

The Loch Lomond and Trossachs National Park Authority – a Board being steered in the wrong direction (1)

Description

The public accountability of our Public Authorities has, over the last twenty years, been reduced to a thread. Part of the reason for this is that journalists are, with a few honourable exceptions, no longer employed to report on what our Public Authorities are up to. The days of the media regularly reporting on Board or Council meetings are long gone. Instead, people are employed by those same public authorities to deliver messages through marketing and communications teams about how well the Authority is doing..... despite all the evidence to the contrary . The public don't know what is really going on and that suits those in power. There are, however, still vestiges of democracy the most important of which is that most decisions by most Public Authorities still have to be made in public.

The easiest way, therefore, to understand why the Loch Lomond and Trossachs National Park Authority is not delivering what people hoped and expected from our National Parks is to observe one of their Board Meetings. Few people, however, have the time to attend. For those who do, the LLTNPA continues ([see here](#)) to make attendance as difficult as possible. Monday's Board Meeting was no exception with three Confidential Items plonked right in the middle of the agenda ([see here](#)). Such items used to be placed at the end. When the morning session finishing early at 12.30, the Convener James Stuart without a shred of embarrassment, informed the handful of members of the public members present that if we wanted to hear the second part of the meeting we could come back after the Board Lunch and after the Confidential items at 3.15pm, 2 hours 45 minutes later.

In the Orwellian world of the Park, however, had we returned then there was no guarantee the meeting would still be going because as the agenda stated *"Please note that the published session times are approximate, the Board meeting may progress faster or slower than expected."*

Not a Board Member questioned this. I spoke to one in the corridor afterwards who admitted this was not a good way to do things – all that is necessary for us to lose democratic rights is for good people to do nothing to defend it.

I make no apologies for the length of this post, which goes through the agenda item by item. I believe that everyone who cares about our National Parks needs to understand how the LLTNPA is going gone so badly wrong. Understanding that is necessary for change to happen.

Welcome and apologies

At the start of the meeting the Convener proudly announced the tablets evident in front of most Board Members were part of the LLTNPA's attempt to go paperless. The unanticipated consequence was that It was evident throughout the meeting that staff – and possibly some Board Members – were using this as an opportunity to get on with their own work. Eyes to the screen and not to the

discussion! The impression given is that Board Members say is of little account.

Three Board Members gave their apologies, including Murray Lyle, leader of Perth and Kinross Council. The Annual Report later on the agenda showed he (third from bottom) has the worst attendance of all Board Members:

Configuration of Board					Statutory committee attendance		
Name	Nature of appointment	Date of most recent appointment	End of term	Committee membership	NPA Board	Planning & Access Committee	Audit & Risk Committee
Bob Darracott	(a)	05/07/2018	06/07/2022	D**, PI	3/3	5/6	-*
Martin Earl	(a)	05/07/2018	06/07/2022	CE**, D***, PI	3/3	4/6	-*
David McCowan	(a)	05/07/2018	06/07/2022	CE****, A, PI	4/4	8/8	4/4
Willie Nisbet	(a)	05/07/2018	06/07/2022	CE, D, PI	4/4	5/8	-*
Billy Ronald	(a)	05/07/2018	06/07/2022	A**, PI	3/4	3/8	1/1
David McKenzie	(a)	03/07/2014	04/07/2018	A, PI	1/1	2/2	1/1
David Warnock	(a)	03/07/2014	04/07/2018	D, PI	1/1	2/2	-*
Claire Chapman	(b)	01/11/2018	31/10/2022	PI**	2/2	3/3	-*
Sarah Drummond	(b)	01/11/2018	31/10/2022	D**	1/2	-*	-*
Ronnie Erskine	(b)	01/11/2018	31/10/2022	A**, CE**, PI**	2/2	3/3	2/2
Heather Reid	(b)	01/11/2018	31/10/2022	A**, D**	2/2	-*	1/1
Christopher Spray	(b)	01/11/2018	31/10/2022	A**, PI**	2/2	2/3	1/1
James Stuart	(b)	01/02/2015	31/01/2023	CE	4/4	-*	-*
Angus Allan	(b)	01/10/2014	30/09/2018	A	2/2	-*	2/2
Colin Bayes	(b)	01/10/2014	30/09/2018	CE, D, PI	2/2	2/3	-*
Petra Biberbach	(b)	01/10/2014	30/09/2018	CE, PI	1/2	2/3	-*
Lindsay Morrison	(b)	01/10/2014	30/09/2018	CE, A	1/2	-*	2/2
Diane Docherty	(c)	01/10/2017	30/09/2022	D**, PI	4/4	6/8	-*
Danny Gibson	(c)	01/10/2017	30/09/2022	D	3/4	-*	-*
Graham Lambie	(c)	01/10/2017	30/09/2022	PI	4/4	8/8	-*
Murray Lyle	(c)	01/10/2017	30/09/2022	PI	3/4	1/8	-*
Barbara Morgan	(c)	01/10/2017	30/09/2022	A	4/4	-*	4/4
Ellen Morton	(c)	01/10/2017	30/09/2022	CE**, PI	4/4	7/8	-*

*Attendance is not applicable as Board member is not a member of the specified Committee/ ** Appointed to Committee after 10 December 2018 Board Meeting/ *** Appointed to Committee from 22 November 2018/**** Attended one meeting as Acting Chair

Nature of appointment: (a) Locally elected / (b) Appointed by Scottish Government / (c) Local Authority nominee

Committee/Group membership: (A) Audit & Risk Committee/ (D) Delivery Group/ (PI) Planning & Access Committee/ (CE) Chairs & Executive Group Board and Committee attendance is stated as: Number of meetings attended – Total Number of meetings held whilst being member of Board/Committee

Attendance at just 1 out of 8 Planning Committee meetings raises questions about why Murray Lyle is still on the Board. The Annual Report later reveals he received fees of £7,320, or exactly the same as Councillor Graham Lambie who had 100% attendance, in 2018-19. The LLTNPA, unlike the Cairngorms National Park Authority, still pays Board Members a basic three days a month whatever their contribution. That is wrong and a basic governance issue that the Board has failed to address.

Declarations of Interest

Both David Cowan, the locally elected Board Member for Balloch, and Willie Nisbett, declared an interest in the agenda item on Flamingo Land and later left the room for this item. David Cowan is part owner of a business close to the development which could capitalise on increased the two locally elected members for the southern

The West Dunbartonshire Councillor Diane Docherty also read out a statement but was unfortunately inaudible. Since its made very clear at the start of the meeting that the public are not allowed to speak in any circumstances we sat in frustrated silence.

Most interesting, however, was the declaration from James Stuart, the Convener. He announced that he had just been appointed as non-executive adviser to Scottish Forestry, had added this to his Register of Interests but did not consider this raised any conflict of interest. Scottish Forestry of course have responsibility for tree felling licenses which may yet be required for the Flamingo Land development to go ahead, hence I guess the declaration.

The appointment raises questions about James Stuart's role in the development of the Park's toothless draft Trees and Woodland Strategy. Parkswatch has previously commented that the Strategy appears to have been designed to protect Scottish Forestry's and Scottish Land and Scotland's interests ([see here](#)). Accepting the Scottish Forestry appointment therefore appears a serious misjudgement. It makes the LLTNPA appear to be in the pocket of Scottish Forestry and the Scottish Government. Its hard to see now how Mr Stuart can take any further part in the development of the Park's Trees and Woodland Strategy but the implications, I believe, will be much wider than that.

Minutes and Matters Arising

The Minutes said very little, another means of keeping the public in the dark about how our Public Authorities really operate, and were approved without comment.

The Matters Arising included a point from the last meeting about climate change:

16.2 Draft climate change key communications messages to raise the awareness of climate change with Park residents and visitors. (AM) Climate change communications are prioritised for 2019/20. Change in language used to reflect urgency of global climate emergency

Gordon Watson re-iterated the point when he said "*we will reflect on the language of climate emergency*". That says it all. The LLTNPA is not fundamentally going to change any of what it DOES in response to the Climate Emergency. There is no sign of any emergency action plan which might, for example, prevent unsustainable developments such as Flamingo Land from going ahead. Instead the LLTNPA will simply change the language it uses and go on as before. Mr Watson is very skilled at ticking Scottish Government boxes without delivering any real change. Again, not a Board Member questioned this.

Annual Report and Accounts

The discussion on these items, which are the public means by which the LLTNPA accounts for its work, was brief. There was not one question on the accounts, to which James Stuart's response was "*tremendous*".

Martin Earl praised the Annual Report for showing the importance of partnership working, perhaps based on his experience in Callander, without showing any awareness of the many examples where

partnership working is not happening. Sarah Drummond, who appears the most PC member of the Board, suggested that references to Climate Change in the report be changed to Climate Emergency.

The only really critical comment came from Professor Christopher Spray who pointed out that there is nothing in the annual report about the aspirations of the LLTNPA for the year which had NOT been achieved or did not go quite as planned. Gordon Watson's response again said it all: *"if there was a major initiative that didn't go as planned we would need to say it"*. In a valiant attempt to ensure the Annual Report retains some semblance of objectivity, Chris Spray responded by asking whether then there shouldn't at least be a statement in the Annual Report to say that there had been no major initiatives that had not gone as planned? Like so many other valid criticisms from Board Members, it appeared to disappear into the ether.

Perhaps the best illustration of how the Annual Report is all spin and no substance is the fact that in the afternoon the Board was due to discuss their Corporate Risk Register in secret session. This used to be discussed in public and only specific risks discussed in private (for example the failure of some of the Park's property leases with commercial operators). What risk, one wonders, is great that the whole risk register needs to be discussed in secret? It beggars belief that such a risk has only developed since the end of the last financial year so the question is why was there no mention of the risk and its seriousness included in the Annual Report?

The primary purpose of Annual Reports, unfortunately, appears to be yet more spin designed to maintain the pretence that our public authorities are managing very well despite all the cuts.

The Flamingo Land Planning Application process

Public pressure has now forced the process for determining the Flamingo Land Planning Application out into the open. During the discussion James Stuart let slip the statement *"As I recall from from previous papers....."* This strongly suggests Board discussions have been going on in secret as I cannot find ANY previous papers to the Board or its Committees about the Application (more FOI requests!).

The main new consideration that emerged about the process, which will involve a site visit – probably over two days – a public hearing and then a Board Meeting is how difficult it will be to arrange. This is because to participate in the decision making a Board Member will have to be present throughout and they all have other commitments.

From the point of view of those concerned about the application and who may want to speak at the public hearing, the LLTNPA is going to ask people who want to make similar points to get together and appoint one person to represent them. If you are concerned about the application and want to speak yourself therefore, the important thing is to submit a detailed objection that no-one else will cover as well as you. Local residents have already started doing this but more is needed – for example detailed critiques of the documentation submitted by Flamingo Land.

Billy Ronald asked whether, following the Cononish example, there would be equal number of supporters and objectors represented at the Hearing. While there was an acknowledgement the number of objectors vastly outweigh supporters, no clear answer was given. I take it from this that

unless more people submit very detailed objections, supporters of the development will be allocated more time on the basis that all the documents submitted for the application need to be explained. That will bias the whole process in their favour. Get writing!

Ronnie Erskine, who is no fool, asked if the Board would be able to access independent legal advice during the process. Gordon Watson's reply was that Board Members would be "*getting independent objective advice from Stuart*" (Mearns the head of planning). There is plenty of evidence to contradict that claim. For example, it does not appear that Mr Mearns has ever raised with the Board their right as landowners to decide whether the Park's own land should have ever been included in the Planning Application ([see here](#)). Before the meeting I had written to James Stuart to ask him to raise this with the Board. Nothing was mentioned – but maybe staff had not shown him the email?

Audit and Risk Committee Terms of Reference and Vacancy

This item was dealt with without discussion. There are, however, now some critical Board Members on the Committee. I live in hope that maybe in the next year that they might start looking at the real governance issues in the Park (such as attendance by their fellow Board Members and how meetings could be made more accessible to the public – webcasting them is what is required).

Chief Executive's Report

This was short, quite a contrast to the reports produced by Grant Moir Chief Executive at the Cairngorms National Park. The less said, the less chance of questions. The report, however, included as an Appendix the Annual Report from Operation Ironworks – the Park's "co-operative" policing venture.

Gordon Watson started by highlighting from this the "*illegal and dangerous parking at Balmaha*". This provides a great illustration of everything that is wrong with his "leadership". Visitors are blamed for all the issues surrounding visitor management, or rather the lack of it, in the National Park from camping, to litter, to traffic congestion. How dare people decide they want to visit places like Luss or Balmaha on nice sunny weekends.

The LLTNPA was set up to address these issues and despite now having had 15 years to do so has achieved almost nothing. The East Loch Lomond Visitor Management Group, which was set up as a means to address these issues, was disbanded without any discussion at the Board. No plans have been progressed by the LLTNPA at Balmaha, either to provide adequate parking (farmers used to open their fields for cars to park here) or develop public transport as an alternative. What has happened has been left to local businesses like the Oak Tree Inn.

Board Members to their credit did expose much of this. Ronnie Erskine asked whether no parking signs wouldn't just displace people elsewhere (as have all the No camping signs). Chris Spray also raised the question later on in the discussion about National Parks week about how had National Park across the UK really made a difference. This did shift the discussion onto what the Park should be

doing (better public transport etc) but no actions arose from this. Until the LLTNPA develops alternative plans, the same visitor blaming game will continue.

All this is very relevant to Flamingo Land. Balloch is, like Balmaha, already gridlocked on sunny weekends, yet the Flamingo Land development will bring in hundreds more cars. The LLTNPA Board needs to start focussing on what it will do to resolve existing problems rather than adding to them.

Annual Operational Plan Reports

Again Board Members made some excellent critical comments. Chris Spray noted planning performance targets had slipped and asked what this meant in terms of the resources needed. Ellen Morton asked what lay under the large increase in Health and Safety Incidents.

Requirements & Good	17. Comply with mandatory/statutory duties within:	Complete	- Human Resource Mana
			<ul style="list-style-type: none"> - Procurement - Contract Management - Annual Report and Accounts - Financial and Budget Management - Internal Audit - Risk Management
			<ul style="list-style-type: none"> - New procurement strategy and policy implemented - New policy focuses on contract management. Work started with Anderson Strathern on construction contract management - Annual accounts on track for signing on 27 June 2019. Audit close meeting held on 30 May and no adjustments noted. Clean audit opinion expected - Delivered balanced budget (£3k underspend) - Planned internal audits completed. Rating to be confirmed by WDC

Ronnie Erskine, who is Convener of the Audit Committee, said he couldn't understand from the measures of success what had been achieved and what was still to do. He pointed out there were lots of qualitative comments in the last column (which is supposed to be quantitative data) and that there were lots of vague statements.

The above extract from the report illustrates this well. Note how, in respect of the secret discussion on the Corporate Risk Register, the last entry on Risk Management is blank; how can this have been marked as complete?

Corporate reporting is not easy, but it shouldn't be this meaningless.

Equality mainstreaming

The best, however, was saved to last.

Once again two young people were at the meeting representing the Youth Committee. I was surprised they appeared in Lomond Blue corporate hoodies but then that is how they are portrayed at the beginning of the Equalities Report:



It would be interesting to know if the Young People suggested themselves that they should attend the meeting in Park uniform or whether LLTNPA staff informed them that no other Board Member does. To me it looks more like an attempt to co-opt and subjugate young people rather than treat them with respect.

After lots of corporate speak from the Convener about “lots of hard work”, “real legacies” (from the year or Young People) and this is more than “lip service”, the oldest Board Member present and the Young People themselves cut through the crap. Chris Spray remarked that top down agendas reflect the view of those at the top and wasn’t it about time the Board allowed Young People to bring items THEY wanted to discuss to Board Meetings? After a meandering response, the Convener eventually half admitted that perhaps the LLTNPA should consider this. He then asked the two Young People present what they would like to raise. Thankfully they were not to be bullied or patronised and said they would go back and consult their peers. They appear to have a good understanding of what involvement really should mean. That’s their best defense against being used.

Steven also gave a great insight into the practical challenges of Young People getting involved in the Youth Committee when he explained there had only been four young people at their last meeting because there was no transport to get there. Public transport fit for young people across the National Park, that would be something!

The hypocrisy from the LLTNPA’s leadership on this is further demonstrated by two things. First, while they are encouraging the involvement of Young People in the work of the Board, they are not encouraging any other member of the public to get involved. Why not also involve other sections of the population/interest groups. Second, in terms of its own employment practices the LLTNPA is part of the problem and that is shown by the age profile of their staff given in the same annual report:

2019

Age	Women	Men	Total
16-24	2	3	5
25-34	13	14	27
35-44	17	30	47
45-54	38	28	66
55-64	14	17	31
65 and over	1	4	5

2018

Age	Women	Men	Total
16-24	2	2	4
25-34	11	13	24
35-44	34	17	51
45-54	23	32	55
55-64	16	11	27
65 and over	3	1	4

Total	85	96	181
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Total	89	76	165
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What’s interesting is that while in the Year of Young People the number of staff employed by the LLTNPA increased significantly, from 165 to 181, the proportion of Young People did not increase at all.

“We continue with the recruitment of Modern Apprenticeships/Interns and we have recruited a few staff within the younger age brackets through our normal recruitment processes. Despite this our age profile has not reduced. The average age in 2018 and in 2019 is 45.”

Indeed the Young People who were taken on were taken into precarious jobs like apprentices and interns. What the data shows – and credit should be given to the staff who collected this even if they were not allowed to draw the right conclusions – is that during the Year of Young People the Park did nothing to improve the employment prospects of younger people.

This is, of course, part of a much wider issue. There is training for Young People – the Mountains for People Project is another good example – but no jobs to follow. Following training or internships young

people are thrown onto the labour “market” to make their own way. Public sector jobs offer a much more secure alternative but in general as a result of cuts year in year out young people have been excluded from the public sector workforce. With the LLTNPA actually increasing the number of staff employed in the year of Young People, their performance is all the more dismal. Unfortunately, no Board Member picked up on this. I hope the “Youth Committee” – its not a formal constituted Committee of the LLTNPA – will.

I will pick up other raised by the Equalities and Mainstreaming Report in a further post.

What needs to happen

I hope this post helps demonstrate that we need Members of Public Boards who are prepared to cut through the spin and self-congratulation, take a hard look at the facts and then be prepared to develop new plans and directions based on those facts. There are clearly a few Members of the LLTNPA Board who could fulfil this function and are able to deconstruct what is being presented to them. What they have not done so far is demand a change of direction. It would help them if more members of the public and our politicians were to start demanding this.

Category

1. Loch Lomond and Trossachs

Tags

1. flamingo land
2. Forestry Commission Scotland
3. Freedom of Information
4. Governance
5. LLTNPA
6. secrecy
7. visitor management

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