



Mr Nick Kempe  
nickkempe1@gmail.com  
EIR Ref 2017/018

3<sup>rd</sup> March 2017

Dear Mr Kempe

### **REQUEST UNDER ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004**

I refer to your request for information, received by email on 3<sup>rd</sup> February 2017.

We have applied the exemption under Section 39(2) of the Freedom of Information (Scotland) Act 2002 as we have determined that the information sought in your request is environmental information. We are therefore handling your request under the terms of the Environmental Information (Scotland) Regulations 2004 (EIRs). In this case the public interest in maintaining this exemption and in dealing with the request in line with the requirements of the EIRs outweighs any public interest in disclosing the information under FOISA.

Your specific requests and the response from the National Park Authority are provided below.

**“Re the letter to all Loch Lomond boat users saying that the Milarrochy slipway will be withdrawn from operation from 1st April 2017:”**

**“a) who took this decision? More specifically was it agreed by any Board Members and if so at what meeting?”**

The decision was taken by the Park Authority Executive team. This was an operational decision, it was not taken by Board members and not taken to a meeting for Board Members to take a decision on.

**“b) please provide all records of numbers of boats launched from the Milarrochy slipway for 2014, 2015 and 2016”**

Details of launches of powered and non-powered craft at Milarrochy Bay for 2013 – 2016 have been made available on our website at:

<http://www.lochlomond-trossachs.org/rr-content/uploads/2016/07/March-Boat-launch-figures.pdf>

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

Milarrochy Bay was only staffed at weekends in 2016, and while all powered launches were recorded, not all non-powered launches were recorded.

**“c) Was there a health and safety risk assessment done to inform this decision? If so,**

**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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**please provide it by return. Please provide the records of any accidents that have taken place at Milarrochy bay that are associated with launching boats from the slipway?"**

An assessment of the site at Milarrochy was undertaken in 2016 by the Ranger Service Manager, as part of a review of the site and staffing at this location. Advice was also sought from our Health and Safety Adviser. Details have been put on our website at:

<http://www.lochlomond-trossachs.org/rr-content/uploads/2016/07/March-Health-and-Safety-advice.pdf>

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

The Milarrochy site has been proactively managed by staff and to date there have been no accidents recorded in relation to the launching of boats at the slipway. Accordingly I have to advise under S10(4)(a) of the EIRs that this information is not held.

**"c) please confirm how many Rangers were deployed at Milarrochy in 2016 and for what time periods and onto what duties these rangers will be redeployed. In particular are Park rangers being redeployed to police the camping byelaws?"**

The Ranger resource that was previously focussed at Milarrochy was never dedicated solely to that site. Staff working on site were part of a flexible team, deployed where and when needed across the National Park. This flexible approach to deployment will continue in 2017. Ranger patrols will continue to visit Milarrochy.

Park Authority Rangers have no police powers, therefore they will not be redeployed to police the camping management byelaws. I therefore have to advise you that under S10(4)(a) of the EIRs, this information is not held

Yours sincerely

Governance & Legal Team  
Loch Lomond & The Trossachs National Park Authority

#### Review Procedure

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

- Lodge a written request for a review 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 Environmental Information (Scotland) Regulations 2004, whichever is the later.
- Include your name, address for correspondence, a description of the original request, and the reasons why you are dissatisfied; and

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address your review request to:

Governance & Legal Team  
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)

Please note that links provided to information available elsewhere are intended to assist you. Requests for information held by other public authorities, and any complaints regarding access to such information should be addressed to that authority. These review procedures relate only to information which is directly under the control of Loch Lomond & The Trossachs National Park Authority.

The review of your request 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 Environmental Information (Scotland) Regulations 2004, at:

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)  
Online appeal portal: [www.itspublicknowledge.info/Appeal](http://www.itspublicknowledge.info/Appeal)

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