

The LLTNPA's selective publication of Freedom of Information responses

## Description

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Below you'll find information released by the Park Authority as a result of enquiries made under Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004

## 2018

- [April – Records Management Plan and Personal Details Requested by National Park Staff \(12KB\)](#)
- [April – Pre Planning Advice \(427KB\)](#), [April – Update of Pre Planning Advice \(228KB\)](#)
- [April – Path Maintenance Budget \(169KB\)](#)
- [April – Electricity Transmission Network Strengthening in Argyll \(173KB\)](#)
- [April – Annual Procurement Report 2017-18 \(164KB\)](#)
- [February – Legal Authority Allowing the Park Authority to Hold Information \(176KB\)](#), [Review of Legal Authority Allowing The Park Authority to Hold Information \(264KB\)](#)

## 2017

- [December – Wikipedia Bibliography \(162kb\)](#)
- [December – Research Commissioned by the Park Authority \(168KB\)](#), [Review of Research Commissioned by the Park Authority \(288KB\)](#)
- [December – List of Suppliers \(405KB\)](#)
- [December – Built Heritage Grant \(180KB\)](#)
- [November – Land Management Plans \(211KB\)](#), [Review of Land Management Plans \(199KB\)](#)
- [November – Fixed Penalty Notices \(167KB\)](#)
- [November – Local Access Forum Papers \(5MB\)](#)
- [November – Byelaw Complaints \(283KB\)](#)
- [October – Staff Sickness Absence Days \(109KB\)](#)
- [October – Annual Reports \(165KB\)](#)
- [September – Duncan Mills Memorial Slipway Staffing \(108KB\)](#)
- [August – Public Rights of Passage on Private Roads \(105KB\)](#)
- [August – Planning Development Information \(250KB\)](#)
- [August – Planning and Access Committee \(2MB\)](#)

James Stuart, Convener of the Loch Lomond and Trossachs National Park Authority, has publicly stated that he is committed to ensuring the National Park operates with greater transparency. One of the things I have been lobbying him on in the last year was for the LLTNPA to start publishing ALL responses to information requests made under our Freedom of Information laws. This is something that the Scottish Government has now been forced to do by the opposition political parties in our the Scottish Parliament ([see here](#)) but is not yet a legal requirement on other public authorities.

As a result of the Your Park consultation on the byelaws, the LLTNPA did publish a number of responses to FOI requests about the justification for those proposals and then, a year or so ago, they set up a dedicated area on their website for FOI responses ([see here](#)). Until recently there was almost nothing on it, although I knew there had been at least 77 responses made under the Environmental Information Regulations for 2017 alone.

On checking the site recently I was delighted to see that a significant number of responses from 2015 onwards have now been made publicly available. There are responses (and non-responses in some cases) on everything from National Park financial expenditure and contracts to what the National Park is doing in respect of nature conservation. I would recommend that anyone interested in the National Park take a look and, while I am responsible for some of the requests, I found it really interesting to see how many other people have been trying to extract information from the LLTNPA and on what subjects. The publication of the responses is a significant step forward in transparency and should also avoid people having to make repeat requests on similar subjects. There are also signs that as a result of some of these requests, the LLTNPA has incorporated the information provided into the main part of the website – which is also a step for the better and shows the demand from the public can help make our public authorities more accountable.

There is, however, a serious “But”. The LLTNPA still does not publish all information responses but instead decides which ones are worthy of publication and which should be withheld from the public:

*“We realise that some information that is released in response to a Freedom of Information or Environmental Information request is of interest to the wider public as well as to the original requester.”*

For 2017 the LLTNPA has published 78 responses but you can tell from the numbering of the responses that there were at least 77 requests responded to under the Environment Information Regulations and 21 under the Freedom of Information Act, a total of 98 responses. In effect the LLTNPA is still withholding 1 in 5 of the responses it made last year.

The situation for 2018 is worse. The numbering shows that there have been at least 11 EIR responses and 5 FOI responses to date, but only 6 out of the 16 have been published. Four the responses that have not been published are from myself and include the Monitoring Framework for the camping byelaws ([EIR 2018-001 Response byelaws](#), [EIR 2018-001 Appendix A Monitoring framework](#), [EIR 2018-001 Appendix B survey questions](#)), the enforcement of the camping byelaws ([EIR 2018-002 Response enforcement](#)) and the number of complaints made to the LLTNPA in 2017 [EIR 2018-005 Appendix B complaints](#). Now maybe the LLTNPA is still intending to publish these responses – and EIR 2018-005 contains some personal information in Appendix A which I have not included here which would need to be redacted – and maybe that explains the delay. However, the subject matter of the 131 complaints made to the LLTNPA in 2017 and how the byelaws are being monitored and enforced are all matters of significant public interest. They should in my view be made public and until and unless this happens the suspicion must be that there are people in the LLTNPA who are still trying to

hide information which might result in poor publicity or to legal challenges as to what they are doing.

## What needs to happen

While the publication of a proportion of the information responses made by the LLTNPA is a step forward in terms of transparency, there is still a need for the LLTNPA Board to commit to publishing all information responses under their Information Publication Scheme which are they legally obliged to produce and to tell staff that no-one should have the right to play god about what information is deemed worthy of being made public and what not. For people interested in this issue its well worth taking a look at the what do they know website which was set up precisely because our Public Authorities were not publishing responses to information requests ([see here](#)).

## Category

1. Loch Lomond and Trossachs

## Tags

1. Freedom of Information
2. Governance
3. LLTNPA
4. Scottish Government

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