



EIR Ref: 2016/022

20th June 2016

REQUEST UNDER ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004

Thank you for your request for information, received by email on 9th June 2016.

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.

Information in relation to all applications publicised by your Authority under the provisions of Regulation 20 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 and its subsequent amendment The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

The information I am requesting in relation to these applications is:-

- **Application reference number**
- **Site address**
- **Description of proposed works**
- **Applicant name and address**
- **Agent name, address, e-mail address and telephone number**
- **Date application valid**
- **Date application was publicised**
- **Name of publication**
- **Scottish Government development type number**

The Park Authority publishes a weekly planning list, accessible on our website at:

<http://www.lochlomond-trossachs.org/planning/planning-lists/menu-id-183.html>

This list contains information about planning applications where there is a specific statutory notification element. All planning applications being processed by the Park Authority are accessible via our online planning portal which can be accessed on the same page. Where there is a requirement to place an advertisement, this information is included. Accordingly I have 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

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Page 1 of 4

advise you under S6(1)(b) of the Environmental Information (Scotland) Regulations 2004 that this information is already publically available and easily accessible via our website.

Application fee charged

A fee is charged for most planning applications. These fees are set by Scottish Government and help to cover the costs associated with processing an application. The fee depends on the type and scale of the proposed development. Further details can be found on the Park Authority website at:

<http://www.lochlomond-trossachs.org/planning/planning-fees/menu-id-185.html>

With regards to the placing of advertisements under the provisions of the relevant regulations I would also be grateful if you would confirm the following:-

Do you deal with the relevant newspaper directly or do you use an agent to do this in your behalf?

The Park Authority uses an agent who acts on our behalf.

If you use an agent, can you also confirm who they are and when any current contract you have with them expires?

The agent used by the Park Authority is TMP, who is appointed via a Scottish Government Contract, details on this process can be found at:

<http://www.gov.scot/Topics/Government/Procurement/directory/marketing/services/recruitment/advertisingandpublicinfonotice>

Do they charge you a fixed yearly fee or charge per advertisement placed?

A fee per advertisement is charged, which will depend on the size of the advertisement and the publication where the advertisement is to be placed. Details of the fees charged by the agent are exempt from release under S10(5)(e) of the Environmental Information (Scotland) Regulations 2004 (EIRs), as the information is considered to be commercially sensitive.

The Park Authority has considered whether there is a greater public interest in the disclosure of the information, which would take precedence over the application of the exception. It is acknowledged that there may be a public interest in knowing more about costs incurred by the Park Authority in placing advertisements in relation to planning applications.

However, this contract has only recently been awarded, and it is considered that the release of specific details of the current fees charged by the agent may give an advantage to other third parties, and affect the chances of TMP in winning future contracts for similar work in what is a competitive market.

It is therefore concluded that the public interest in disclosure of the information is outweighed by the likelihood that its disclosure would substantially prejudice the commercial interests of the agent currently acting on behalf of the Park Authority.

I would also be grateful if you would confirm the following in relation to the electronic handling of Planning Applications by your Authority:-

What records management system do you currently use to record and process Planning Applications?

IDOX EDRMS

Who is your current supplier for these systems?

IDOX Software Ltd

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When do your current contracts with these suppliers expire?

31/03/2017

Are you charged maintenance fees for the systems?

Yes

Yours sincerely

Information Officer

info@lochlomond-trossachs.org

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 University 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 the Governance & Legal Services Manager:

Amanda Aikman
Loch Lomond & The Trossachs National Park Authority
National Park Headquarters
Carrochan
Carrochan Road
Balloch
G83 8EG
E-mail: 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.

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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

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