

The governance of Loch Lomond and Trossachs National Park

Description

Herald readers will be aware that there has been an ongoing correspondence in that paper about the performance of the Scottish Government and there was an interesting letter yesterday which claimed there was NO evidence of poor governance under the SNP. I was tempted to write and offer what has been going on at Loch Lomond and Trossachs National Park as a clear example to the contrary: manipulation of the Your Park consultation responses to make it look more people/organisations supported the byelaws than was the case; misrepresentation of Police Scotland statistics on anti-social behaviour ([see here](#)); the secret report into the share trading by former Board Member Owen McKee ([see here](#)); falsification of Board Minutes and failure to explain who was responsible for this [letter-linda-mckay-151215](#); failure to follow their own complaints procedure; decisions being taken by secret Board Briefing sessions; the list could go on (see below).

By coincidence the LLTNPA Audit Committee, which is responsible for the governance of the Park Authority, met today – so what does it tell us about how the LLTNPA is responding to this catalogue of failings?

First, a positive – in the minute of the meeting under Final Accounts the following appears: “Standards Commission complaint statement regarding Owen McKee’s resignation added as a footnote to page 1”. Parkswatchscotland had pointed out that it was quite extraordinary that the draft accounts of the LLTNPA, which include a section on governance, contained nothing on the Owen McKee case, the Board Member and convener of Planning who had traded in Scotgold shares after granting planning permission to the Cononish goldmine. Mind you, a footnote hardly gives this the prominence this deserves and as I have highlighted in previous posts there are still a number of questions that have not been answered. The Audit Committee has NEVER considered these or anything else from the Owen McKee case.

The first main paper is an [audit plan](#) for the next three years. For this year it includes Attendance Management, ICT General Review, Business Continuity /Resilience, Employee Licences / Vehicle Checks, Health and Safety, Control Risk Self-Assessment of General Financial areas. All very worthy stuff I am sure but they don’t touch on any of the main governance affecting this National Park. I set out a list of serious issues I had identified for Audit Scotland in a letter last December [letter-to-kevin-boyle151221](#) after failing to get any response to my letter to the then Ministers responsible for the National Park [letter-to-ministers-110121-governance-lltnp-and-proposed-by-laws](#). Audit Scotland told me it was not their role to investigate these complaints (nor would it seem is it anyone else’s as the Scottish Public Ombudsman will not look at general failures in governance) but they would consider them for future audits. There is no sign of any of the issues I highlighted in the three year audit plan: secret operation of the Board, lack of information about who has authority to take decisions (the 5 Lochs Visitor Management Plan now appears to have been abandoned), failure of the Park to follow its complaints procedures, collection and analysis of data and project management. The only things I can see that might be of interest to the public are two audits scheduled for next year, one on Freedom

of Information (its a year too late given the LLTNPA have just removed so much public information from their website) and another on Fixed Penalty Notices – that's the fines the Park have introduced for littering.

The final item was the annual report of the Audit Committee to the Board – this one covering March 2015-June 2016 ie 15 months. This presents a rosy picture of the operations of the LLTNPA:

The Authority's accounts for 2014/15 and 2015/16 received a clear, unqualified external auditor's report and opinion from Audit Scotland, our external auditors.

It is reassuring to see that only a small number of low priority recommendations have been raised by the internal auditors over the course of the period

There is a simple explanation for these conclusions. The Audit Committee, internal auditors and external auditors have simply failed to look at any of the issues that mattered. I call that a fundamental failure in governance.

Its interesting to note that the Annual Report shows there was a Board level "workshop" in June 2016 looking at risk management. This almost certainly considered the chances of the camping byelaws failing as this was identified on the Park risk register as the biggest single risk the Park faces over the next year. Looking at the number of campervans stopping along the main roads through the National Park this summer I would say the camping byelaws are unenforceable and will collapse whether or not there is a mass campaign of civil disobedience.

The other big risk to the Park is its failure to deliver enough camping places and I suspect this explains why the Board meeting scheduled for September has now been postponed until October. The Park clearly does not want the public to know about how its plans to develop new campsites and introduce a camping permit system are going. There are now only four meetings of the Board each year and a Park Authority that keeps shifting the dates of those meetings, when we know that secret Board Briefing sessions take place on a monthly basis, is again breaching basic principles of good governance.

Category

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Tags

1. Camping bye laws
2. complaints
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Author
nickkempe

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