



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

FOI Ref: 2024-018

Date: 29 May 2024

Dear

We refer to your emails on 01 May 2024 and 10 May 2024, in which you have asked us various questions. Each of your questions, along with our corresponding responses, are detailed below. Where appropriate, we have processed your requests under the Freedom of Information (Scotland) Act 2002.

Question 1

We understand that a decision was made to remove the 'Other paths and routes' dataset from "Map 4, Theme 2 (A Linked-up Place). Can you please confirm and/or copy.

Response:

We have processed this request under the Freedom of Information (Scotland) Act 2002.

'Other paths and routes' is a descriptive term that does not constitute any form of statutory designation. It is merely applied to acknowledge the existence of a route. It was agreed with the steering group for the 'Kilmarnock Local Place Plan' that this dataset would be removed from the map. This agreement was made verbally, and we do not hold any recorded information that would fall within the scope of your request.

Question 2

There does not seem to be any clear reason for certain selected roads having their OS designation of “other road, drive or track, fenced and unfenced” changed to ‘Other paths and routes’ on LLNP documents – can you please advise why UK nationally recognised OS designations are not used by LLNP and what is the criteria for the specific LLNP definitions being used on all maps created by LLNP? We consider LLNP’s definitions to be confusing for educated map users.

Response:

The term ‘other paths and routes’ is a descriptive term, used to differentiate between core paths and all other known or establishes routes. The OS term is also descriptive but only includes physical features recorded on their maps. There are many established, informal routes in the National Park and across Scotland that are used by local people but are not necessarily recorded as physical features on OS maps.

Question 3

The terminology “other path” has appeared under constraints in the LBC application by Ross Priory to automate the gates. Can you please provide the meaning (of “other path”) and significance of the “National Park Path – 50m buffer” in this context.

Response:

As with the term ‘other paths and routes’, the term ‘other path’ is simply a catch all term for an established route that is not a core path, but is used by the public, and may therefore need to be considered during a planning assessment. The ‘50m buffer’ simply alerts the planning officer that there is a path or route used by the public nearby and that the Access Team should therefore be consulted. Again, this term does not confer any statutory designation on the path or route, it simply recognises its existence. The reason a path or route needs to be considered in any development assessment is that the National Park Authority, as the statutory Access Authority under Part I of the Land Reform (Scotland) Act 2003, has a duty under section 13 of that Act to ‘assert, protect, keep open and free from obstruction or encroachment, any route, waterway or other means by which access rights may reasonably be exercised’. In any planning assessment, consideration would be given to the presence of any nearby path or route to determine if the use of the route by the public would be impacted by the development, and if so, how this impact might be ameliorated, for example by diverting the route.

Question 4

LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY

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National Park Headquarters, Carrochan, Carrochan Road, Balloch, G83 8EG Long: 4°34’24”W Lat: 56°00’12”N

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Core Path Plan – thank you for the detail on this evaluation process. The most recent Core Path Plan included a path ADD26 on the road from Gartocharn to Auchencarrich road known as “school road” – map attached. Please can you provide the scoring criteria/outcome for this road – please consider this as a Freedom of Information request from Kilmaronock Community Council.

Response:

We have processed this request under the Freedom of Information (Scotland) Act 2002.

The relevant scoring form is attached to this response.

Question 5

Safety for path users and other road users where paths are routed on active roads (public or private) is seemingly not a concern for LLNP and you “note” my comments on this important matter without conclusion – please can you advise why user Safety is not in the ten criteria used by LLNP.

Response:

Paths or routes designated as ‘core paths’ are invariably routes that are already in use by the public, and core path designation is in part a means of recognising the importance of the route to both the local community and other members of the public. Designation as a core path does not change the safety level of a route which the public is already using. School Lane forms a key link between National Cycle Route 7 and Gartocharn and was already in use by the public, in particular by cyclists, before being designated as a core path. The core paths plan review was subject to extensive rounds of public consultation, and any objections were considered through the local inquiry process. The inquiry reporter concluded that none of the objections could be upheld, and Scottish Minister therefore instructed the Authority to adopt the revised plan including the additional routes, of which School Road was one. Given the level of scrutiny that the revised plan has been exposed to, the Authority is confident that the designation of School Road as a core path is acceptable. Nevertheless, as an added measure, we approached West Dunbartonshire Council (WDC) as the Roads Authority in 2023 to request that they consider erecting their standard core path road signage on School Road to alert drivers to the presence of core path users. Although they agreed to look into to this, we note the signs have not yet been erected, and we will raise this with WDC again.

Question 6

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Since “user safety” is not in the criteria for assessing paths, are you not concerned that the criteria is not sufficient and should be amended in line with an appropriate recognised guideline or LLNP’s HSE Policy. Will this be subject of remedial criteria?

Response:

As explained above, the designation of a route that is already in use by the public is not considered inherently to alter the safety of the route. The public will continue to use the route whether or not it is designated as a core path. There is no statutorily defined review schedule, and so it is unlikely the core paths plan will be reviewed again for at least five years. At that time, the Authority may consider an amendment to the criteria, but this would only be applied to any additional routes under consideration as potential core paths.

Question 7

Please could you advise me – under FOI (if necessary) – all the contractor and project manager award details for the current work on the NP building. From a visual view progress has stopped, is there a dispute?

Response:

We have logged this request under reference FOI_2024_016.

You will receive a response no later than the 07 June 2024.

Further information

Where you are unhappy with our response to the parts of your email that we have processed under the Freedom of Information (Scotland) Act 2002, you have the right to request a review. Further information on our review process is provided in the attached pages.

Yours sincerely

**Information Management
Loch Lomond and the Trossachs National Park Authority**

Review Procedure

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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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

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