

EIR Ref:2016/030

17th August 2016

REQUEST UNDER ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004

I refer to your request for information, received by email on 19th July 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.

1a. "I have taken the liberty of copying a section of your OS licensed map back to you showing a number of queries regarding the extent of the management zone in Strathard."

1b. "The basic statement that the management area extends for 200m either side of the road is easy to follow but the map shows a number of discrepancies to that qualifier."

The statement "the management area extends for 200m either side of the road" only applies to certain areas of the management zones. The section of our map that you sent in with this request does not show any areas where this statement applies.

A copy of the lineage element of the metadata that accompanies the GIS version of the boundary file is provided below, which explains the methods used to define the boundaries on the map.

- An initial assessment of where management zones were required was undertaken in 2014. These areas were captured using Ordnance Survey 1:25,000 scale colour raster.
- Further work was done to refine the zones before the public consultation on the byelaw proposals, which took place in January 2015.
- The management zones were adjusted to take into account the public consultation responses in 2015.
- The final proposed management zones were submitted to Scottish Ministers in May 2015.
- The byelaws were confirmed in January 2016, with no changes to the final proposed

LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY

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management zones, which then became the final version.

The management zone boundaries were captured using the map data as follows:

- Where possible the boundary was matched to the nearest physical feature that could be identified on the ground and on the map.
- Where this was not possible, without substantially changing the area of the proposed zone, the boundary was captured relative to physical features that could be identified on the ground and on the map, either as a line connecting two identified features or by offsetting the line at a known distance from an identified feature.
- The offset distance used was generally 200m and in some places, a smaller offset of 50m was used.
- The offsets were created using Ordnance Survey VectorMap District Vector data (nominal scale 1:25,000).

In one area a slightly different method was adopted, where the zone encompassed the current East Loch Lomond Camping Byelaws (2011) (ELL) area. This area conformed to the Buchanan extension of the Stirling Council Consumption of Alcohol in a Public Place byelaw (SC) area, which was defined by the council using Ordnance Survey MasterMap (OSMM) data.

- Where the common boundary followed a feature from the OSMM data that was identifiable on the map, it was matched to that feature.
- In some open locations, where there was no common feature identifiable between the map and the ELL boundary, the original OSMM line was maintained, and the boundary remains as defined by the ELL and SC byelaws.

In one other area, a small section of the management zone boundary at the west end of Loch Arklet was moved slightly north so that it encompassed the route of the Great Trossachs Path. This path line was not visible on the map and the line used was derived from a more recent, larger scale map background.

2. “Starting with an area not shown on the map at the extreme north west of Loch Arklett where the management zone tapers down to the width of the road - What is the explanation for this.”

The rest of the questions relate to the attached map

3. “The width of the management at the red arrows marked A is narrower than the other zones elsewhere, why is that?”

4. “The width of the management zone across the line B to B' is wider than anywhere else what is the explanation for that.”

In response to your questions 1-3 above, full details of the mapping for the management zone boundaries have been provided above in response to your initial question.

5. “What is the criteria and explanation for the area at B' being included in the management zone?”

The criteria used to create the management zones is explained in the Your Park Consultation Document October 2014, page 28 see our website at: <http://www.thisisyourpark.org.uk/> This is further supplemented by responses to our 12 week public consultation held in October 2014.

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Area B takes in the land between the forest road and the water's edge in an area where issues have been experienced that are detrimental to the environment and other people's enjoyment of the National Park.

6. "Does the line between C and C' indicates a stretch of management zone on this portion of shore, if it is a management area how wide is it? And why is it so narrow?"

This part of the management zone varies from 13m to 27m as measured against Ordnance Survey 1:25,000 raster data. The zone width varies in relation to the distance of the track edge from the loch shore. Full details of the mapping for the management zone boundaries have been provided above.

7. "The owner of Leadard Farm indicated he was unhappy with the mess left on the path up to the hills behind his property, I have never experienced any litter or other damage and I visit these hills biannually. When I hear statements like these which do not reflect the situation on the ground I worry about other agendas, We as hill walkers rely on free parking spaces which will soon be in your management zone. I'm looking for re-assurance that Loch Lomond and Trossachs National Park will respect that and not limit access as they have done on the East Loch Lomond Shore and applied parking fees at every opportunity."

Parking fees are in place at two Forestry Commission Scotland (FCS) managed sites on East Loch Lomond, Salloch and Rowardennan. The introduction of parking charges by FCS in April 2012 was part of a Scotland wide introduction. Should you wish further information, you could contact them directly, contact details can be found on their website at: <http://scotland.forestry.gov.uk/>

8. "Do you intend to charge for parking in laybys that are currently free?"

The Park Authority does not own or manage any laybys and therefore has no powers to introduce charges for layby parking. Laybys are managed by the relevant roads authority, which is either the local council or Transport Scotland, and are designated areas forming part of the public road infrastructure.

"Gordon Watson stated out of context and emphasised that a clearway is proposed for safety reasons and was not being used to restrict access. This has not been the case at East Loch Lomond where access has been severely restricted."

9. "Can you provide details of the clearway location?"

The Park Authority does not hold information about clearways, which are managed by Transport Scotland and the relevant local authority. Accordingly I have to advise under S10(4)(a) of the EIRs that this information is not held.

10. "Can you also confirm that other works such as barbed wire fences or other measures will not be put in place to restrict access to the loch shores for pedestrian or cyclist day visitors."

The Park Authority will not be restricting access to lochshores for pedestrians and cyclists in accordance with their rights under the Land Reform (Scotland) Act.

11. "Can you confirm that existing lay-bys and parking will not be removed so current access levels will be maintained?"

As explained above, laybys are not within the remit of the Park Authority. There are no plans to remove parking in any places owned or managed by the Park Authority.

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12. "And lastly I have read many statements that the clearway is only being put in place for safety reasons can you provide me with a link to the evidence that clearways increase safety and are just not a tools to restrict access?"

As explained above, clearways are not within the remit of the Park Authority. Accordingly I have to advise under S10(4)(a) of the EIRs that this information is not held.

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.

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:

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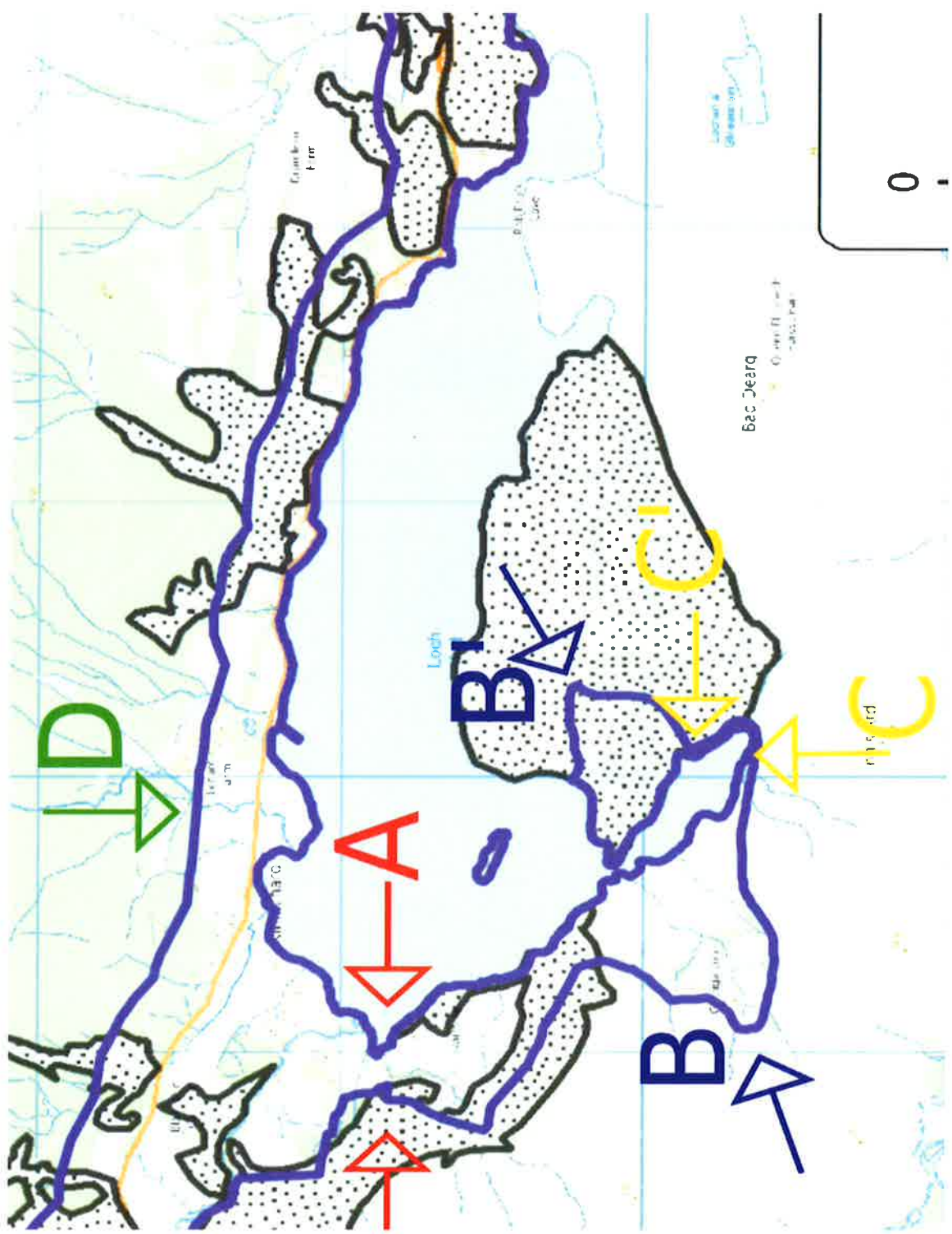
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