



FOI Ref: 2016/024

6th October 2016

REQUEST UNDER FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

I refer to your request for information under the Freedom of Information (Scotland) Act 2002, received by email on 30th August and your subsequent clarification email of 9th September 2016. Your specific requests and the relevant information held by the Park Authority are provided below.

“Please provide me with the information you hold about charges for filming on National Park land as advertised on your website, including when this policy was adopted. Please provide me with the standard terms and conditions. I realise you will not provide me with the actual fees so please could you provide me with the range of fees that have been charged per day (upper and lower limit) since the Park decided to charge for filming.”

As explained in our clarification letter of 9th September 2016, filming agreements are negotiated on a case by case basis for filming on land owned by the Park Authority. Fees vary depending on the type of production. This is standard procedure, there is no specific policy.

The standard terms and conditions for filming agreements, the detail of which is agreed on a case by case basis, cover the following topics:

- Preamble
- Definitions and Interpretation
- Location
- Extension of Permission
- Termination
- The Production Company
- Indemnity
- Confidentiality
- Data Protection, Freedom of Information and Records Management
- Dispute Resolution
- Notices
- Waiver
- Assignment
- Directors of the Production Company
- Compliance with legislation
- Variation
- Severability
- Force Majeure
- Entire Agreement

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 w: lochlomond-trossachs.org

Printed on paper sourced from certified sustainable forests

Page 1 of 3

- Costs
- Binding Nature of Agreement
- Counterparts
- Governing Law

In the last ten years, the highest fee paid for filming in the National Park was £3,500 and the lowest fee paid was £50.

“Please also provide me a list of what organisations and how many individuals have been charged to date plus the total income raised. I am requesting the information since the date the decision was made to charge for filming or 3 years whichever is shorter.”

Individuals have not been charged to date for filming in the National Park. The names of the organisations that have been charged for filming in the National Park have been withheld from release as this information is considered to be commercially sensitive and therefore exempt from release under S33(1)(b) of FOISA.

Consideration has been given to the public interest in the release of this information. The organisations who come to film in the National Park are generally commercial private businesses who operate in an extremely competitive environment. The release of this information is likely to substantially prejudice the commercial interests of these organisations who may not have published or released the footage filmed in the Park and are subject to specific contractual clauses with their clients.

The publication of this information may provide a competitive advantage to other organisations who may choose to seek filming agreements in the National Park and undermine the creative and financial interests of the organisations who have recently filmed in the Park. It has therefore been concluded that the public interest in the release of this information is outweighed by the greater public interest in protecting the commercial interests of organisations who have paid fees to the Park Authority for filming.

Yours sincerely

Information Officer
info@lochlomond-trossachs.org

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 the Director of Corporate Services:

Jaki Carnegie

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 w: lochlomond-trossachs.org

Printed on paper sourced from certified sustainable forests

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

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 w: lochlomond-trossachs.org
Printed on paper sourced from certified sustainable forests