

## The September Loch Lomond and Trossachs National Park Authority Board meeting

### Description



Just what we want to see in the National Park, hill tracks so broad that people can walk five abreast! One reason why the Loch Lomond National Park Authority is dysfunctional at present is its marketing department appears unaware of the Park's own policies – hill tracks where they exist should be quadbike width – and produces glossy brochures without reference to its own staff.

The Loch Lomond and Trossachs National Park Board Meeting on Monday ([see here for papers](#)) was far more open than meetings in the past but showed the Board still has a considerable way to go. The fundamental issue is that most Board Members appear to have little idea of why they are there. It was telling that under Matters Arising, there was not a single question about where the Board goes now the Scottish Government has rejected its suggestion the Board be reduced in size ([see here](#)). This was an ideal opportunity to continue the discussion from the last Board meeting about the function of Board Members but ostensibly the matter is now being treated as closed.

Among the welcome signs of change at Monday's meeting were:

- The meeting time was changed to the morning which meant there was no time for the secret pre-meetings which used to take place under previous convener Linda McKay.

- As a consequence there was more public debate, including on issues where Board Members previously appear to have been gagged. For example, questions were asked about why plans for the National Park's properties at Balloch, the Gateway Centre, and Luss Visitor Centre were so far behind schedule. Even the financial consequences were touched on, both losses and costs, and while Chief Executive Gordon Watson was very reticent in his response, the good thing is more Board Members seem prepared to discuss these issues in the open. I hope this creates an opportunity for the Board Members representing those local communities to engage with them on what is going on.
- James Stuart, the new convener, reported to the Board he had spent a lot of time meeting stakeholders, including people who disagreed with what the National Park had been doing, and made it very clear he thought such engagement essential. He even pointed to Ross MacBeath and myself in the audience and said he had had a constructive meeting with the two of us and Dave Morris on camping! He reported on a meeting with SNH who were keen to develop far closer working – there has been a stand-off over the last few years where the Park has tried to do things itself without using expertise of SNH, for example on how to engage with recreational users, which contributed to the camping byelaw disaster – and the long delayed meeting with the Cairngorms National Park Authority is now going ahead. The message was that James Stuart really does want the LLTNPA to work in partnership not isolation. There was no rush from Board Members volunteering to get involved in this although my view is if the National Park is to change course, other Board Members need to start engaging too and means different people need to take on different roles.

While the meeting was conducted in a far more open manner than in the past two local people, commented on the lack of meaningful discussion. (Its well worth reading Trevor Scott's account of the meeting ([see here](#)) on the Balloch Responds Facebook Page). They were amazed when we told them the meeting was a considerable improvement to what used to happen!. I think though they identified the main problem with the meeting: the Board was not being asked to take any meaningful decisions and as result the meeting was over in under two hours.

This was despite two very important matters being on the table, the "Your Park" progress report and the National Park Partnership Plan. The way the reports on these subjects were drafted though suggests that it staff, not the Board, who are at present taking the decisions.

## **The camping plan and camping byelaws**

Board Members were not invited to take any decisions about the Your Park plan, instead an update report ([see here](#)) was presented: a report for Ministers on the first year operation of the byelaws will be brought to the December meeting for approval. I will analyse in further posts ([see here for issues with the data presented in the report](#)) the content of the paper including the Park's failure to deliver additional campsites and the serious problems with the permit areas (all of which were glossed over) and here focus on the Board reaction to the paper.

The first good news was that Colin Bayes, who chairs the LLTNPA delivery group (of Board Members and senior staff), announced that after meeting Ross MacBeath, Dave Morris and myself he had been out to see most of the permit zones with staff and Board vice-convenor Willie Nisbet. He acknowledged that there were some serious issues and that these are now being addressed. A positive development although it would have been good if staff could have been as open about this in their paper. Its possible that its as a consequence of Colin's visit that some camping permit areas have now been removed from the booking system.

Also positive was Billy Ronald's question – first time I have heard him speak – asking why anglers cannot buy a camping permit in local shops along with their fishing permit? The answer from staff was that if the Park allowed paper permits to be issued by local shops, they could not control numbers and as a consequence more people might end up camping in a specific permit area than Park staff have deemed sustainable. No Board Member thought to follow this up by questioning the justification for stopping anglers from camping in the places traditionally used for fishing but which are outside the new permit zones or by asking staff how they decide what numbers are sustainable.

Most significant though was the statement from former Councillor James Robb, that the clarification that the Park had “overreached its powers” – his phrase, not mine – in trying to ban campervans from laybys was useful. Now the Park has never publicly admitted this although it appears from Cllr Robb's comment that it has briefed Board Members. There was no single reference to campervans or the LLTNPA overreaching its powers in the update paper. Indeed the LLTNPA has refused to clarify with parkswatch whether campervans are still included in the byelaws outside of laybys and if so where ([see here](#)). It appears that the LLTNPA is still trying to cover up the extent of the campervan fiasco, including how they and Scottish Ministers approved camping byelaws which were legally unenforceable. More importantly, they have not started to grapple with the question of fairness: if there are now no or limited controls on campervans and caravans, what is the justification for continuing with the byelaws? I would suggest that this is the fundamental question that needs to be addressed in the report to Scottish Ministers.

Councillor Robb also asked staff members to take him through the process of referrals to the Procurator Fiscal (7 people have now been referred for prosecution). This was a very good question – one which the Park have refused to answer under Freedom of Information claiming it would interfere

with law enforcement – and I was not surprised when staff failed to respond. Cllr Robb then tried to talk through the process himself and asked whether when a person refuses to apply for a permit when camping in a permit area, they are then issued with a Fixed Penalty Notice? This was a clanger of immense proportions. Gordon Watson had to explain to him there are NO Fixed Penalty Notices (which can only be used for civil offences) under the camping byelaws. Here was one Board Member who had approved the camping byelaws without apparently appreciating that they would criminalise people (fines of £500 and a criminal record). After 13 secret meetings to develop the byelaws, I find it staggering that staff had not properly briefed Board Members on this. This points to the fundamental issue, there has been no-one on the Board with sufficient knowledge and understanding to ask basic questions like “is it really right we criminalise people simply for not being in possession of a camping permit?”.

There was evidence that other Board Members still have their heads in the sand. Petra Biberbach, the convener of the planning and access committee, commented that she thought the data in the update paper was excellent. Neither she or any other Board Members thought to ask about what negative feedback there had been to the camping byelaws and what data existed on this? This is despite it being clear that changes to the permit zones for example have resulted from complaints and public criticism. Former Councillor and retiring Board Member Bob Ellis went further and said he was very heartened by the report, had only had positive feedback from campers (its good he is speaking to campers but those he has engaged appear to be a completely different subset of campers than those I have talked to), thought the report showed the camping byelaws were a great success and was proud to have been part of it.

To be fair to other Board Members, they did not follow this valedictory speech. I think some of them are beginning to realise that the camping byelaws have been far from a success (no-one dared ask about the numbers of people who ignore the permit system) and that the delivery of proper new camping places is far harder than they ever envisaged. This was reflected in several comments to the effect that “we are learning all the time”. The prevailing assumption on the Board though still seems to be that as long as they keep throwing resources into various management measures, eventually they will be able to control all campers and make the byelaws work. Maybe the new members coming onto the Board will be able to take a more critical look at what has actually been happening.

## **The draft National Park Partnership Plan**

The development of the NPPP is well behind schedule, a reflection of the resources which have been devoted to Your Park and the significant number of staff who have left the National Park Authority. The NPPP paper presented the responses to the flawed consultation on the plan ([see here](#)) without saying how the Park would respond to these but that a revised plan would be presented at the December meeting for approval.

Colin Bayes, who is open and on the ball, pointed his finger at the issue when he asked staff what process would be used to decide how all the comments received would be fed into the final plan? Gordon Watson's response that the National Park Authority needed to be realistic about what it can achieve avoided the question but to his credit, David McCowan, another Board Member who is willing to be critical (he has consistently raised the Park's failure to deal with litter) then asked that staff should record a response to every single comment received, including that resources weren't available to deliver it. Brilliant! I think staff had assumed they could decide how to respond to comments without telling anyone. A little bit of accountability at last.

In the main though this was an opportunity missed. What staff should have done is brought to Board Members key issues for discussion based on the responses that had been received. The Board could then have given a steer about how the Park should respond. However, unlike in the Cairngorms National Park Authority, which based the whole of its consultation on its Partnership Plan on big issues it wanted to address, LLTNPA have avoided any mention of issues like the plague. Instead, the LLTNPA consultation was based on visions and outcomes that were so broad as to be meaningless and which contained almost nothing about what partners would contribute.

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### 3. Outcomes of the Consultation

3.1 In total, 120 responses were received from 100 individuals. Overall there was general agreement as shown below:

#### **Conservation**

- 87% agreed with the overarching objectives of the plan for 100 individuals.
- 83% agreed with the 4 outcomes for 100 individuals.
- 84% agreed with the 11 priorities for 100 individuals.
- 42% thought there were important issues for organisations, 39% for individuals.
- 88% of organisations were willing to contribute to the plan.

Extract from consultation responses paper

This extract shows that a significantly higher proportion of organisations supported the draft NPPP than individuals. In fact most of the critical comments come from individuals. The reason for this is that the LLTNPA, through the NPPP, is not asking its public sector partners to do anything further than what is already planned. What a relief given austerity induced budget cuts! It suits their narrow self-interests to sign up quick and not think about really needs to be done to make this a National Park worthy of the name. Fundamental challenges, such as how to change the industrial forestry that has wrecked Cowal, are simply avoided.

Even so, its noticeable how certain key public sector partners have failed to respond. Cllr George Freeman lamented the failure of his own Council, many of the community councils and of the community trusts (which are supposed to be a key means of attracting investment to the National Park) to respond. He was right to do so. The LLTNPA are supposed to be working with Argyll and Bute Council to tackle litter but there is obviously no strategic liaison about this. Later on in the meeting we heard that at Luss part of the litter problem is that Argyll and Bute are responsible for the car park, the LLTNPA for the grassy areas around it and Luss Estates for the shop and no-one can agree who is responsible for what. My jaw dropped, but the reason for this is now fairly clear, Argyll and Bute are simply not engaging: their new Councillors on the Board should just get stuck in and bang some heads together.

Hazel Sorrell, former councillor for West Dunbartonshire whom I have never heard speak at a Board Meeting (in two years), did not take the opportunity to mention the failure of her own Council to respond. Perhaps she and they preferred not to draw attention to Flamingo Land? (the delivery of the Riverside site development being one of the few concrete actions named in the plan).

What these examples illustrate is not just the complete ineffectiveness of councillors on the LLTNPA at present but also that these councillors council potentially have a crucial role in enabling effective joint work between the LLTNPA and Councils. With five new council members, the Board has a great opportunity to look at how they could improve partnership working with local authorities.

The most positive aspect of the NPPP paper was the Appendix with all the consultation responses (453 pages worth). In the Your Park consultation the responses were only made public through Freedom of Information and, as far as I am aware, Board Members were never allowed to see what people had actually said. While at the meeting not a single Board Member referred to these responses – the sheer number are daunting – many of them have some very interesting things to say about where the National Park is going wrong and suggestions for how it could improve which I will cover in future posts. Board members should be advised to read them and use the feedback to make a NPPP worthy of the name.

## **Category**

1. Loch Lomond and Trossachs

**Tags**

1. camping
2. Camping bye laws
3. complaints
4. Freedom of Information
5. LLTNPA
6. planning

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