

The Loch Lomond and Trossachs National Park Authority's research cover-up

Description

In my view there is no justification for a Public Authority to commission research and then to keep this secret. That, however, has been what the Loch Lomond and Trossachs National Park Authority has been doing for the last five years. Unlike the Cairngorms National Park, which has a Research Strategy and a dedicated website where you can view research reports ([see here](#)), the LLTNPA has been a dark hole as far as research was concerned. That prompted me, on 21st November 2017, to ask the Park under Freedom of Information for for a LIST of all the research they had commissioned since 2012. It took until February this year, and an Appeal to the Scottish Information Commissioner, before the Park gave me a list.

Date	Detail
22/03/2013	Commissioning of Callander Landscape Capacity Study.
12/12/2013	Fee to cover Housing Research
27/03/2014	Conservation Research.
07/07/2014	Balance of conservation research.
17/08/2015	Business Barometer research.
10/11/2015	Preparation and supervision for survey work.
11/11/2015	Survey of West Loch Lomond
25/11/2015	survey of East Loch Lomond.
10/12/2015	report & follow up survey work.
10/12/2015	survey of 5 lochs area.
15/03/2016	West Highland Way development study (in consortium with walk the talk & scainte).
02/05/2016	West Highland Way Economic Impact Assessment (in consortium with walk the talk & scainte)
19/12/2016	West Highland Way development study (in consortium with walk the talk & scainte).
22/03/2017	Annual steam report - 2017 incl 1x sub report (LLL) + 1 x narrative report.
24/03/2017	Topographical survey of 4 sites.
29/03/2017	Whitespace feasibility study on internet connectivity in the Loch Lomond & The Trossachs National Park.
01/09/2017	Non-visitor survey as part of Scottish Enterprise Destination Development fund
20/09/2017	Camping research.
31/10/2017	Architect fees for prolongation of project

This list is not comprehensive, it covers research costing more than £3k.

Its telling that it should have taken an appeal to the Information Commissioner to produce this. The LLTNPA is a tiny Public Authority and the members of its Senior Management Team should know what is being done in their name. Public authorities are also supposed to be driven by evidence based practice and if senior management didn't know what research they had paid it suggest they were not fit for the post.

The delay in providing this information wasn't about what senior management knew. Knowledge is power. The reluctance of the LLTNPA even to state what research they had commissioned suggests some senior managers are reluctant to release anything into the public realm that might enable people to challenge the way they are managing the National Park. It appears that not even their own staff have had access to this research, otherwise it would have been easy to produce a list.

Instead, the LLTNPA has done everything it could over 15 months to prevent the information being released. First the Park claimed my request was too vague and that an electronic research of their files using the word research had produced 9653 files – this was a pure diversionary tactic as they could have got the information by simply asking their Senior Management Team. Instead they suggested that I could find the research for myself by trolling through all the update reports given by the Chief Executive to the Board over the last five years [EIR 2017-077 Clarification](#). This suggestion was made without any indication of whether ALL research commissioned by the Park is listed in the CEO's reports as a matter of course. Its clear from comparing the list above to the CEO's reports that its not. Moreover, since all Board Papers from before 2014 were removed from the Park website two years ago (in an attempt to cover up the past) the Park were suggesting the impossible for 2012 and 2013. Some people have no shame!

In my response to the Park in February 2018 I pointed out that under the Environmental Information Regulations public authorities have a legal DUTY to disseminate environmental information and quoted the law at them:

Active dissemination of environmental information

4.—(1) A Scottish public authority shall take reasonable steps to organise and keep up to date the environmental information, relevant to its functions, which it holds and at least the types of information listed in paragraph (2), with a view to the active and systematic dissemination of that information to the public and shall make that information progressively available to the public by electronic means unless it was collected before 14th February 2003 and is not available in electronic form.

(2) The types of information referred to in paragraph (1) are—

- (a) texts of international treaties, conventions or agreements, and of Community, national, regional or local legislation, on the environment or relating to it;
- (b) policies, plans and programmes relating to the environment;
- (c) progress reports on the implementation of the items referred to in sub paragraphs (a) and (b) when prepared or held by a Scottish public authority in electronic form;
- (d) reports on the state of the environment;
- (e) data or summaries of data derived from the monitoring of activities that affect or are likely to affect the environment;
- (f) authorisations with a significant impact on the environment and environmental agreements or a reference to the place where such information can be requested or found;

(g) environmental impact studies and risk assessments concerning those elements of the environment referred to in paragraph (a) of the definition of “environmental information” in regulation 2(1); and
(h) facts and analyses of facts which the authority considers relevant and important in framing major environmental policy proposals.

The Park rejected my review request, saying it did not possess a list of research reports, claiming it would need to consult every single member of staff to find out what research had been commissioned and repeated its suggestion that I look through the CEO reports which were not publicly available ([see here](#)). It also referred to the number of FOI requests I have made over the last three years – which completely misses the point. The public has a legal right to information under the Freedom of Information Scotland Act and the Environmental Information Regulations and were the LLTNPA to operate more transparently and match the standards of other Public Authorities, there would be no need for Information Requests.

It took me three months to get the time to check all the CEO reports which were available and to extract from this a provisional list of some of the research the Park appeared to have commissioned. I asked for copies [Follow up request in light of EIR 2018-077 response](#) and got quite a helpful response [EIR 2018-021 Response](#). This included a report on the West Highland Way (which had been kept secret and not acted on for over two years – which I will consider in another post) and a report on the Waterbus. More importantly, it appears to have prompted the Park to create a research reports tab under the Plans and Publications section of its website ([see here](#)). That was a major step forward for transparency, and helpfully includes research from before 2012. It did not, however, answer my question of whether these reports represented ALL the research the Park had commissioned, so I appealed to the Information Commissioner.

The Park continued to maintain to the Information Commissioner that it needed to search ALL its electronic files to find out what research it had commissioned – as if its senior managers didn't know! To narrow the search the Information Commissioner's staff asked if I would be prepared to accept a list of research commissioned that had cost more than £3k. I readily agreed to this and the product is shown above. To be fair to the Information Officer, the letter accompanying the information [EIR 2017-077 Research Further response](#) was both helpful and apologetic in tone:

I appreciate that you have experienced some frustration in our handling of this request, and hope that this additional information will provide you with a better understanding of the work we undertake and the types of research that the Park Authority has commissioned. As the officer who manages requests, I endeavour to take on learning points in the handling of information requests and the Park Authority is committed to continue to proactively publish information that is in the public interest.

I am pretty certain if the Information Officer had been allowed to speak to me to begin with we could have reached this solution 15 months ago. That however is NOT how Park staff are allowed to operate. I suspect too that its not their responsibility that, two months later, their “further response” has not been published under the FOI response section of their website ([see here](#)) or that most of the research reports in the list they have provided are still NOT on the new research section of the Park website.

This means the only way of getting hold of them.....is another FOI request!

That is just not good enough and major pieces of research, such as the West Highland Way report ([see here](#))

and Waterbus survey ([see here](#)) should not depend on parkwatch for getting into the public realm. On the plus side since EIR 2018-021 response the tourism survey has been published on the new research section of the Park's website ([see here](#))

What needs to happen

The LLTNPA Board, as part of a programme to improve openness in the National Park, should instruct the Senior Management Team that all research undertaken by the LLTNPA should be published, whatever the value (i.e. it should include research costing less than £3k) and whether this is commissioned from outside bodies or undertaken internally.

The LLTNPA Board should also instruct staff to list publicly on its website all research which is currently being undertaken and its likely completion date. For example, EIR 2018-021, stated that the wildcat survey would be published once completed but its still not on the website and there is NO indication of when it might be published. That invites yet more Information Requests!

Besides improving transparency about what research is taking place and publishing it when completed, the LLTNPA should follow the example of other Public Authorities and produce a proper research strategy. With the new Board shifting emphasis back to conservation ([see here](#)), it would be an ideal time to do this. The Board Member now leading on conservation, Professor Chris Spry, is an academic with a proven research record and would appear well placed to lead on this. One thing I would like to see happen is that all research is reported to the Board once complete and its implications for the Park's plans and policies discussed.

Category

1. Uncategorized

Tags

1. Freedom of Information
2. Governance
3. LLTNPA

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