



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

EIR 2023-018
17th November 2023

Dear

REQUEST UNDER FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

We refer to your request for information, received by email on 21st October 2023. 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.

'When Scotgold announced the layoff of most of their workforce at the Cononish mine their statement to the AIM stated: This care and maintenance team will maintain the Company's assets and ensure compliance with statutory, regulatory and environmental reporting obligations for the immediate future.'

Please could you provide me under freedom of information laws with:

- a) "any notifications and information the LLTNPA has received about the roles and responsibilities of people in this team and"**

All information and notifications held by the National Park Authority regarding the care Scotgold care and maintenance team are in Appendix A, attached.

Some personal data has been redacted, specifically the personal details, names, emails and telephone numbers of external third parties, the names and contact details of Park Authority staff below manager grade, as well as some personal data contained within the body of emails. 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

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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of the Data Protection Principles, is absolutely exempt from the duty to make it available under Regulation 5(1).

Some additional information about the roles and responsibilities of Scotgold staff employed to work at the site have been withheld from release under Regulation 12(5)(a) and 12(5)(f)(1) as the disclosure of this information would adversely affect the safety and security of staff working at the site.

Application of public interest test

We are required to consider the public interest test when the exception in Regulation 10(5)(e) of the EIRs is applied. The 'public interest' has been described as something that is of serious concern or benefit to the public and not merely of individual interest. It has also been stated that the public interest does not mean 'of interest to the public' but 'in the interests of the public'.

It is accepted that there is a public interest in individuals being able to exercise their rights under the EIRs to enhance their understanding of the work of a public authority. It is also recognised that the work of the gold mine within the National Park has attracted public interest and media attention.

In this case, the withheld information, relates specifically to security arrangements associated with members of staff employed by Scotgold. The company have made the National Park Authority aware of recent incidents where members of the public have been found to be attempting to unlawfully access the mine at Cononish, which is not open to the public.

It has therefore been concluded that the public interest in the work of the goldmine is outweighed in this case, by the requirement to protect the staff employed to work at the goldmine, who should not be put at risk by the release of information about their roles and responsibilities at this location. A minimal amount of information has been withheld on this basis.

b)" any correspondence between the LLTNPA and the team, Scotgold and its agents about the adequacy of the arrangements which have been put in place."

Please see below points 2, 4 and 5 recorded from a meeting held on 4th October 2023 with Scotgold and the National Park Authority regarding care and maintenance arrangements. Third party names have been redacted under Regulation 11(2) of the EIR's, for the reasons as set out in the response to question 'a' above.

2. - All environmental compliance activities continuing as normal for the immediate future.
4. - XXX has provided detailed report of site visit which has provided reassurance of current C&M plan.
- 5.- on visit yesterday all looked as normal regarding environmental management and site tidiness. No immediate concerns to raise. Photo log to follow.

Yours sincerely

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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