



EIR REVIEW Ref: 2017-045

12th July 2017

REQUEST FOR REVIEW OF DECISION UNDER ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004 (the “Regulations”)

Loch Lomond & The Trossachs National Park Authority received your request for review on 20th June 2017 relating to your request for information about the purchase of container toilet blocks made on 31st May 2017.

Basis of Request for Review

- “1. I would ask that you explain why you have chosen to respond to my request under an EIR**
- 2. To reissue the response as a Freedom of Information Request.”**

It is noted that the basis for review relates only to the decision by the Park Authority to handle the original request under the Environment Information (Scotland) Regulations 2004 instead of the Freedom of Information (Scotland) Act 2002.

Decision

I would like to explain that although you made your request under the Freedom of Information (Scotland) Act 2002, the Park Authority took the decision to deal with your request under the Environmental Information (Scotland) Regulations 2004. The Scottish Information Commissioner has made it clear in various decisions that the application of the Regulations is to be interpreted widely and that requests for environmental information should be dealt with under the Regulations. This wide interpretation can include information related to the Camping Development Strategy as in this case. The Park Authority was therefore following guidance from the Scottish Information Commissioner in deciding how to handle your request.

Therefore I uphold the original decision to handle your information request in the way it was handled and I confirm that the application of the legislation and relevant exemption was correct. The response will not be reissued as the application of different legislation had no effect on the information supplied.

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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Review Procedure

If you are not satisfied with this decision you are entitled to appeal to the Scottish Information Commissioner. Please note that in order for an appeal to take place you must lodge your appeal within six months of the date of receipt of this letter.

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

Yours sincerely,

Governance and Legal Team
Loch Lomond & The Trossachs National Park Authority
E-mail: info@lochlomond-trossachs.org

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