	2012	3.5 (6) (a) – (2006 byelaws)	Speed Boat
1	2013	3.5 (6) (a)	Speed Boat
2		3.5 (6) (c)	PWC
3		3.5 (6) (a)	Speed Boat
4		3.5 (6) (a)	Speed Boat
5		3.6 (2) 3.5 (6) (a)	RHIB
6		3.5 (6) (a)	Tender
7		3.5 (6) (a)	Speed Boat
1	2014	3.5 (6) (a) 2.2 (5) 3.6 (2)	Speed Boat
2		3.5 (6) (a)	Speed Boat
1	2015	3.5 (6) (c)	PWC
2		3.5 (6) (c)	PWC
1	2016	3.6 (2)	Speed Boat

1	2018	2.2 (4) 2.2 (5)	Speed Boat
1	2021	3.5(1)(b)	PWC
2		3.5(6)(c)	PWC
3		3.5(6)(c)	PWC
4		3.5(6)(c)	PWC
5		3.5(3)	Speed Boat
6		3.5(6)(c) 3(6)(2)	PWC
7		2.1 3.16 (2)	Motor Boat
1	2022	2.1 3.5(1)(b) 3.6(2)	PWC
2		3.5(3) 3.6(2)	PWC

**‘Please provide me with the number of jet skis (PWCs) registered under the Loch Lomond byelaws for each year from 2012-2022 broken down by those owned by businesses and those owned by individuals.’**

The National Park Authority issued figures for the number of PWCs registered under the Loch Lomond byelaws for every year from 2012 to 2021 in response to a request for this information in 2022. This response is available on our disclosure log at : [Information responses - #LetsDoNetZero -Loch Lomond & The Trossachs National Park \(lochlomond-trossachs.org\)](#)

via the link ‘June – boat registration statistics’

We can therefore advise under R6(1)(b) of the EIRs that this information is already publicly available and easily accessible.

As you have requested the number of PWCs registered in 2022 in your request dated 30<sup>th</sup> January 2023, we are not required to provide this information again as it has already been provided and this is a repeat request for the same information.

All vessels registered with the National Park Authority under the Loch Lomond byelaws are registered by an individual owner of the vessel, we do not record information about businesses on the boat registration database. We therefore have to advise under Regulation 10(4)(a) of the EIRs that this information is not held.

Yours sincerely

**Information Management  
Loch Lomond and the Trossachs National Park Authority**

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

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## Review Procedure

If you are dissatisfied with this decision, or the way in which the Authority has dealt with your request, you are entitled to require the Authority to review its decision. Please note that in order for a review to take place you are required to:

- Send your request for review in writing, setting out in full the reasons why you are requesting a review.
- Submit your review request within 40 working days of either the date on which you received a response from the Authority or the date by which you should have received a response under the terms of the Freedom of Information (Scotland) Act 2002, whichever is the later.
- address your review request to:

Information Manager  
Loch Lomond & The Trossachs National Park Authority  
National Park Headquarters  
Carrochan  
Carrochan Road  
Balloch  
G83 8EG  
E-mail: [info@lochlomond-trossachs.org](mailto:info@lochlomond-trossachs.org)

The review will be handled by staff who were not involved in the original decision. You will receive notice of the result of your review within 20 working days.

If you are not satisfied with the response to your request for review, you can contact the Scottish Information Commissioner, the independent body which oversees the Freedom of Information (Scotland) Act 2002, at:

Scottish Information Commissioner  
Kinburn Castle  
Doubledykes Road  
St Andrews  
Fife  
KY16 9DS  
Tel: 01334 464610  
Website: [www.itspublicknowledge.info](http://www.itspublicknowledge.info)  
E-mail: [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info)