



FOI REVIEW Ref: 2017-008

26th June 2017

REQUEST FOR REVIEW OF DECISION UNDER FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

Loch Lomond & The Trossachs National Park Authority received your request for review on 31st May 2017 relating to your request for information with the reference of FOI 2017/008 made on 25th April 2017.

You asked for a review as you believe that the Park Authority should have released the Crime Report Number and further details to you.

Basis of Request for Review

Your original request asked for various details around vandalism to the water supply at Loch Chon.

“Can yo please provide details of the incident, the damage and if any one was apprehended together with the police report and the crime report number”

The Park Authority responded to say that some email correspondence on this matter was held which was considered to be exempt from release under S 35(1)(a) of the Freedom of Information (Scotland) Act 2002, as this information relates to a live police investigation. It was therefore considered that the disclosure of this information would, or would be likely to prejudice substantially the detection of crime; in this case it would prejudice the work of Police Scotland in establishing the secure prosecution of people suspected of being responsible for committing a crime.

The public interest in the release of this information was considered and it was concluded that there was a greater public interest in achieving a successful prosecution for this offence, which has caused the disruption to the provision of a water supply put in place by the Park Authority for the specific benefit of visitors to Loch Chon.

The Park Authority response also stated that it did not have a police report, crime report number, or information about arrests in connection with this case and you were advised under S17 of the Freedom of Information (Scotland) Act 2002, that this information was not held.

LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY

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Your review request asks for the crime report number for the incident and queries the public interest in withholding further details.

Decision

The original request and the exemptions applied as well as the public interest in releasing the information have been considered. Confirmation was sought and given that the crime report number was not held by the Park Authority at the time of your request.

Therefore the decision to apply the exemption under S17 of the Freedom of Information (Scotland) Act 2002 was correct. Since our response to your original request, the Park Authority has now established that the crime report number is CF0052810417; this is being provided to you by way of advice and assistance. The decision to apply the exemption under S35(1)(a) of the Freedom of Information (Scotland) Act 2002 after consideration of the public interest is upheld for the information which relates to a live police investigation.

Review Procedure

If you are dissatisfied 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 that appeal within six months of the date of receipt of this letter. For more information about lodging an appeal please visit www.itspublicknowledge.info/YourRights/AppealingtoCommissioner.asp or contact the Scottish Information Commissioner:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews, Fife
KY16 9DS

Telephone: 01334 464610

Fax: 01334 464611

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

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