



Mr Nick Kempe
nickkempe1@gmail.com
EIR Ref: 2017/041

2nd June 2017

Dear Mr Kempe

REQUEST UNDER ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004

I refer to your request for information, received by email on 4th May 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.

“Please provide me with any information the LLTNP holds about the secret Board Briefing sessions held on the Cononish goldmine on 13/12/2010 and 20/06/2011”

The Park Authority does not hold secret Board Briefing sessions. Accordingly I have to advise under S10(4)(a) of the EIRs that this information is not held for sessions as you describe.

However, informal Board Business sessions are held in private which are for officers to have time with Board members to help develop strategy by providing opportunities for informal input before formal officer recommendations are presented for decision at our Board meetings, which are held in public. Time can also be spent providing training or examining a particular issue or undertaking a visit. The relevant information the Park Authority holds on the Board Business Sessions on the two dates you outline is attached.

“All monthly reports required under the conditions of the planning consent and any other reports provided by Scotgold Ltd since the trial at Cononish commenced earlier this year.”

The Park Authority holds reports from Scotgold Resources Ltd which have been submitted under Condition 11 of planning consent in relation to case Ref 2016/0064/DET. This information has been withheld from release under R10(5)(e) of the EIR's as the requested information includes specific details of the ongoing operational activities of a private company, elements of which are commercially sensitive.

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
t: 01389 722600 f: 01389 722633 e: info@lochlomond-trossachs.org w: lochlomond-trossachs.org
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The monitoring reports submitted to the Park Authority by Scotgold Resources Ltd provide details of compliance. This is part of an ongoing dialogue with the company to ensure compliance with the required conditions. Methodologies for developing avoidance and mitigation measures to address any adverse environmental effects identified during the course of the monitoring are also reported.

Consideration has been given as to whether there is a greater public interest in the release of this information. It has been concluded that the public interest in the release of monitoring reports is outweighed by the greater public interest in permitting planning officers with the required skills and experience to be allowed to monitor this work. Officers must be able to maintain an effective working relationship with Scotgold Resources Ltd, whereby checks, monitoring and mitigation measures can be managed, without the requirement to release ongoing monitoring reports into the public domain while they are under consideration and discussion with the applicant.

Release of this information is likely to have a negative impact on the ability of planning officers to perform an effective role in working with Scotgold Resources Ltd, which is essential for identifying any problems with compliance with planning conditions and ensuring that all aspects of these conditions are adhered to for the duration of the approved works.

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

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

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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
E-mail: enquiries@itspublicknowledge.info
Online appeal portal: www.itspublicknowledge.info/Appeal

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