

## The unaccountable and secretive LLTNPA Board and the core paths plan

### Description



One wonders, while at Balmaha, Board Members will go and take a look at the derelict former recreation area east of the car park or other issues that affect the area?

The Loch Lomond and Trossachs National Park Authority Board will be meeting on Monday in the National Park Visitor Centre at Balmaha ([see here](#)). The agenda and papers were published over two weeks ago – a record for the LLTNPA – but a reflection of how little is in them. There is only one item of substance on the agenda, a forthcoming consultation on a new core paths plan. This post considers what this tells us about how the LLTNPA operates – or to put it another way how

democratic decision making is being systematically undermined.

## The minute of the Special Board Meeting on the Cononish Gold Mine

Seven months after the Cononish meeting, the minutes are being presented for approval. The minute of the June meeting shows they had been delayed because of a complaint adequacy of the minute. The final minute ([see here](#)) says almost nothing despite some members at the June Board Meeting expressing concern about the lack of detail recorded in minutes ([see here](#)): there is no record of the content of the speeches made in favour or against the application, no record of what the Board discussed, no mention of the fact that two Board Members said this was a difficult decision, no mention that a late objection from the Scottish Council for National Parks (of which I am a member) was read out at the meeting and not even a reference to the site visit which took place in the morning.

The reason for this is that LLTNPA staff want nothing on record to show that there are very real and serious concerns about the application or that the report from the Director of Planning, Stuart Mearns, was deeply flawed ([see here for links to presentations](#)). Had the LLTNPA accepted for a moment that there were legitimate concerns about toxic waste, the likely success of the new and untried "restoration" techniques or the amount of the restoration bond, for example, it could have opened itself to legal challenge. Instead the minute claims that Board Members accepted the reasoning of the Director of Planning in its entirety "so much for critical scrutiny."

What purpose does this Board serve and why is it constantly sidelined by staff?

## The reduction in LLTNPA Board Meetings

Back in April I expressed concern about the proposal to reduce public Board Meetings from four to three a year ([see here](#)) and explained how this fitted with the widening democratic deficit in Scotland. While, on account of the meeting on Monday, there will be formally four full Board Meetings this year, the cut down agenda says it all. A calendar for meeting dates in 2018 ([see here](#)) and 2019 is included with the papers and this makes it clear that both full Board and Audit Committee Meetings will be reduced to three a year from 2018.

The only reason this September meeting is being held is so the consultation on the core paths plan could go ahead. Other items, which the Board should be discussing in public, are nowhere to be seen.

Perhaps they will be discussed at the secret strategy meeting which back in June was scheduled to take place this same day? Its hard to tell because although the LLTNPA has now added Strategic/Development Board sessions to its website ([see here](#)), a welcome move, there is NO indication whether one is scheduled for Monday or not. Perhaps any presentations will go up after the event to pre-empt the inevitable information requests.

There are however plenty of items which the Board should have been discussing in public on Monday:

- Update on camping season (a report was made on this last year so why not this?)

- Related to that the failure to open the Loch Achray campsite (forthcoming post on this on Monday)
- Quarterly financial reporting – a fundamental function of Boards is to hold staff financially accountable but financial reports (which tell you what is really going on in an organisation) are no longer being considered in public.
- What could be learned from the National Park elections ([see here](#)) and ([here](#))
- Progress on the Flamingo Land planning application and to decide whether a special Board Meeting will be required to decide this (the silence about the Flamingo Land application is remarkable and behind it there is considerable manoeuvring behind the scenes. My sources say the application will all be decided in December and it has already been agreed that Flamingo Land will get most but not all of what they asked for – that may or may not be right but the public should have a right to know where major planning applications have got to.
- There is no Chief Executive’s or general update report which might have allowed discussion on key events/non events last few months: these include the drowning of Reban Rehan at Drumkinnon Bay ([see here](#)), an analysis of success or otherwise of the European Championships, and the access charges imposed by Argyll and Bute Council at Arrochar and Duck Bay ([see here](#))
- There is no report from the Audit Committee which under standing orders required to report to the Main Board quarterly
- There are no update reports, even verbal, from Access and Planning or Audit Committees on the agenda (which might have allowed Argyll and Bute’s access tax to be discussed).
- There is no update on the progress with the new Scottish Government appointments to the Board or discussion of interim arrangements between current Board Members retiring, new members starting and the next meeting scheduled in December.

There is no doubt more. What this demonstrates is that Board Members are completely disposable and play no real role in either setting the direction or scrutinising the actions of staff.

If Board Members are effectively dispensing with decision making in public I believe its about time they considered whether they really should be paid three days a month automatically just for being appointed or elected. Earlier this year the Cairngorms National Park Authority Board, in a welcome move, introduced new arrangements so that Board Members were NOT paid automatically ([see here](#)) and had to provide proof of the time they gave to the National Park. Its quite easy for CNPA Board Members to demonstrate this because there is an extensive network of groups which operate more or less in public in which they are involved. By contrast its more or less impossible for the public to know how LLTNPA members spend their time.

Having raised the question of whether they were really needed any more last year ([see here](#)), its about time LLTNPA Board Members agreed to reduce the number of days they are paid.

## **The core path plan consultation**

This is on the agenda because priority 5.1 in the Park’s Partnership Plan *states that one measure towards Improving and extending the National Park’s recreational path network is by ensuring that the National Park Core Paths are reviewed and fit for purpose*• hence the proposed consultation. This deserves more detailed consideration and I will come back to it, including the detailed proposals, in due course but for now its worth making two comments.

On the positive side, staff are recommending that a significant number of paths are added to the core paths network. These include new local paths created since the first plan in 2010 and missing chunks of long distance routes in the National Park, such as the Rob Roy Way and Cowal Way and National Cycle Routes. This is very welcome. It was extraordinary that in the early core path plans most Access Authorities completely omitted long distance routes and I hope that by now including them the LLTNPA access team will set a new national benchmark for core paths.

On the negative side, however, the LLTNPA are proposing that there should be NO changes in the criteria used to decide whether a path should become a core path or not. When the Land Reform Act was passed most informed commentators agreed that the real challenge for Scotland was to extend the path network (most places already having de facto freedom of access). Unfortunately, Access Authorities, who were then coming under increasing financial pressure, took a very limited view of their responsibilities and the result is that many places still lack paths. Our National Parks should have a key role in taking the lead on remedying this.

Unfortunately, however, the LLTNPA from the start tied one hand behind its back in the criteria it adopted to determine what should be a core path and what not::

10	Balances landowners interests with exercising access rights	Apply reasonable balance within scope of access rights and CPP requirements. Level of compatibility between access and land management activity	Access is not compatible with land management activities. Path alignment is not acceptable to the landowner.
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What this means is that if a path *is not acceptable to the landowner* it achieves a low score (middle column) and is very unlikely to be included in the core path network. I believe its completely unacceptable that a National Park is handing landowners this sort of power it has a duty to promote public enjoyment of the countryside and it effectively prevents the LLTNPA from addressing gaps in the path network.

What is strange about this is that the Committee Report states that *A key point of note is that at the Local Access Forum meeting on 6th December 2017 6.2.the Forum agreed that the criteria and scoring system developed by the National park Authority and used during the 2010 Core Path Plan process remained robust and fit for purpose and should continue to be applied within the review process.*

While I read this with alarm if you go to the Local Access Forum section on the LLTNPA website you find this:

**â??Please note:** *The December meeting was cancelled and is due to be rescheduled in 2018â??<sup>3</sup>.*

A later meeting indicates that a workshop was held on Core Path Planning but there is NO indication of whether the LAF agreed to keep the existing criteria or not. I have my doubts that there was any properly informed discussion or decision on this.

I hope therefore the Board on Monday will give a clear steer to staff that the criteria for adoption of core paths needs to be revised so that the effective veto given to landowners is removed. That might then open the way for the creation of a far more extensive path network within the National Park.

### **Category**

1. Loch Lomond and Trossachs

### **Tags**

1. access rights
2. Governance
3. LLTNPA
4. planning
5. secrecy

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### **Author**

nickkempe