

Ethics, the National Park Elections and forthcoming Ministerial appointments

Description

The Loch Lomond and Trossachs National Park Authority elections

In a positive step for democracy, the Loch Lomond and Trossachs National Park Authority has announced the candidates ([see here](#)) who have been nominated to stand in the elections to the National Park Board which will be determined by postal vote on Thursday 5th July. I hope this might promote some campaigning â?? if candidates can find a way to do so with incurring expenses ([see here](#)) â?? and judging by some of the people who have been nominated there is every reason to do so.

The right to stand in elections

If you are interested in standing for election you should satisfy yourself that you have no interests that would impact on the public's confidence in the decisions taken by the Board. You should also be satisfied that you would not be required to declare interests frequently at meetings. Our Code of Conduct for Board Members can be found on our website.

Extract from LLTNPA information for candidates

Ward 2 – Breadalbane and the Trossachs:

- Owen McKee
- Phill Ragsdell
- Billy Ronald
- Tim Tindle

My jaw dropped when I saw that Owen McKee had put himself up for election in Ward 2. Owen McKee ([see here for links to posts](#)) was the former LLTNPA Convener of Planning who failed to declare that he had been trading in Cononish Gold Mine shares. This was then investigated in secret by the LLTNPA Board under their then Convener Linda McKay. Owen McKee eventually resigned six months later after I exposed what had happened through Freedom of Information requests and this was covered by

Rob Edwards in the Sunday Herald. While the LLTNPA never referred Owen McKee to the Commissioner for Ethical Standards I did so and the Commission eventually issued a damning judgement ([see here](#)) which ended as follows:

4. Wished to make it clear, in the circumstance been to suspend the Respondent from all m time, not exceeding one year. However, Respondent has already resigned from the Member.

RIGHT OF APPEAL

The attention of the Respondent was drawn to Sect Life etc. (Scotland) Act 2000 as amended which det decision.

Date: 13 April 2016

Professor Kevin D

Now, I would defend anyone's right to stand in elections. I am probably in a minority in believing that prisoners should not only be able to vote but to put themselves forward for election. I see this right as being a fundamental safeguard against the removal of civil liberties, such as the attempt by the Spanish Government to imprison those who held the independence elections in Catalonia. However, I also believe those elected have responsibilities and where they fail to uphold the standards of their office as appears to happen all too often in Scotland (e.g in the case of MSPs Mark McDonald, Michelle Thomson or Alex Rowley) they should resign and, should they believe the matter which has brought them into disrepute is minor, stand again and let the electorate decide.

Instead of doing this at the time, however, Owen McKee has in effect decided to do so two years later. This raises important issues about the powers of the Standards Commission because, by resigning and waiting, Mr McKee appears in effect to have avoided being suspended for a year a year in which he could not have represented his electorate. If so, this appears a major hole in the ethical standards framework. I hope that Owen McKee has contacted the Standards Commission before deciding to put himself forward for election and will explain any advice he has received in his election address which will be circulated along with the voting forms. I will certainly be doing so to alert them to this.

Its hard to let go of power

Owen McKee is not the only former Board Member standing in the elections:

Ward 1 – Cowal and North Loch Lomond:

- Ali Campbell
- Bob Darracott
- Rob Donkin
- George Freeman
- Donald Illingworth
- Maria Jemicz
- Gary Pollock
- Dan Romani
- Gary Watson

Ward 3 – Callander:

- Jack Black
- Martin Earl
- Chris Martin
- John Watson

Independent Councillor George Freeman, who was not re-nominated for the Board by the new administration in Argyll and Bute, is putting himself forward as a local candidate in Ward 1. While in Ward 3, Councillor Martin Earl who was re-elected to the Trossachs and Teith Ward on an increased majority following local concerns about SNP Councillor Fergus Wood ([see here](#)) is standing in Callander.

I had hoped and still hope that the elections this year and retiral of Scottish Government appointees would offer an opportunity for the Loch Lomond and Trossachs National Park Authority to reform itself. Councillors Freeman and Earl were both on the LLTNPA Board when it decided to cover-up the Owen McKee case both could have spoken out but chose not to do so and both were involved in the thirteen secret meetings which developed the camping byelaws. I have to respect that their local electorates chose to re-elect them as Councillors and I have no reason to believe they have anything other than good records as Councillors: the LLTNP Board is a different issue however and I hope the local electorate take this into account.

That also applies to the electorate for Wards 4 and 5 where the existing elected Board Members, Willie Nisbet and David McCowan are standing again:

Ward 4 – East Loch Lomond and Port of Menteith:

- Bob Hunter
- Willie Nisbet

Ward 5 – West Loch Lomond and Balloch:

- Gwen Jones-Edwards
- Ronnie McColl
- David McCowan
- Gavin David Monson
- Iain Shonny Paterson

So what else do the nominations tell us?

The plea by Board Convener, James Stuart, for people to stand has had variable results with numbers nominated varying from only two candidates in Ward 4 to 9 candidates in Ward 1. Why there are only 2 candidates in Ward 4 surprised me â?? given the amount of debate and different views in the local community â?? but overall there is an increase in the number of candidates which is welcome.

The elections are still decided (as far as I have been able to ascertain) by who get the most votes â?? rather than Single Transferable Vote. You can see how the first past the post system might affect results from what happened in Ward 2 four years ago:

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I, Bob Jack, Returning Officer for Ward 2 in The
National Park Elections, hereby give notice that
each candidate at the election was as follows:-

Name

Charles Grant

default watermark John D MacGregor

Owen McKee

Billy Ronald

and I declare that the candidate elected to serve
Loch Lomond and The Trossachs National Park

OWEN MC

So Owen McKee pipped Billy Ronald (who succeeded him in the by election after McKee resigned). The result might have been very different under the STV system used in local Council elections. The first past the post system is made worse by the limited amount candidates can spend in the election which gives well kent faces, such as existing Board Members and Councillors, a built in advantage. Time for reform of the National Park election system in my view.

In Balloch, where the Flamingo Land development is proposed, there are five candidates nominated compared to two last time. A welcome increase. I have not so far been able to ascertain candidates views on Flamingo Land and whether they offer real choice: lets hope that comes out in the election there.

And then looking at the candidates as a whole, only 2-3 out of 24 are women (one name could be male or female). Reason enough to show that the LLTNPA Board should have discussed the election at their March Board Meeting instead of deciding what to do afterwards and in secret. An open discussion might have prompted some work to understand why women appear reluctant to stand and if there is anything about how the National Park operates which puts women off. Too late now but the new Board should take this on.

Scottish Government appointees advertised

The Scottish Government may be under a needless quandary to pick up the pieces in terms of its aspirations for equal representation between the sexes on all national boards if the women who apply for the vacancies it has just advertised ([see here](#)) do not turn out to be the best applicants (and is there any more reason for women to apply to the Boards than stand for election?).

In truth though Scottish Government appointments are very political. The real issue concerns whether the Scottish Government appoint people who believe its acceptable to operate in secret (as with the LLTNPA Board) and whether the task of Boards is to do the Scottish Government's bidding or whether they appoint people with the principles and knowledge to ensure our National Parks make a real difference.

So to me the real issue is whether the Scottish Government is prepared to appoint people who are, for example, prepared:

- to stand up for access rights and argue for the unjust camping byelaws to be dropped
- to empower local communities instead of manipulating their views (as happened with the camping byelaws) and ignoring local interests when it really matters
- to put conservation and wildlife before the interests of large landowners

We will see! I would encourage people who are passionate about access, wild land, wildlife and ordinary people to apply (NB closing date 26th June) but have to say that from my knowledge I know that several figures, who are known nationally as campaigners on a range of issues, have applied to our National Park Boards and not been appointed.

For our democracy or appointments systems to really work people need to have faith that the results will be fair. There is still quite a way to go I believe before that happens in our National Parks.

Category

1. Cairngorms
2. Loch Lomond and Trossachs

Tags

1. Governance
2. LLTNPA
3. Scottish Government
4. secrecy

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