



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

EIR 2022/006
22nd March 2022

REQUEST UNDER FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

We refer to your requests for information, received in two emails on 22nd 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.

“Under FOI please can you tell me how often the LLTNP’s monitoring officer has visited the development site on the Loch Lomond NNR since construction began?”

A construction start date of 10th January 2022 for this development was confirmed in writing to the National Park Authority on 1st December 2021. The Park Authority Monitoring Officer made a site visit on 22nd February. A further site visit was made by the Development Manager and Development Management Planner on 25th February 2022.

An earlier planned start date of 29 September 2021 (indicated by submission of a Notice of Initiation on 8 September 2021) was postponed. A site visit was undertaken on 12th November 2021 by the Monitoring Officer, several Park Authority colleagues, and the agent for the development. This led to a non-material variation application to adjust the alignment of some minor sections of the route within the woodland and resolve some other matters prior to construction commencing. This resulted in the revised January start date.

“I have seen two of your monitoring officers down on the Shore Path. I look forward to also seeing their report through FOI.”

This request refers to a site visit made by the Park Authority Monitoring Officer on 22nd February 2022. Due to concerns raised by a member of your family about where a Park Authority vehicle had been parked, the monitoring visit was terminated and there was no site visit report recorded. Accordingly we have to advise under Regulation 10(4)(a) of the EIRs that this information is not held.

“Conditions are atrocious. The Terram product laid under the quarried material is a

LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY

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waste of time, ripped to sheds and sunken into the mud. The burn down to the Loch is a milky colour with the run off, no filters along the way. Tonnes and tonnes of material are being imported to combat the bog through which the path runs. Tree roots from the magnificent Shore oaks have been cut. Ancient bluebell bulbs have been dug up and cast aside. The ancient Aber stone path that leads down to the shore is rutted and crushed, the sides eroded back with the huge vehicles.”

This description of conditions does not constitute a request for information under the legislation. However these matters have been raised with the RSPB and have also been investigated by the Development Manager and Development Management Planner, who visited the site on Friday 25th February. We can therefore provide the following information in response to your comments.

Park Authority staff visited the site on 25th February 2022 and inspected the full length of the new path from the visitor hub down to the shore path. It was observed that parts of the route remain under construction, including the northern end of the boardwalk and a section at the northern end in the woods to the southeast of the materials store before the shore wood.

This latter area of the path route was muddy with large areas of standing water. It was evident that, due to extreme rainfall in the preceding days, continuing run-off from the field had exacerbated the pooling along the route and led to some overflow, washing sediment from the path area into the wetter areas of the adjacent woodland along the flow path.

The burn originating from the overflow area was running clear at the time of the inspection. The smaller burns originating in the vicinity of the cattle pen were relatively clear although there was evidence of recent sedimentation apparent.

The RSPB advised the National Park in an email dated 22nd February 2022 that they would be installing sediment traps to avoid impacts associated with any further extreme rainfall events. During their visit on 25th February, the NPA officers met an RSPB officer who advised that they were undertaking checks on the burns (in view of reports of sedimentation) at the shore path end and stated that they would be arranging for a sediment trap to be installed at the cattle pen as soon as possible. We can confirm that the traps are now in place.

The RSPB advises that Terram is a weed suppressant which has no environmental impact. Any pieces made loose by vehicles will be removed from site following path completion. They also advise that the path remains incomplete but uses the most appropriate materials as per the approved planning permission. The photographs supplied by the requester appear to show construction access mats sunken into the standing water. The Planning Officer's understanding is that these are temporary to aid access for construction machinery on soft ground. They have no environmental impacts and will be removed post construction.

Park Authority staff did not observe any damage to tree roots other than the damage which was self-reported to us by RSPB on 26th January 2022. The RSPB's tree safety advisor advised the affected root is not a supporting root and they were not concerned that the damage would result in any long term effects on the tree in terms of safety or growth. The National Park Authority's Specialist Tree Advisor has also inspected the damage and is also of the view the damage overall is minor. We are advised this was an isolated incident and we are satisfied with the actions the RSPB are taking in response to this issue.

The RSPB have advised that bluebell bulbs have been set aside for replanting on path margins once construction is complete. The condition of the Aber core path is the subject of

condition monitoring and reinstatement/repair of any damage is to be undertaken once construction is complete.

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

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
E-mail: enquiries@itspublicknowledge.info

Online appeal portal: www.itspublicknowledge.info/Appeal

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