



EIR Ref: 2017/014

3rd March 2017

REQUEST UNDER ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004

I refer to your request for information, received by email on 3rd February 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.

“Could you please provide the detailed risk assessment & "Health and safety considerations" (full copy that has been carried out) in a standard matrix format, for the launching of power driven craft at Milarrochy Bay public slipway.”

“The date this risk assessment took place and the operational capacity of those who carried it out.”

An assessment of the site at Milarrochy was undertaken in 2016 by the Ranger Service Manager, as part of a review of the site and staffing at this location. Advice was sought from our Health and Safety Adviser. Details have been put on our website at:

<http://www.lochlomond-trossachs.org/rr-content/uploads/2016/07/March-Health-and-Safety-advice.pdf>

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

“In addition to the risk assessment I would the following information”

“Detailed Health & Safety considerations regarding a perceived higher risk for power driven craft versus non power driven craft.”

There is no separate risk assessment for the launching of non-powered craft. I therefore have to advise under S10(4)(a) of the EIRs that this information is not held.

The decision was taken in 2016 to staff the site only at the weekend, however, continuing to allow vehicular access to the beach to facilitate launching without staff supervision has been identified as an unacceptable health and safety risk, leading to increased levels of conflict between recreational users. It is anticipated that this will not prevent the launching of non-powered craft such as canoes or paddle boards.

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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“Details of recorded incidents/accidents in the past involving both power driven and non power driven vessels in which actual harm or injury has affected a member of the public”

The Ranger team based at the Duncan Mills Memorial Slipway maintain an operational log of incidents involving power driven and non-power driven vessels on the Loch. This log does not record detailed information regarding actual harm or injury. The Ranger team work closely with the emergency services and undertake regular patrols on the loch to monitor activity and provide assistance to the public. Accordingly I have to advise under S10(4)(a) of the EIRs that this information is not held.

- Details of the numbers of occurrences where land based rangers have been requested to assist the launch/recovery of both power driven and non power driven vessels by the vessel operator.

The Park Authority does not record every request received from boat owners to assist with the launch or recovery of their vessels. Rangers provided assistance on request as part of their role in handling the overall management of the slipway site. Accordingly I have to advise under S10(4)(a) of the EIRs that this information is not held.

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

address your review request to:

Governance & Legal Team
Loch Lomond & The Trossachs National Park Authority
National Park Headquarters
Carrochan
Carrochan Road
Balloch
G83 8EG

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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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