



LOCH LOMOND AND THE TROSSACHS NATIONAL PARK AUTHORITY

SCHEME OF DELEGATION RELATIVE TO:

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

LOCH LOMOND & THE TROSSACHS NATIONAL PARK CAMPING MANAGEMENT BYELAWS 2017

SCHEME OF OFFICER DELEGATION OF THE LOCH LOMOND AND THE TROSSACHS NATIONAL PARK AUTHORITY (THE “NATIONAL 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 “National Park Authority”) remains responsible for all the functions of the National Park Authority. Notwithstanding the provisions of this Scheme of Delegation, the National Park Authority may at any time determine any matter within the competence of the National Park Authority either at the National Park Authority’s own initiative or on the recommendation of an officer to whom the matter is delegated.
3. The National 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 Environment and Visitor Services, Head of Visitor Services and the Visitor Operations Manager (or other appropriate officer(s) as determined by the Chief Executive Officer ("CEO") from time to time, in writing) 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 National 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 National Park Authority officers. As with all Schemes of Delegation this is unavoidable. National Park Authority officers will have to use their professional discretion to determine if any matters should best be considered by the Board. Any matter can be considered by the Board, should any four Board members request it is referred to the Board for decision. Such a call-in must be exercised within 5 days of being informed about an application and must give clear related reasons for doing so. Board Members should contact the Visitor Operations Manager and the Corporate performance Manager when making such requests. National Park Authority officers will then consult with the Convener and Depute Convener on whether an application should be referred to the Board in light of the reasons given. The final decision on accepting applications will rest with the Convener or Depute Convener
6. The weekly planning schedule will be used to notify of any exemption requests received and any decisions made under Part 2 and 3 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 Environment and Visitor Services, Head of Visitor Services 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 National 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, in writing) 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 National Park Authority officers are hereby authorised to sign any and all documentation on behalf of the National 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 Environment and Visitor Services, Head of Visitor Services 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 National 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 National 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, in writing) 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 National Park Authority officers are hereby authorised to sign any and all documentation on behalf of the National Park Authority relating to authorisations issued under Byelaw 11.

PART 4: AUTHORISATION OF OFFICERS 2017 BYELAWS

11. Authority is hereby delegated to the CEO to authorise National Park Authority Rangers, Ranger Team Leaders, Ranger Service Manager and any other Park Authority officer to act as duly authorised officers of the National 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 National 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 National Park Authority.

