



Mr N Kempe  
nickkempe1@gmail.com  
FOI REVIEW Ref: 2016/003

21st April 2016

Dear Mr Kempe

## **REQUEST FOR REVIEW OF DECISION UNDER ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004 (the “Regulations”)**

Loch Lomond & The Trossachs National Park Authority received your request for review on 27<sup>th</sup> March 2016 relating to your request for information about the decision to provide 30 camping places at Loch Chon.

### Basis of Request for Review

Details of your grounds for requesting a review are as follows:

On 1<sup>st</sup> February 2016 you made the following request:

**Please could you provide me with the information you have used to inform the decision to provide 30 places at Loch Chon, including any records of camping activity?**

We responded on 29<sup>th</sup> February 2016 to advise that:

The Park Authority press release of 26<sup>th</sup> January 2016, announced initial plans for investment in improved camping, and “**proposed** that the picturesque site at Loch Chon will accommodate 30 tent pitches alongside facilities including a fresh water supply, waste disposal and toilets”. These proposals have not been finalised. Work is now underway to fully develop the Park Authority’s camping plans.

The information requested relates to information about camping proposals, which are currently under development. Therefore, S10(4)(d) and 5(e) of the Environmental Information (Scotland) Regulations 2004 applies as the request relates to incomplete data which is commercially sensitive.

On 27<sup>th</sup> March 2016 after clarification of a point about Press Releases you requested a review as follows:

**My request was for a review of EIR 2016-003 Response and again this was totally clear although you are right there was no reference to Loch Chon in the Ministerial Press**

### **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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**Release and I apologise for this. The Park's budget for next year is public and money allocated to Loch Chon (and indeed was listed in the financial report on expenditure this year) it is even more clear that the decision has been taken. There is therefore no justification for the Park applying the exemptions you have in EIR 2016-003 Response.**

### Public Interest Test

The public interest in the release of this information was considered. It was recognised that there is public interest both from residents and visitors to the Park, in the plans to develop improved camping facilities. It was however concluded that there is a greater public interest in permitting the project team to complete the work they have recently started in developing camping facilities at Loch Chon and other locations. As you have highlighted, the Authority's budget is public and there is a budget line allocated to the development of Your Park. The Park Authority are proposing to progress with camping development on Loch Chon, however the planning phase is not yet finalised. A budget is a plan for income and expenditure and is not a guarantee of outcome. The Park Authority will be providing full details of the new camping provision to the public when these plans have been completed.

### Decision

Having reviewed the correspondence and the exceptions of S10(4)(d) and 5(e) of the Environmental Information (Scotland) Regulations 2004 applied I uphold the decision to apply those exceptions. My reason for doing so is that you ask for 'the information you have used to inform the decision to provide camping places at Loch Chon' and no final decision has been made to do so. This proposal is currently in development and the public interest is greater in allowing the project team to develop these proposals rather than making available commercially sensitive material which is in the course of completion.

The camping activity information you also requested was provided in response to another question in the same request.

It may be helpful for you to be aware that in making new provision for either campsites or permit areas a number of different factors could influence what is possible, such as topography and landform, accessibility from roads and recreation routes including parking, land management activity and land ownership, habitat and conservation value, proximity to other recreational opportunities, service availability such as water supply, and the ability to support reasonable camping volumes.

### Review Procedure

If you are not satisfied with this decision you are entitled to appeal to the Scottish Information Commissioner. Please note that in order for an appeal to take place you must lodge your appeal within six months of the date of receipt of this letter.

Scottish Information Commissioner  
Kinburn Castle  
Doubledykes Road  
St Andrews  
Fife  
KY16 9DS  
Tel: 01344 464 610  
Website: [www.itspublicknowledge.info](http://www.itspublicknowledge.info)  
E-mail: [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info)

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Yours sincerely

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