




Mr N Kempe
nickkempe1@gmail.com
Ref: COMP 2015/044

9th July 2015

Dear Mr Kempe

Minute of Park Authority Special Board Meeting dated 27th April 2015

Thank you for your letters addressed to our Convener, Linda McKay, dated 12th and 16th June 2015, regarding the above matter. In accordance with our Complaints Policy, I have investigated the issues raised by you. As each of your letters relate to the same issues, they have been logged and responded to as a single complaint.

In your letter dated 12th June 2015, you requested that two matters (Loch Lomond islands and declarations of interest) be clarified in the draft minute of 27th April 2015, prior to it being approved. You asked Linda McKay to revert to you prior to the Board meeting of 15th June 2015. Due to the timing of your letter, there was no opportunity for the Convener or Park Authority to consider the issues raised by you and to issue a response before the Board meeting 

Our Convener was provided with a copy of your letter immediately prior to the Board meeting. I understand that our Convener and Governance & Legal Manager spoke with you at the Board meeting to confirm that your letter had been received.

During item 4 at the Board meeting on 15th June, both of the issues raised in your letter were discussed.

As you refer to in your letter dated 16th June, a Board member requested that the draft minute be updated to note the comments by Gordon Watson relating to the Loch Lomond islands. Members agreed to this amendment to the draft minute. A copy of the amended minute of 27th April will be posted on our website, and we will send you a link to this in due course.

To ensure that the issues raised by you in relation to declarations of interest were considered in a public and transparent manner, during item 4 at the Board meeting, our Convener asked our Governance & Legal Manager to clarify why some additional information had been included in minute of 27th April regarding declarations of potential interest. Our Governance & Legal Manager advised Board members that after the Special Board Meeting on 27th April, the Park Authority had received a Freedom of Information (FOI) request seeking clarification about which Board members owned a property within the proposed management zones, forming part of the Your Park proposals (agenda item 3). The Governance & Legal Manager explained that the Authority had provided this information to the requester, all of which members of the public would have been able to discover from other information already in the public domain via the Register of Interests and previous minutes.

LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY

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Our Governance & Legal Manager confirmed that in the interests of transparency and clarity for members of the public, the draft minutes of the Special Board Meeting held on the 27th April were prepared to include the additional level of detail regarding the management zones which was disclosed to the requester in the FOI response, as this was all a matter of existing public record. At the meeting, the Convener noted the reasons for this information being included but proposed that the minute of the Special Board Meeting be amended to distinguish between the additional information included in the minute regarding declarations of interest and the comments made by members about their potential interests in the course of the meeting. Members approved the minute, subject to this amendment.

In relation to how we intend to record this amendment, the approved minute for the Special Board Meeting dated 27th April 2015 will record the statements made by Board members about their potential interests in the items on the agenda for that day, and the additional information which was released to you in response to your FOI request will be included in footnotes. It will therefore be clear what Members actually said when they declared potential interests, but the additional information about which properties are within the proposed management zones will also be included for information, so that members of the public are able to view these declarations in the context of statements made by the same members at previous Board meetings. As outlined above, a copy of the amended minute of 27th April will be posted on our website, and we will send you a link to this.

Finally, for the avoidance of any doubt, I wish to make clear that the Authority does not agree with the suggestion in both of your letters of complaint that Board members failed to declare an interest. A declaration was made by each of the members in question of a potential interest in the item on the agenda relating to the Your Park proposals, in the form of proprietorial interests in the National Park.

I hope that this clarifies the position in relation to the issues referred to in your letters dated 12th and 16th June 2015.

Please note that following recent guidance from the Scottish Public Services Ombudsman (SPSO), this complaint has been handled as a Stage 2 investigation. This means that there will be no review of the investigation of your complaint. This letter represents the completion of our investigation by the Park Authority of the issues you have raised. If you are dissatisfied with this response, you may ask the SPSO to review your complaint as outlined below.

Yours sincerely

Jaki Carnegie
Director of Corporate Services
Loch Lomond & The Trossachs National Park Authority
Direct: 01389 722600
www.lochlomond-trossachs.org

Complaint Review Procedure

The Scottish Public Services Ombudsman (SPSO) is the final stage for complaints about public services in Scotland. If you remain dissatisfied, you can ask the SPSO to look at your complaint. The SPSO cannot normally look at complaints:

- **where you have not gone all the way through the Park Authority's complaints handling procedure**
- **more than 12 months after you became aware of the matter you want to complain about, or**
- **that have been or are being considered in court.**

The SPSO's contact details are:

SPSO
4 Melville Street
Edinburgh
EH3 7NS

SPSO
Freepost EH641
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EH3 0BR

Freephone: 0800 377 7330
Online: www.spsso.org.uk/contact-us
Website: www.spsso.org.uk

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