



Mr Nick Kempe
nickkempe1@gmail.com
EIR Ref:2017/030

7th April 2017

Dear Mr Kempe

REQUEST UNDER ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004

I refer to your request for information, received by email on 10th March.

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

“I would be grateful if you could provide me with a description or map of all the private roads that enter into, cross, or are contained within the four camping management zones which came into force on 1st March and over which there is either a confirmed or claimed right of passage. I understand that as Access Authority the LLTNPA should hold this information but if it is easier for you to provide a map for the whole of the National Park rather than separately for the four management zones - which could require extraction of data - I would be very happy to receive information about the whole of the Park.

The Park Authority does not hold a description or map of all the private roads that enter into, cross, or are contained within the four camping management zones which came into force on 1st March and over which there is either a confirmed or claimed right of passage. Accordingly, as this information is not held by the Park Authority, the exception under Regulation 10(4)(a) of the EIRs has been applied by the Park Authority to your request. The relevant Roads Authority will maintain a list of public roads for their area. This list of public roads is open for inspection free of charge at times and places determined by the relevant Roads Authority. Private roads are any roads other than public roads and it may be that a review of this list of public roads will allow you to ascertain the information you are seeking on private roads.

I would however also like to know what information the LLTNPA holds on the total length of private roads within the four camping management zones and how much of these are used by vehicles.”

The Park Authority does not hold information on the total length of private roads within the four camping management zones, and does not hold information on how much of these are used by vehicles. Accordingly, as this information is not held by the Park Authority, the exception under Regulation 10(4)(a) of the EIRs has been applied by the Park Authority to your request. Again, the relevant Roads Authority will maintain a list of public roads for their area. This list of public

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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roads is open for inspection free of charge at times and places determined by the relevant Roads Authority. Private roads are any roads other than public roads and it may be that a review of this list of public roads will allow you to ascertain the information you are seeking on private roads.

“I would also be grateful if you could confirm to me what private roads exist in the National Park where the LLTNPA is certain that there are no public rights of passage (and therefore where campervaners could potentially be prosecuted).”

The Park Authority does not hold information about all of the private roads within the National Park, where there are no public rights of passage. Accordingly, as this information is not held by the Park Authority, the exception under Regulation 10(4)(a) of the EIRs has been applied by the Park Authority to your request. Again, the relevant Roads Authority will maintain a list of public roads for their area. This list of public roads is open for inspection free of charge at times and places determined by the relevant Roads Authority. Private roads are any roads other than public roads and it may be that a review of this list of public roads will allow you to ascertain the information you are seeking on private roads. In addition The Scottish Rights of Way & Access Society maintain a National Catalogue of Rights of Way and may be able to provide information on private roads over which there are public rights of passage which may allow you to identify private roads over which there are no public rights of passage.

“Lastly I would be grateful if you could provide me with any information that has been issued to Rangers to inform them what they are and aren't private roads and where there is, or is not, a right of passage.”

Park Authority Rangers have not been issued with information about private roads and roads where there is or is not a right of passage. Accordingly, as this information is not held by the Park Authority, the exception under Regulation 10(4)(a) of the EIRs has been applied by the Park Authority to your request.

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

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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

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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