

Undermining democracy â?? the continued attempts to manipulate the Loch Lomond and Trossachs National Park local elections

Description

Who can stand?

Following my post [Democracy and voting systems â?? the Loch Lomond and Trossachs National Park local member elections](#) I was pleased to see earlier this week that the Loch Lomond and Trossachs National Park Authority (LLTNPA) amended the erroneous information they had posted on their website which suggested only local residents could stand:

BEFORE

Local Board Member Elections 2022



Elections are taking place this summer to recruit five members to our Board, chosen by the people who live in the National Park. If you live in the National Park you can help shape the next chapter for this amazing place by [standing as a candidate](#) to become a Board member, or by casting your vote to elect the local member in your ward.

2022 is an historic year as we are celebrating 20 years of the National Park. Much has changed in the time since the National Park was first created and the role of the National Park Authority continues to evolve, with a focus on tackling the climate emergency and nature crisis more than ever before. To meet this challenge we need a wide range of people with different perspectives and skills on our Board to help guide the organisation, so that we can make sure that the qualities that make this place so special are restored and protected for everyone to enjoy for now and the future.

AFTER

Local Board Member Elections 2022

2022 is an historic year as it marks 20 years since Scotland's first National Park was designated here in Loch Lomond & The Trossachs National Park.

Much has changed in the twenty years since the National Park was first created. The role of the National Park Authority continues to evolve, with a focus on tackling the climate emergency and nature crisis more than ever before. To meet this challenge we need a range of people, perspectives and skills to help guide the organisation, so that we can make sure that the qualities that make this place so special are restored and protected for everyone to enjoy now and for the future.

Help shape our next chapter by [standing as a candidate](#) or casting your vote in our Board elections.

About our Local Board Member Elections

The [National Park Board](#) is made up several categories of Board member, including five members directly elected by those who live in the National Park. In the elections taking place this summer, the National Park is split into five electoral Wards and one member will be appointed in each Ward.

No mention of candidates requiring to be resident in the National Park!

Then today, belatedly, the LLTNPA issued a news release ([see here](#)) which set out the correct legal position and informing the public nominations are now open:

â??Candidates do not need to live in the National Park to stand for election but they must have the written support of 10 people who do.â?•

There has been no apology from the LLTNPA for having misled the public.

How more barriers are being placed in the way of people standing as candidates

The nominations packs ([see here](#) for an example) contain information produced by the LLTNPA titled *â??Role Description for National Park Authority Board Membersâ?•*. This has a section headed *â??Key Skills of an Effective Board Memberâ?•* which lists the following:

- â?¢ Ability to contribute effectively to organisational strategy and development.*
- â?¢ Ability to work collaboratively and constructively with key partners and stakeholders.*
- â?¢ Ability to communicate effectively.*
- â?¢ Ability to analyse and evaluate complex issues, weigh up conflicting opinions and reach informed decisions.*
- â?¢ Ability to constructively and supportively challenge.*
- â?¢ Ability to manage performance and governance.â?•*

In the UK and Scotland, there are very few limitations on who can put themselves up for election. Indeed, one of the key tests of whether any election is democratic is how far it is open to anyone to

stand. No-one tells candidates for the elections to the UK Parliament, Scottish Parliament or Local Authorities what skills they should have to be an MP, MSP and Councillor yet here we have UNELECTED officials telling candidates what skills they should have to be an "Effective Board Member". This is fundamentally undemocratic.

The cause of the problem is that the LLTNPA is trying to treat all Board Members the same when they are not. A third are appointed by Scottish Ministers, a third are councillors nominated by the constituent councils to Scottish Ministers and a third are directly elected. It is entirely appropriate that Scottish Ministers should specify that people who apply to them for a place on the Board have certain skills (whether the actual skills listed are appropriate is another issue). It also may be appropriate that when seeking nominations from the local councils Scottish Ministers suggest that those nominees should have certain skills (it is unclear how much horse-trading goes on between Scottish Ministers and Local Authorities over their nominations). But it is entirely wrong for anyone to try and use a list of skills to determine who puts themselves up for election as a local member. It is a serious limitation on our democratic rights and sets a very serious precedent.

Before people are elected to Councils or to the Scottish or UK Parliaments no-one tells them that they have to take collective responsibility for those bodies decisions. That is another fundamental tenet of democracy, those elected are free to voice their views and can oppose decisions after they are made. The LLTNPA's role description for elected board members, however, attempts to subvert this by stating:

"Board Members are required to take collective responsibility for the Authority's decisions on planning, development control and other matters, including participating as required in formal decision processes in the planning committee or other committees".

There is nothing to stop a local councillor objecting to a development once planning permission has been granted and the National Parks (Scotland) Act 2000 says nothing about Board Members, whether directly elected or not, having to take collective responsibility. Again that is something which Scottish Ministers may have a right to require from their own nominees but not from directly elected members. There is therefore no justification for the LLTNPA trying to make this a requirement for locally elected members to their Board.

Having set out an erroneous list of requirements which appear designed to deter people from standing so much for the claim that they want a broader range of people on their Board the LLTNPA say nothing about the Committees and Working Groups on which Board Members can serve. That sort of information would be of far more interest and use to people who are considering whether to stand.

It is not just the LLTNPA, however, who is creating barriers to people standing:

"nomination forms must be in hard copy format with ink signatures and delivered by hand to the Election Office, Room 56, Old Viewforth, Stirling, FK8 2ET. Completed nomination forms can be submitted to the Election Office between 9am and 4pm Monday to Friday from the day after the publication of the Notice of Election until the close of nominations at 4pm on Thursday 2 June 2022."

If you don't have a car and live in Cowal, that would be a full day out just to deliver your nomination form, whereas if you live in Callander you can just pop down the road. Last elections no less than 9 candidates stood for the Cowal and North Loch Lomond ward. Surely it's not beyond the wit of Stirling

Council to arrange for candidates to submit nomination forms to the offices of the other councils in the National Park?

Reasons to be optimistic about people putting themselves up election?

One hope for local member democracy, in the absence of any intervention from the Scottish Government, is that the Board Member fees may be attractive enough to encourage people to ignore or overcome these barriers. The LLTNPA Board may have stopped discussing their fees in public, but the nomination pack reveals they now receive Â£215.77 a day.

I have also had some positive feedback to the suggestion in my last post that parkswatch could publish statements from candidates in the local member elections, with the intention of making local residents more aware of the choices they are being offered. I am minded to go ahead with this unless the LLTNPA commits to doing so. If you are thinking therefore of standing as a candidate do please contact me at Nickkempe@parkswatchscotland.co.uk so I can keep you informed of my plans.

Category

1. Cairngorms
2. Loch Lomond and Trossachs

Tags

1. CNPA
2. Governance
3. LLTNPA

Date Created

May 12, 2022

Author

nickkempe