



EIR Ref: 2018/028

22<sup>nd</sup> October 2018

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

We refer to your email of 25<sup>th</sup> September 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:

*"1) Have any current or recently retired LLTNPA Board Members been involved in the selection of the Keltie Water hydro scheme for a quality award in planning or visited the scheme in their Board Member role? If so, please provide all information you hold on this."*

No current or recently retired LLTNPA Board Members have been involved in the selection of the Keltie Water hydro scheme for a quality award in planning. Accordingly we have to advise under Regulation 10(4)(a) of the EIRs that there is no information held.

*or visited the scheme in their Board Member role?*

No current or recently retired LLTNPA Board Members have visited the scheme in their Board Member role. Accordingly we have to advise under Regulation 10(4)(a) of the EIRs that there is no information held.

### **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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*“2) Which members of the senior management team, if any, have visited the Keltie Water scheme? Please provide all information you hold on this.”*

The Director of Rural Development & Planning visited the site on 21st July 2017. No other member of the senior management team has visited the Keltie Water scheme.

*“3) What communication has taken place between the LLTNPA and Drummond Estates/Campbell of Doune about the Keltie Water hydro scheme since an application was first approved in 2016? Please provide all correspondence, notes of telephone conversations and meetings and any other information the LLTNPA holds.”*

We require clarification of this part of your request. It is unclear what information is being sought, and what the time period required to search for information is. We have a duty under S9(1) of the Regulations to provide advice and assistance to you, and can advise that planning permission for the Keltie Water hydro was first granted on 24<sup>th</sup> December 2013, planning reference 2013/0225/DET.

A subsequent amendment to this application was granted on 7<sup>th</sup> October 2014, planning reference 2014/0196/DET.

The decision notices for both planning cases can be accessed on our online planning portal: <https://eplanning.lochlomond-trossachs.org/OnlinePlanning/?agree=0>

Until we receive clarification the Authority will consider this part of your request to be suspended. The 20 working days to respond will commence when we receive your clarification. If you do not provide clarification within one month from the date of this letter then we will consider your request to be withdrawn.

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.

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- 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](mailto: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](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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