



DARTMOOR NATIONAL PARK AUTHORITY

ENFORCEMENT POLICY (BYELAWS)

Reasons for taking enforcement

1. Dartmoor National Park along with the other National Parks in the United Kingdom, is a protected landscape and a special environment of national importance.
2. This policy sets out how Dartmoor National Park Authority (“DNPA”) will enforce the protections and prohibitions which are included in its byelaws.
3. This policy is consistent with National Park purposes, the aims of enhancing biodiversity and promoting nature recovery; whilst encouraging sustainable tourism and improving public access.
4. The byelaws form part of DNPA’s enforcement powers to address anti-social behaviour and damage and ensure that respect for protected landscapes is maintained.

How do we achieve consistency and transparency?

5. The principles and aims of enforcement are to:
 - a. Achieve compliance with byelaws by encouraging the offender to cease the offending activity
 - b. Deter the offender from committing future breaches
 - c. Deter others from committing similar breaches
 - d. Minimise the risk of harm to the special qualities of the National Park, persons who live in the National Park and those who visit it
6. We will act proportionately when we apply the law. We will consider the impact or risk of impact on the environment and people and the seriousness of the breach.
7. We aim to be consistent in our approach to enforcing byelaws. However, as every situation is fact specific, this does not mean that the same level of response will always be given in a particular set of circumstances. Our staff will consider factors such as the attitude of the offender, any previous history, any circumstances that are relevant at the time.

What enforcement options do we have

8. The enforcement options available for a breach of byelaw are:
 - Verbal warning delivered by an officer of the DNPA (e.g. Ranger)
 - Written warning
 - Caution
 - Prosecution

How do we choose which is the appropriate level of action?

9. The issue of a verbal warning is at the discretion of the DNPA Ranger or member of staff.
10. Where a verbal warning is not sufficient, the matter will be reported. The relevant circumstances will be reviewed by appropriate/authorised DNPA officers, and the appropriate response determined.
11. The factors that may be considered when selecting the enforcement response will include, but are not limited to:
 - a. The seriousness of the breach, including:
 - its duration
 - any actual harm or risk of harm to the environment
 - the prevalence of a particular type of offending in a particular area as this is more likely to add to the harm caused and therefore its seriousness
 - whether anyone else was affected by the breach, including visitors to the National Park and DNPA officers
 - b. The attitude and personal circumstances of the offender, including:
 - whether the breach was ceased immediately upon request
 - any previous warnings or advice that had been given
12. In general, the more weight that attaches to the answers, the more likely it is that an escalated response will be proportionate. Any decision to prosecute will be taken in accordance with the principles set out in [The Code for Crown Prosecutors](#).

Links to other useful documents

Byelaws - <https://www.dartmoor.gov.uk/about-us/who-we-are/byelaws>

Local Enforcement Plan (Development Management) – *currently being updated*

Complaints procedure - <https://www.dartmoor.gov.uk/about-us/contact-us/feedback-and-complaints>

Document History:

Revision No.	Originator of change	Date of change	Change Description
1.	Neil White	May 2022	Original policy & guidance introduced [<i>approved by Authority 10 June 2022; NPA/22/023</i>]