



EIR Ref 2017/038

4<sup>th</sup> May 2017

## **REQUEST UNDER ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004**

I refer to your request for information, received by email on 5<sup>th</sup> April 2017.

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

**“Byelaw 10 provides for areas of land within the camping management zones to be exempted from the byelaws by the LLTNPA:”**

**“please provide me with a copy of the procedure/s you use to determine whether land should be exempt including any criteria the Park has in place to enable staff to make decisions.**

To date, the Park Authority has not received any applications to exempt land under byelaw 10. The procedure for determining whether land should be exempt from the byelaws is in the process of being finalised, and has therefore been withheld from release under S10(4)(d) of the EIRs, as it comprises material that is still in the course of completion. This procedure, which includes the criteria used to make such decisions, will be released to the public in due course via our website.

The public interest in the release of this information has been considered. It has been concluded that there is a greater public interest in the Park Authority completing and making available a final version of this procedure. Decisions on any applications received for an exemption under byelaw 10 will be published in the weekly planning list which can be found on our website at: <http://www.lochlomond-trossachs.org/planning/planning-applications/find-an-application/weekly-planning-lists/>

**“please provide me with a list/description of all areas of land in the new/extended camping management zones which Park staff decided to exempt from the byelaws before they came into effect on 1st March 2017 without requiring any action from landowners and the criteria by which this land was selected”**

### **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  
t: 01389 722600 f: 01389 722633 e: [info@lochlomond-trossachs.org](mailto:info@lochlomond-trossachs.org) w: [lochlomond-trossachs.org](http://lochlomond-trossachs.org)

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There were no areas of land exempted from the byelaws by the Park Authority before 1<sup>st</sup> March 2017. Accordingly I have to advise under S10(4)(a) of the EIRs that there is no information held.

**“please provide me with a list/description of all areas of land in the new/extended camping management zones where the landowners/tenant applied to the LLTNPA to have the land exempted under Byelaw 10 before 1st March 2017 and the decision in each case”**

There were no such applications received before 1st March 2017. Accordingly I have to advise under S10(4)(a) of the EIRs that there is no information held.

**“please provide me with a list/description of all areas of land in the new/extended camping management zones where exemptions under Byelaw 10 have been approved after 1st March 2017 and in each case whether this resulted from an application from a landowner/tenant or was taken on the initiative of Park staff”**

Decisions on any applications received for an exemption under byelaw 10 will be published in the weekly planning list which can be found on our website at: <http://www.lochlomond-trossachs.org/planning/planning-applications/find-an-application/weekly-planning-lists/> I can therefore advise under R6(1)(b) of the EIRs that this information is publically available and easily accessible.

The Park Authority designated existing, established campsites within Camping Management Zones as exempt from the camping prohibition under the Byelaws. The following existing campsites were therefore issued with a copy of the attached notice of exemption which was applicable from 1<sup>st</sup> March 2017:

- Luss Camping and Caravan Club
- Ardlui Holiday Park
- Glenloin House Caravan Park
- Beinglas Farm Campsite
- Milarrochy Bay Camping and Caravanning Club
- Cashel Campsite
- Sallochy Camp Site
- Gartfairn Farm
- Rowardennan Youth Hostel
- Immervoulin Caravan and camping park
- Balquhidder Braes Caravan Park
- Drummond Estates, Ardveich Bay
- Loch Earn Caravan Park
- The Cabin, Loch Lubnaig
- FCS Youth Campsite, Loch Achray

Yours sincerely

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

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## 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

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](mailto: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](http://www.itspublicknowledge.info)  
E-mail: [enquiries@itspublicknowledge.info](mailto:enquiries@itspublicknowledge.info)  
Online appeal portal: [www.itspublicknowledge.info/Appeal](http://www.itspublicknowledge.info/Appeal)

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## **Landowner authorisation application Assessment / approval process**

### **Officers will follow the process outlined below**

Applications will be acknowledged and considered within 15 working days of receipt.

Under the Scheme of Delegation for the byelaws all valid applications will be listed on the Weekly Planning List for a period of 1 week to allow Board Members opportunity to call them in. A minimum of 4 Board Members must agree to do this for the decision to be taken by them and not an Officer.

### **Applications must be valid and must meet all the criteria in below;**

#### 1. Valid Application:

- a. Completed application is submitted using official form.
- b. Application does not exceed 28 days – if it does they must have planning consent
- c. Evidence that discussions about necessary licences and consents from parties other than the Park Authority have taken place is provided (either certificates/ licences are provided are written confirmation that they are not required is provided)
- d. A site / location plan is included
- e. Minimum of 4 weeks' notice given.

#### 2. Assessment criteria:

- a. The camping activity does not impact adversely on the local community or visitor experience within the area.
- b. It meets existing demand for provision
- c. Measures are proposed to ensure responsible camping activity.
- d. No impact on designated sites e.g. SSSI, SAC etc
- e. Other necessary licences and consents have been applied for/ excluded
- f. Reasonable time requested based on site and event requirements.

### **Approved applications**

1. Notice of approval will be provided in writing to the applicant through the issuing of an exemption for the period and location applied for.
2. Any conditions applied to the exemption over and above the usual Ts and Cs will be clearly stated.
3. A copy of the Ts and Cs will be provided with the exemption.

### **Declined applications**

1. Notice will be provided in writing.
2. Reasons will be given where possible and practicable alternatives offered.

**Decisions will be communicated to applicants in writing (email and/ or hard copy).**

**All decisions will be published in the Weekly Planning List.**