



Mr Nick Kempe
nickkempe1@gmail.com
EIR Ref : 2020/013

29th September 2020

Dear Mr Kempe

REQUEST UNDER ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004

We refer to your request for information, received by email on 2nd September 2020. The information you have requested is environmental information, as defined in Regulation 2 of the Environmental Information (Scotland) Regulations 2004 (EIRs). We have therefore applied the exemption in section 39(2) of FOISA and dealt with your request under the EIRs alone.

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

a) All information the Loch Lomond and Trossachs holds about the unlawful felling of trees/ancient woodland (almost certainly earlier this year but possibly in 2019) on the property known as MacGregor's landing which has just been subject to an EIA scoping request (PSC/2020/0001)

The National Park Authority was made aware by a telephone call from a member of the public on 13th January 2020 of an unauthorised tree felling at McGregor's landing. The National Park Authority made Scottish Forestry aware of the incident, which was investigated by Scottish Forestry. The information held by the National Park Authority about the tree felling and subsequent investigation by Scottish Forestry is attached as follows

- 1 - Appendix A – email correspondence between the National Park Authority and Scottish Forestry
- 2 - Images of the site of tree felling
- 3 - Re-stocking notice
- 4 – Covering letter for re stocking notice
- 5 - Title – outdoor centre Ardlui

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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Some personal data has been redacted from the correspondence in Appendix A, specifically the personal details, names, emails and telephone numbers of external third parties and the names and contact details of National Park Authority staff below manager grade. This information has been withheld under Regulation 11(2) of the EIR's.

As this information constitutes the personal data of third parties, as a data controller, we must process it in accordance with data protection law. This legal duty is recognised in Regulation 11(2), read together with Regulation 11(3a)(a), which provides that information which is third party personal data and in respect of which disclosure would be likely to breach one or more of the Data Protection Principles, is absolutely exempt from the duty to make it available under Regulation 5(1).

b) All communications between the LLTNPA and the current owners of MacGregor's landing SSH trading or their agents (who include Land Use Consultants), both in the 12 months before they bought the property in April 2019 and since.

- 6 – Appendix B – correspondence between the National Park Authority and owner/agents
- 7 – EIA screening request (this request has now been withdrawn)
- 8 – Acknowledgement of EIA screening request
- 9 – Title – McGregor's landing
- 10 – Title plan

The attached Appendix B contains the communications between the National Park Authority and the owners of McGregor's Landing. Some personal data has been redacted from the correspondence, specifically the personal details, names, emails and telephone numbers of external third parties and the names and contact details of National Park Authority staff below manager grade. This information has been withheld under Regulation 11(2) of the EIR's.

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The letter withdrawing the EIA screening request is available via the online planning portal (File ref PSC/2020/0001) at:
<https://eplanning.lochlomond-trossachs.org/OnlinePlanning/?agree=0>

Yours sincerely

**Governance and Legal Team
Loch Lomond and the Trossachs National Park Authority**

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Review Procedure

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

- Send your request for review in writing, setting out in full the reasons why you are requesting a review.
- Submit your review request 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 Freedom of Information (Scotland) Act 2002, whichever is the later.
- 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

The review 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 Freedom of Information (Scotland) Act 2002, at:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Tel: 01334 464610
Website: www.itspublicknowledge.info
E-mail: enquiries@itspublicknowledge.info

Online appeal portal: www.itspublicknowledge.info/Appeal

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