

## The Owen McKee Hearing by the Standards Commission

### Description

The Standards Commission has arranged a hearing for Owen McKee, the former Board Member of Loch Lomond and Trossachs National Park's Authority who failed to declare he was trading in shares in the Cononish Goldmine, at 11.00 am on Tuesday 12th April at the the LLTNPA HQ, Carrochan, Balloch. I also understand that the Commissioner for Ethical Standards in Public Life will publish his findings into three other complaints I made on the same day. The Hearings are open to the public and I hope that anyone with the time and an interest in the standards of those who are appointed to our Public Authorities will consider attending.

The Owen McKee case became public as a result of an FOI request [Letter Gordon Watson 150623](#) and was covered in the Sunday Herald by Rob Edwards in August 2015 <http://www.robedwards.com/2015/08/national-park-under-fire-for-cover-up-of-shares-in-200m-gold-mine.html> and led to Mr McKee's resignation from the Board. Owen McKee was the former convener of planning on the LLTNPA Board who, after granting planning permission for the Cononish Goldmine started to buy shares in Scotland Ltd, the owners of the mine. He never declared this as an interest, as he should have done, but sometime in October 2014 Board staff became aware of his shareholding and he decided to register his interest. This was discussed at the (secret) Board Business Session on 8th December, as a result of which Owen McKee decided to sell his shares immediately so he did not have to declare them at that afternoon's Board Meeting. He found out afterwards the sale had not gone through and resigned as convener of the Park Board because he had not declared his interest at the Board Meeting. Months later he resigned from the Park Board as a result of the media coverage.

While I am pleased the Commissioner for Ethical Standards and Standards Commission have decided there is a case to answer, in my view the far bigger concern than anything Owen McKee did, and a matter of great public interest, is how the LLTNPA Board responded to what happened. You can judge for yourself by reading the documents released by the Park under FOI which can be found at the end of this post. The key ones are marked with \* and are also on the Rob Edwards link above. I was so concerned I submitted a complaint to the Commissioner for Ethical Standards in Public Life not just about Owen McKee, which has resulted in the Hearing next week, but other members of the Board. The Commissioner for Ethical Standards' report into those other complaints, which I have not seen, should be published on the day of the Hearing. I hope that that will show that the Commissioner was also concerned about these complaints but that he was limited as to what he could do under the Code of Conduct for Standards in Public Life. Whatever the case – and I will cover this further when the findings are published – I believe there needs to be a clear legal duty on Board Members to report breaches of the Code of Conduct by their colleagues. After all, if teachers and other professionals can be held to account for failing to report *concerns or suspicions* about children, surely those in power such as Board Members or Councillors, should be held to account for not reporting *facts* about their

colleagues?

The last report due to be published next week is the findings of the Commissioner for Ethical Standards in Public Life into the failure of three Board Members to declare that their properties were located in one of the proposed camping management zone which led to the subsequent fiddling of the Board Minutes. I gave some of the background in a recent post <https://parkswatchscotland.co.uk/2016/03/23/misuse-legal-advice-lltnpa-reduce-openness/>

I received a copy of this report almost six months ago and have respected the Commissioner's request that it should be treated as confidential till published. I am not clear why the Commissioner decided to delay publication of the findings until the Owen McKee case was finished, but the extra time has allowed me to make a number of representations about the factual accuracy of the report, one of which has led to the report being amended, and to provide further evidence to the Commissioner about why in my view there was an interest that should have been declared. Once the Report is public I will publish that evidence on Parkswatch so people can judge for themselves and also be commenting on certain unanswered questions that are outside the scope of the Commissioner but which I believe the new Scottish Government will need to address.

I will not comment further on the morality or otherwise of this now because I do not want to prejudice the Hearing in any way.

[1 – Declaration of Interest](#)

[2 – Vice Convenor and Chair of Planning Posts](#)

[3 – CEO Selection Panel](#)

[4 – Follow up to Board Meeting of 8th December \\*](#)

[5 – Letter of Resignation](#)

[6 – Fw Follow up to Board Meeting of 8th Dec](#)

[7 – Update \\*](#)

[7a – FW Update](#)

[7b – FW Update](#)

[7c – FW Update](#)

[8 – Report of the Review into the Cononish Goldmine Shareholding\\*](#)

[9 – Review 9a – FW Review\\*](#)

[10 – Members Code of Conduct](#)

[11 – 20141203 Convener Briefing Note – Financial Interests](#)

[11 a – Convener Briefing Note Financial Interests\\*](#)

### **Category**

1. Loch Lomond and Trossachs

### **Tags**

1. complaints
2. Freedom of Information
3. Governance
4. LLTNPA

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