



Loch Lomond & The Trossachs National Park Authority  
Carrochan  
Carrochan Road  
Balloch  
G83 8EG

EIR 2022/007  
22<sup>nd</sup> March 2022

## **REQUEST UNDER FREEDOM OF INFORMATION (SCOTLAND) ACT 2002**

We refer to your request for information, received by email on 22<sup>nd</sup> February 2022. The information you have requested is environmental information, as defined in Regulation 2 of the Environmental Information (Scotland) Regulations 2004 (EIRs). 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 Park Authority's response are provided below.

**“Forestry Track - Land East of Ardchullarie Burn Planning Reference 2019\_0247\_NOT In April last year you responded to EIR 2021-003 to state that you had not yet received a copy of a monitoring report for the above development but expected one imminently. If you have received it, it is not on the planning portal.**

**My first information request therefore is for ALL monitoring reports that have been submitted to the LLTNPA to date in respect of the above development.”**

There have been three monitoring updates submitted to the National Park Authority in relation to this development, see attached Appendices A and B. Some personal data has been removed, specifically the personal details of third parties.

This information has been withheld under Regulation 11(2) of the EIR's. Because this information constitutes the personal data of third parties, as a data controller, we must process it in accordance with data protection law. This legal duty is recognised in Regulation 11(2), read together with Regulation 11(3a)(a), which provides that information which is third party personal data and in respect of which disclosure would be likely to breach one or more of the Data Protection Principles, is absolutely exempt from the duty to make it available under Regulation 5(1).

**“The planning application also required the developer to produce a restoration plan and agree that with the LLTNPA - restoration work was meant to start in February but when I visited a week ago there was no evidence for this.**

**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)

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**Please could you confirm therefore whether the LLTNPA has received a restoration plan, whether it has been agreed and if so provide me a copy under Freedom of Information laws (my second information request)”**

The National Park Authority has not received a restoration plan. Accordingly we have to advise under Regulation 10(4)(a) of the EIRs that this information is not held. Notwithstanding, by way of additional information, we can advise that the forestry manager for the site has confirmed that to date 65% of timber has been removed. The intention is to recommence extraction in April with a summer completion. Restoration works will thereafter commence as required. The manager has been reminded of the obligation to have a restoration plan submitted and agreed in advance.

**“My third information request is for the dates of any site visits by LLTNPA staff to view/monitor the track and any correspondence sent to the applicant/developer as a consequence of those visits.”**

There have been no site visits made since the planning decision was issued, and therefore no correspondence sent to the applicant/developer. Accordingly we have to advise under Regulation 10(4)(a) of the EIRs that this information is not held.

Yours sincerely

**Information Management  
Loch Lomond and 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:

Information Manager  
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)

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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)