



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

Ref: FOI 2025-005
Date: 25 February 2025

Dear [REDACTED]

REQUEST UNDER FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

Thank you for your email of 28 January 2025, in which you have requested access to information you believe may be held by the National Park Authority. We have processed your request under the Freedom of Information (Scotland) Act 2002 and provide our response below.

Your Request

- 1. Can you explain what powers you have as a specialist reporting agency and how those powers were bestowed upon you?*
- 2. COPFS said it had received 2 reports from the you since 2020 and they were categorised as "reckless conducts", so can you expand on this please and explain what the alleged crimes/incidents were that you investigated and reported?*
- 3. Who undertakes investigations for you as a SRA?*
- 4. Have you received any complaints over your role as a SRA? If so, what were these complaints about please and were they upheld?*
- 5. Have you reviewed your procedures as a SRA in light of the Post Office/Horizon scandal and if so, what changes have been made, if any?"*

Our Response

1. The National Park Authority acts as a specialist reporting agency, meaning it has the power to investigate and report certain offences directly to the Crown Office and Procurator Fiscal Service (COPFS) for prosecution. These offences primarily relate to violations of local byelaws and environmental legislation. Our ability to act as a

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

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specialist reporting agency is derived from the powers and functions conferred upon us by the National Parks (Scotland) Act 2000 and the Loch Lomond and The Trossachs National Park Designation, Transitional and Consequential Provisions (Scotland) Order 2002.

You may find the following links of interest:

<https://www.legislation.gov.uk/asp/2000/10/contents>

<https://www.legislation.gov.uk/ssi/2002/201/contents/made>

<https://www.copfs.gov.uk/publications/specialist-reporting-agencies/html/>

2. During the period in question, we referred two cases to the COPFS under section 3.5(1)(b) of the Loch Lomond Byelaws 2013. We believe these are likely to be the two cases to which you have referred. The first of these cases related to an incident that occurred on the 27/05/2021. The second, was in relation to an incident that occurred on 28/05/2022. Both incidents concerned the use of jet-skis on Loch Lomond.

Section 3.5(1)(b) of Loch Lomond Byelaws 2013 reads: *“No Master of any Vessel shall recklessly navigate or otherwise use or permit any Vessel to be navigated or otherwise used in a manner which causes a Nuisance or danger to any other Vessel or person using the Loch.”*

3. Investigations are primarily undertaken by our Ranger Service and our Enforcement Management Group determines whether referral to the COPFS is appropriate.
4. No – we have not received any complaints concerning our role as an SRA.
5. Our enforcement procedures are reviewed periodically; however, there has been no review conducted specifically as a result of the incident to which you refer.

Yours sincerely

Information Management
Loch Lomond and the Trossachs National Park Authority

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

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
E-mail: enquiries@itspublicknowledge.info