



Mr Nick Kempe
Nickkempe1@gmail.com
EIR Ref: 2018/008

3rd April 2018

Dear Mr Kempe

REQUEST UNDER ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004

I refer to your request for information, received by email on 5th March 2018. The information you have requested is environmental information, as defined in Regulation 2 of the Environmental Information (Scotland) Regulations 2004 (EIRs). The Park Authority has an obligation to deal with your request under the EIRs and an option to also deal with your request under the Freedom of Information (Scotland) Act 2002 (FOISA), unless the public interest lies in dealing with your request solely under the EIRs. We consider that the public interest in dealing with your request solely under the EIRs outweighs the public interest in also dealing with your request under FOISA, on the basis that the public interest is not served by duplicating consideration of your request under both regimes. We have therefore applied the exemption in section 39(2) of FOISA and dealt with your request under the EIRs alone.

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

a) The Records Management Plan as supplied to the Keeper of Records

The Park Authority's records management plan as supplied to the Keeper of the Records has been published on our website at:

<http://www.lochlomond-trossachs.org/rr-content/uploads/2018/04/Records-Management-Plan-2017.pdf>

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

Please note that the plan is a living document that is kept under review, and elements including the retention schedule, classification scheme and policies including the Data Protection Policy:

http://www.lochlomond-trossachs.org/rr-content/uploads/2016/07/Contact_Us_Data-Protection-Policy.pdf

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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and Information Security Policy:

http://www.lochlomond-trossachs.org/rr-content/uploads/2016/07/Contact_Us_Information-Security-Policy.pdf

have been subject to review since the submission of the plan.

b) The number of people LLTNPA staff requested personal details from under byelaw 9 (as opposed to the 828 people issued with warnings for breach of the byelaws).

The number of people LLTNPA staff requested personal details from under byelaw 9 in the 2017 season of the byelaws was 828.

What I am trying to establish is whether all people who were asked for information were warned or not.

If the two figures are NOT the same, I would be grateful if you could explain to me why this is so (or failing that would ask for all information the Park holds on why some people whose personal details were collected were not issued with warnings.

N/A, see answer above.

c) Any information the Park holds, including that issued to Rangers, which advises/instructs them what to do should a person previously warned be suspected of breaching the camping byelaws again.

The Park Authority Police officer and our Visitor Management Adviser were involved in delivering training to Park Authority Rangers on the application of the camping management byelaws. The interpretation of the terms of the byelaws is included in the byelaw documents.

Rangers have received scenario based training and took part in question and answer discussions to ensure they understood how the byelaws apply This includes guidance on what to do should a person previously warned be suspected of breaching the camping byelaws again. Training materials were not issued for this practical element of their training. Accordingly I have to advise under S10(4)(a) of the EIRs that information is not held.

In addition to the practical training given, as stated above, Rangers were also provided with the following information:

The Visitor Management Engagement and Enforcement Policy, available at: <http://www.lochlomond-trossachs.org/rr-content/uploads/2017/03/Engagement-and-Enforcement-Policy.pdf>

Camping management byelaws, available at: <http://www.lochlomond-trossachs.org/rr-content/uploads/2017/02/Camping-Management-Byelaws-2017.pdf>

Leaflet on camping in the National Park, available at: <http://www.lochlomond-trossachs.org/rr-content/uploads/2017/02/Camping-in-the-Park-web-versio;n.pdf>

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

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Yours sincerely

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

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

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Online appeal portal: www.itspublicknowledge.info/Appeal

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