



EIR Ref: 2018/034

17<sup>th</sup> December 2018

## REQUEST UNDER ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004

We refer to your email of 11<sup>th</sup> November 2018 and clarification of 25<sup>th</sup> November 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:

*"a) The number of NON-FORESTRY and NON-HYDRO (ie not part of an approved hydro development) new tracks or track extensions created or approved in the Loch Lomond and Trossachs National Park since the introduction of the Prior Notification Systems in 2014"*

The number of these tracks is 23.

*"b) Identifying information for each such track including location, the landowner/estate/farm where it was created or approved, the length of such tracks "*

The relevant information can be found via our online planning portal. A list of the planning reference numbers for each case is attached in [Appendix A](#). We can therefore advise under R6(1)(b) of the EIRs that this information is already publically available and accessible.

*"c) Which of these tracks were constructed PRIOR to any Prior Notification or Planning Application being received "*

None.

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)

Printed on paper sourced from certified sustainable forests

Page 1 of 3

*“d) For each such track the Loch Lomond and Trossachs National Park Authority's assessment of whether they should have fallen within the Prior Notification system (ie were agricultural ) or required full planning permission”*

N/A, see answer to Q3 above.

*“e) Information on what has happened since (eg retrospective planning permission applied for and granted)”*

N/A, see answer to Q3 above.

*“f) Any information held on track quality, specifically width of these tracks and whether they have vegetative strip down the centre”*

All information held can be found in the delegated report and approved plans, available on the planning portal using the planning references provided in Appendix A. We can therefore advise under R6(1)(b) of the EIRs that this information is already publically available and easily accessible.

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.
- 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:

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

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)

**EIR 2018/034 Appendix A Planning file references**

1	2015/0069/DET
2	2015/0148/DET
3	2014/0303/DET
4	2015/0146/NOT
5	2015/0186/NOT
6	2015/0083/DET
7	2015/0107/DET
8	2015/0109/DET
9	2015/0244/DET
10	2015/0416/DET
11	2015/0419/DET
12	2015/0420/DET
13	2015/0422/DET
14	2015/0424/DET
15	2017/0386/DET
16	2017/0388/DET
17	2016/0305/DET
18	2017/0138/DET
19	2017/0187/DET
20	2017/0188/DET
21	2017/0287/DET
22	2016/0119/DET
23	2017/0366/DET