



Mr Nick Kempe
nickkempe1@gmail.com
REVIEW of EIR Ref: 2017/070

22nd December 2017

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 4th December 2017 relating to your request for information about:

The evaluation of the pilot phase of Land Management Plans as set out in the review of the NPPP 2013/14

Basis of Request for Review

“Request for confirmation of whether an evaluation was undertaken or not. I asked for information the Park held, expecting to receive some sort of evaluation report.”

While your original request sought “any information held” on the evaluation of Land Management Plans, it appears from your request for review that you were actually requesting a specific evaluation report.

We can therefore advise that there is no formal evaluation report of the land management plans, and confirm that under Regulation 10(4)(a) of the EIRs this information is not held.

Assessment of Information

It appears that from your reading of the NPPP, you have interpreted the statement “*Our pilot phase is complete and evaluated*” to mean that a formal review was undertaken, with an evaluation report being the end result of this review.

However we have to advise that the evaluation of land management plans was undertaken on an ongoing basis. Every landowner has different requirements, and no two land management plans are the same. The staff involved in working with landowners assessed and evaluated the plans as they were being developed. This evaluation would have taken the form of ongoing dialogue between staff and landowners, and staff would also discuss and review their approach to the development of the land management plan for each individual landowner.

Following receipt of your request for review, additional searches of email correspondence were undertaken, and an email from the former Land Management Adviser was located, attached in Appendix A, which confirms that there was no formal review report for land management plans. The relevant section of the email is highlighted in red. Personal details of the land management adviser, who is no longer working for the Park Authority, have been removed as well as other

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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information discussed in the email which is not relevant to this request.

This information has been redacted in accordance with Regulation 11(2) of the EIRs and the second and sixth Data Protection Principles.

We have considered the public interest in respect of the withholding of this personal data and have determined that the public interest in withholding this specific information outweighs the public interest in its release in to the public domain. Please note that we have not withheld complete documents which contain such personal data and have released all other information within the document which is not subject to requirements of the Data Protection Act 1998.

Conclusion

We can therefore confirm that as stated in the NPPP, an evaluation of the land management plans took place, however this did not take the form of a single formal report. The response to your original request included all relevant information held of the ongoing updates on the land management plans that were given to senior staff via the delivery group papers and Board organisational updates.

Yours sincerely

Governance and Legal Team
Loch Lomond & The Trossachs National Park Authority
E-mail: info@lochlomond-trossachs.org

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

Should either the requester or the Park Authority subsequently wish to appeal against a final decision by the Scottish Information Commissioner, they have the right to appeal to the Court of Session on a point of law only. Any such appeal must be made within 42 days after the date of intimation of the Commissioner's decision.

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