

## Freedom of speech, democracy and our National Parks

### Description

THURSDAY, FEB

# Councillor told 'to go' in park planning row

A CAIRNGORMS National Park board member has described it as 'something of an understatement' to say he was surprised to be asked to resign because of a difference in opinion over planning powers.

Bill Lobban, who is also a Highland councillor for Badenoch and Strathspey, has told the 'Strathie' he was asked by park board convener Peter Argyle at the authority's latest meeting in Boat of Garten to 'reconsider his position.'

It comes after Mr Lobban again called for planning to be 'dealt with by the democratically elected council as it is elsewhere in the Highlands'. His comments were made during a Highland Council's debate last Wednesday on the response to the ongoing Scottish Government consultation into the planning system.

**By GAVIN MUSGROVE**

He said he was informed on Friday by Mr Argyle that steps were being taken to remove him from the board for failing to comply with CNPA standing orders. This has been denied by the park board convener.

Either way, Councillor Lobban is refusing to budge and has taken legal advice from the council.

He said: "This is a view I have held long before I was elected to represent the strath as a member of Highland Council and long before I was appointed to the board of the CNPA by that same council.

"It is a view I have expressed on numerous occasions both within the council, in CNPA meetings, in public and in the press.

"This is for me an issue of policy and as such I never comment on



**BILL LOBBAN: taken legal advice.**

surprised to be taken aside by Mr Argyle and told that as I had publicly voiced a view that was contrary to a decision of the CNPA board that they should be given total planning powers.

"He said bearing in mind decisions of the board take preference over those of Highland Council he requested me to 'consider my position' which I think we all know is a polite way of asking for my resignation.

"When I told him that I had no intention of resigning he then informed me that steps - which I later found out were discussed in private at a meeting earlier in the day - involving a report to the Standards Commission would be taken to remove me from the board.

"My allegiance is and always will be to the people of the strath and that representing them as a

Highland councillor takes precedence over everything else.

"I was pleased to receive subsequent advice from Highland Council totally contradicting Mr Argyle's position."

But Mr Argyle said: "Councillor Lobban most certainly has not been asked to resign from the CNPA board.

"The Scottish Government is consulting at the moment on the future of the Scottish planning system, the CNPA board discussed the review last year and called for consideration to be given to changing the way planning works in the national park.

"As a member of the CNPA board there is an expectation that policy lines are adopted by all members, irrespective of their personal viewpoint on the matter."

■ Not so snap happy - page 18

The way our National Park Boards operate is fundamental to their future. Parkswatchscotland has highlighted a large number of concerns about their governance, including a lack of transparency and decisions being taken behind closed doors in the Loch Lomond and Trossachs National Park Authority, which help explain why they are failing at present. What our National Parks need is not consensus, imposed from the top down, but open and transparent debate which engages all interests, not just businesses and landowners. For this to happen, we need Board Members who articulate different points of view and are allowed to disagree.

The article above from the Strathie on Thursday suggests that the very opposite is happening at present in the Cairngorms National Park Authority. While the exact words said by Park Convener Peter Argyle to Bill Lobban may well be a case of one person's word (or memory in the heat of the moment) against another, the quote in the very last paragraph of the article does indicate there has been an attempt to silence Cllr Lobban *there is an expectation that policy lines are adopted by all members*. Its worth considering the implications of the this statement.

Just think if this line was applied to local authorities or to the Scottish Parliament, the opposition parties would be forced to adopt all the policies of the party or coalition in power. That only happens in authoritarian states. OK, so the CNPA Park Board is not like a Council, but its not like the cabinet of a ruling political party either where there is a doctrine of collective responsibility. The Convener is only involved in the appointment of some members, unlike party leaders (the Convener usually sits on the interview panel for Government nominees to the National Park Boards but its the Minister who decides). The rest are elected. So why shouldnâ??t members speak out?

## Readers' letters

### More work and expense for councils

FOLLOWING amusement created by barely disguised scepticism in your recent leader (September 8), I felt compelled to air my exasperation with comments attributed to loquacious Highland councillors Lobban and Fallows on 1) giving back national park planning powers to councils and 2) democracy.

Exasperation because, in establishing the national park, Highland councillors successfully lobbied for the current arrangements.

Most park planning applications (and fees) are already processed by local authorities.

In returning planning to the five councils, but leaving the Local Plan with the CNPA, the two councillors are advocating more work and expense for councils facing austerity, with policy and determination confusion for applicants.

Presumably this additional work could be financed by raiding bountiful education or roads budgets? Your leader quotes reminded me of Yes Minister's Sir Humphrey's pithy remark to Jim Hacker: "Councillors like activity, it is their substitute for achievement."

As a past CNPA convener I own up to bias in suggesting Cllr Fallows' anomalous situation is better solved by awarding the authority full planning powers.

Logic applied, anomaly removed, local plan and powers working together, giving local residents and relevant developers a deserving clarity and consistency.

On democracy, Cllr Fallows exhibits what looks like acute hat confusion:

"high hat" as a park board member, elected by his Kingussie to Killiecrankie ward and awarded a national salary and expenses must be lost under an altogether jaunty council "bunnet".

South Highland Planning Area Committee, the favourite for making park planning decisions, comprises members from areas including the distant shores of Mallaig and the Small Isles, who doubtless are as well informed about the Cairngorms as Cllr Fallows is about Mack.

Attending council meetings confirms the 76 councillors not from the park have other priorities and are less familiar with local concerns. The SSE Tomatin substation planning site visit for 27 councillors, not including the actual site, inspired little confidence in the process.

Inverness-based, supported by centralised staff, it is perhaps little wonder that the council's Citizen Panel survey reported that only 18 per cent of people feel they have any influence over decision making in their local government area.

How other council areas around the park fare I don't know, but will fragmentation help one of the National Geographic World's 50 Greatest Places? Foot and shoot come to mind.

When at the CNPA I was proud of the Grantown based authority. Public meetings moved around the Park.

The LDP was participatory and consulted widely with people who care deeply about the place. CNPA Board Members were elected or appointed within a representative process and know the area well; many live there.

Curiously, the councillor with 30 per cent more votes than her nearest rivals was not selected to join the Park Board. Local democracy in action?

Full planning powers for the CNPA will help fulfil local democracy and national spending priorities. The proposed 'Aviemore' will not.

Duncan Bryden  
Tomatin

free speech and open governance, are important not least effectiveness of the planning system in the CNPA.

watermark

It would appear from this letter (left) published in the Strathie

in September, from previous CNPA convener, Duncan Dryden, that people high up in the Park Authority donâ??t like Bill Lobbanâ??s views that the powers the CNPA has in relation to planning applications and their enforcement would be better undertaken by local authorities. Rather than trying to ridicule him, as Duncan Bryden attempted to do, or silence him, as Peter Argyle appears to want to do, what the CNPA should be doing is asking Cllr Lobban, who is vice-chair of Highland Council Planning

Committee is doing better. This should be part of an informed public discussion on how the CNPA currently uses its planning powers, part of which should be an assessment of how the CNPA operates compared to other planning authorities.

To give one example, in terms of transparent decision making Highland Council appears considerably ahead of the CNPA. All committee meetings of Highland Council are recorded and put out as webcasts which are available on the internet for a year. So, if you want to see what contribution your local representative made at a meeting or understand how a decision was made you can see it for yourself and make a judgement. You cannot do this for CNPA meetings. George Paton has provided an eyewitness account of what happened at the Planning Committee meeting which considered the Shieling Hill Track as a comment on Parkswatch ([see here](#)). Someone has commented that he sounds like a disgruntled employee, which he is not, but how does anyone know if what he is saying is a reasonable account of the meeting? It's George Paton's word against the National Park, rather like it being Cllr Lobban's word against Peter Argyle's. Not a satisfactory situation.

One might think this would be easy enough to address, all the CNPA needs to do is to make the recordings it used to make of planning meetings for minuting purposes public. However, Parkswatch has just been informed that after the Badenoch and Strathspey Conservation Group asked for the recording of the last planning meeting under FOI they have been told: *"A recording is not available as we no longer record planning meetings"*. This change follows CNPA's attempt to stop photographers from the Strathie taking photos at Board meetings. It looks like they are copying the Loch Lomond and Trossachs National Park Authority who forbid all recording. If Highland Council and our Scottish Parliament can broadcast their meetings, so can our National Parks. What have the CNPA got to hide?

Democracy requires openness and transparency and the problem with our National Parks at present is they are unaccountable, except upwards to the Minister. We need National Parks which are accountable to the people who live there and visit. This means we need absolutely to defend Cllr Lobban's right, and the right of other Board Members, to express their views in public.

By chance, a by-election for a locally elected member has just been announced in the CNPA (see below). I hope all candidates commit to making the Park more open and transparent in the way it operates and declare they are happy to have their contributions at meetings recorded and available to all to watch.

## **CNPA Board By-Election**

Nominations open today (2 February) for the CNPA by-election with a deadline for submission of 23 February. Triggered by the resignation of Katrina Farquhar, a vacancy is available on the CNPA Park Board to represent Ward 5, which covers Deeside, Glenshee and the Angus areas of the Cairngorms National Park.

It is the Park Authority's role to safeguard the outstanding landscapes, rich habitats, rare wildlife and of course, the Park's communities while helping to develop a sustainable economy within the National Park. The board of the Park Authority agree the long term objectives for the Park and set out the CNPA's priorities for work. They also play a key role in representing the National Park and the Park Authority by acting as ambassadors.

A Depute Returning Officer from Aberdeenshire Council is to administer the by-election so for information on how to stand and on the nomination process visit the [Council's website](#). All registered voters in Ward 5 over the age of 16 will receive their postal votes around the 8 March with votes to be returned by 4pm on Thursday 30 March. Information on current board members can be found [here](#). The appointment will be from 1 May 2017 to the next park-wide elections in 2019.

### Category

1. Cairngorms

### Tags

1. CNPA
2. Governance
3. planning
4. secrecy

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### Author

nickkempe