

What the LLTNPA Board needs to do to take back control

Description

The papers for the next Loch Lomond and Trossachs National Park Authority Board meeting on Monday 18th March were published last week ([see here](#)). There are some good things in them, particularly the papers on “Wild Park” and a new Forest Strategy ([see here](#)), which I will consider further in due course. There are also some very concerning things, like the Park’s attempt to raise more money from charging and its backtracking on camping provision, both of which are driven by the continued imposition of austerity. Again I will consider these in another post. Here, I will focus on what the papers tell us about the role of the Board in determining what the National Park does. “Governance” again, that off-putting concept. However, if you are concerned about anything that is happening in the National Park, from the Cononish goldmine to the latest trees to be chopped ([see here](#)) understanding why things are going wrong is an important step towards addressing the issues.

Some increased transparency but where is Flamingo Land?

After a long history of Board Meetings with almost nothing on the agenda, this meeting – like the one in December – is awash with items, 24 to be precise. While the turnaround is welcome, how Board Members are expected to digest the contents of the 28 associated public papers (there are two confidential items on HMRC and Signature Events which may also have papers) and provide critical informed comment, I am not sure. While its also welcome Board Papers continue to be published earlier, it feels like Board Members and the public are being swamped in paper. Part of the problem is the number of meetings which have been reduced to three a year. With agendas like this the LLTNPA should be holding 6-8 Board meetings a year. This would spread business across the year and allow sufficient time for Board Members to prepare for items so they can provide proper critical scrutiny.

Despite the volume of information – it took me over 1/2 hour just to download the papers – what has been left out is significant.

First and foremost there is not a single mention of the Flamingo Land Planning Application that I can see, either in the papers or from the minutes of the last meeting. This is the most important Planning decision which will ever be taken by the LLTNPA. Rumours are that it will be re-activated with revised proposals later this month. Yet there is NOTHING said about the process by which it will be determined – has the Chief Executive really had nothing to report on this for over six months now? Nor is there any mention of the Balloch Charrette Action Plan where the LLTNPA has failed to deliver what it said it would ([see here](#)) or the implications of West Dunbartonshire Council having to change some of its road re-design plans for Balloch which were supposedly agreed by the Charrette process ([see here](#)). Hard to believe, but true.

Second, there is no discussion or analysis of the implications of the LLTNPA raising its charges for “services”, most notably the large increase in boat launching fees that was decided recently by staff

without any apparent reference to the Board ([see here](#)). Instead, these changes, which have huge implications for public enjoyment of the National Park are presented as being about balancing budgets. This could and should be addressed within the context of new powers to raise tourist taxes but there is silence on this issue too.

Third, there is NO mention of how interventions from the Information Commissioner's office continue to force LLTNPA senior staff to release information they have tried to refuse the public or, in other words, how the LLTNPA has been found to be failing to act in an open and transparent manner or in accordance with the law. The most recent was a formal decision dated 11th February (Ref 201701771) about Estate Management Plans ([see here](#)) where the "*Commissioner therefore requires LLTNPA to provide the information which was wrongly withheld by 28th March 2019*". I am still waiting for it! The important point is that for every issue that goes to formal decision, there have been another half dozen where the LLTNPA has eventually, after intervention by Information Commissioner staff, agreed to release information. The Board, however, are being kept in ignorance about what is being done in their name.

Fourth, and related to this, despite the volume of paper, the Board continue to be denied key information – as they were with the camping byelaws – which might help them take strategic decisions and also develop effective delivery partnerships. Here is one example. One of the six priorities of this year's Operational Plan is:

Managing Visitor Pressures and Improving the Experience

- *Develop a partnership litter strategy*
- *Progress East Loch Lomond capacity and traffic management actions with partners*
- *Your Park Season 3 operations, monitoring and submitting report to Scottish Ministers*
- *Estate & Tourism Infrastructure Development & facilities (toilets, car parks, services)*

Note the specific action for East Loch Lomond. Then consider that all the other actions are applicable on east Loch Lomond, from issues of collection and clear-up of litter to camping capacity and toilet opening times.

Five years ago the LLTNPA tried to develop area based Visitor Management Plans that would bring together all these issues. There was one for east Loch Lomond which far from perfect but it at least provided a framework for bringing everything together and involving partners. Staff then effectively stopped servicing that group, without the Board taking any decision about this. Instead they started to do things on their own on a piecemeal basis, like shutting down the boat launching at Milarrochy Bay. The consequences are that the visitor chaos on east Loch Lomond has become worse and worse, with no effective mechanisms in place to address the issues.

Are Board Members interests being properly declared or not?

At the beginning of the last Board Meeting Bill Ronald, the locally elected member for Strath Fillan,

declared an interest in the Cononish Goldmine item. After sitting through the 1 hour 15mins lunch break I did not stay to hear the discussion but was interested to read in the minute ([see here](#)) that three Board Members left the room for this item:

12 Cononish Gold Mine

BR [Billy Ronald] and ML [Murray Lyle] left the room. DMcC [David McCowan] left and returned to the room.

SM i[Stuart Mearns] introduced the report and provided an update on progress to date.

ACTION: SM to confirm to ME [Martin Earl] the minimum financial contribution the applicant can make to Visitor Experience and Conservation projects in the National Park.

DECISION: Members agreed to:

- Note the update on activity in respect of this major planning application; and to*
- Note the progress on the Greater Cononish Glen Management Plan and the mechanisms in place for monitoring the development.*

BR and ML returned to the room.

The Minute does not record the reasons why the Board Members left, although its clear enough Billy Ronald did so because he had declared an interest. It may be David McCowan left for some other reason because he seems to have returned quickly. That Murray Lyle, the conservative leader of Perth and Kinross Council, returned with Billy Ronald suggests, however, he might have had an interest. If so, what was it, why wasn't it declared at the beginning of the meeting and why is this not recorded in the minute? Mr Lyle's Register of Interests ([see here](#)) with the LLTNPA reveals nothing obvious that might constitute an interest in the goldmine development.

If Mr Lyle left the room for some other reason that is a strong argument for clearly recording why Board Members leave the meeting for particular reasons. And, in the case of Cononish the Park should have every incentive for doing so after the Owen McKee scandal ([see here](#))

Signs that the new Board's attempts to assert their control are being frustrated by staff

At the December meeting LLTNPA Board Members raised three matters where they ask for further information from staff – a welcome sign of independent thinking. One, on Health and Safety, has resulted in a fairly informative report ([see here](#)). The other two, however, appear to have been shunted off the pitch under Matters Arising.

At the last meeting Board Members asked for access to papers considered by their own Delivery Group:

Delivery Group Update

DG [Danny Gibson] advised that at the last meeting of the Delivery Group the High Priority Projects reviewed were Litter and the Litter Prevention Action Plan, Callander Landscape Partnership, the Camping Development Strategy, Car Park Charging and the Lessons Learnt from the Gateway Project. Members discussed receiving all committee reports for information.

ACTION: Circulation of all committee reports to Members to be considered by JC (Jaki Carnegie)..

Here however is Jaki Carnegie's response:

13.	Circulation of all committee reports to Members to be considered by JC.	In the medium term there will be a web-enabled version of a "depository" for all papers. In the meantime an option is that the agenda for each of the meetings; Planning & Access, Audit & Risk and Delivery are issued to all Board members and members can request copies of the reports.	Open
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Not even Board Members are entitled to know what is going on! Its worth noting here that while papers for the Chairs and Executive Meeting for last August have been published, none are available for the meeting that took place on 14th February. Perhaps the senior management team are trying to reverse recent attempts to improve transparency?

Parkswatch has long argued that all Board sub-group papers should be in the public domain as happens in the Cairngorms National Park. The LLTNPA had made some positive moves in that direction over the last year with the meetings of Strategic Board Sessions and Chairs and Executive Group now advertised and some of the papers they have considered made public. So why not the Delivery Group? What's happening here shows that its not just the public but also other Board Members who are being denied information. Astonishing!.

The second item where the Board requested more information was about the issues with the A83 at the Rest and Be Thankful – again, in my view this was spot on:

"8. Members requested for the review of options by the Transport Minister relating to the A83 Task Force to be brought back to the Board. (GW) Included within the CEO Report. Closed"

In my view this was spot on but here is how Gordon Watson's Chief Executive Officer's report concluded:

“the Cabinet Secretary has put Argyll & Bute at the top of the priority list for the next national Strategic Transport Planning Review (STPR) process and has brought the process forwards. Consultants are being appointed to look at all the transport issues in Argyll and Bute and to find a permanent solution to the landslip problem. The STPR for Argyll & Bute is to be completed by end of 2020. The brief for the STPR is still to be finalised, but we anticipate that it will be wide-ranging, looking at all of the transport links in an and out of Argyll, not just engineering options at Glen Croe. The STPR process and recommendations will be brought to the Board when available.”

So just how can the LLTNPA Board influence what is happening ([see here](#)) at the Rest and Be Thankful? There has been no public discussion by the Board on either the A82 or the A83 road “improvements” being planned by Transport Scotland. This is in complete contrast to the Cairngorms National Park Authority where there are regular papers to the Board, via the Planning Committee, on the A9 dualling project and where Board Members have been able to influence in the process. In the LLTNPA the Board – and the public – are not being allowed a say until everything has in effect been decided.

It is anticipated that a formal consultation on the Environmental Impact Assessment 5.5 and Roads Orders will commence in the second half of 2019 but the timetable is not yet set. A full report will be brought to the Board to enable the Park Authority to take a formal view on the overall proposals, their impacts and the suitability of mitigation measures.

Both should be ongoing open cases subject to Board deliberation and where staff are given a clear steer on how they should respond.

Board control over how the LLTNPA uses its resources

The LLTNPA’s most important resource is its staff, with most of its expenditure going on staff salaries. How that resource is used, therefore, is the single most important factor in determining the National Park’s success or otherwise. Yet as Parkswatch has shown, new posts are created in the LLTNPA without any Committee oversight ([see here for the £40k Litter Manager post](#)).

There are further examples in the Board papers:

“In order to drive forward the development and delivery of the refreshed Wild Park, a full-time Wild Park Officer has been recruited and sits within the Land Management Team.”

In my view that’s welcome, the LLTNPA has devoted far too little attention to conservation, but who took this decision – it doesn’t appear to have been the Board.

7. Salaries

7.1. The salary budget is £5,879k, £366k high accounting for the savings target and the increase is explained by:

- £202k Scottish Government advised p
- £118k Litter Prevention Manager and and the full year impact of an increase externally contracted grounds mainte
- £46k arising from: savings and costs a increases in posts for Wild Park and E Operations, Communications and Ran Capital Projects Manager post and; ot

And then it transpires that three whole teams have been “restructured”, the Capital Projects Manager post (which was just two years ago was trumpeted as the solution to the Park’s abysmal record in project delivery) has been axed etc etc.

If the Delivery Group is taking the decision about these key staffing decisions then all the more reason all its papers should be made public. Whether or not that is the case the Board would appear to have very little control in determining what direction the Park is taking.

What needs to happen

The new Board needs to assert that it, rather than staff, determine how the LLTNPA should be run. While they still need to do significant work on their own roles ([see here](#)), there are some other basic changes to governance which they need to put in place:

- Increase the number of Board Meetings to 6-8 a year to allow proper consideration of issues and scrutiny of what staff do

- Take back responsibility for making decisions on how their staff resource is deployed (type and number of posts).
- Insist that all papers for Board sub-groups are published
- Ensure that major issues which are likely to affect the National Park are fully discussed at Board Meetings (Balloch Charrette, A82, A83 etc)
- Consider the need and potential for area based governance/management structures which involve Board Members starting with Visitor Management Plans.
- Review (again!) how matters relating to Declarations of Interest are recorded at Board Meetings
- Instigate a comprehensive review of what information is made public based on an examination of all cases which have been referred to the Information Commissioner and information subsequently released

Category

1. Loch Lomond and Trossachs

Tags

1. conservation
2. flamingo land
3. Freedom of Information
4. Governance
5. LLTNPA
6. planning
7. secrecy
8. visitor management

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