

The Cononish goldmine under wraps along with the Loch Lomond and Trossachs National Park Board

Description

Care and Maintenance – Stack 2



Geotechnical inspections of stack 1 and 2 have been undertaken by Ironside Farrar on behalf of the National Park and the Stack remains geotechnically stable. Works to reduce the risk of surface wash off have been completed, with geo-jute pinned in place on the slope down to the south seepage collection channel.



Tailings Stack 2 at the Cononish goldmine, which had been eroding away over the winter, had been all wrapped up in geotextile by May. Slide credit LLTNPA

Background

The matters arising paper for the June meeting of the Loch Lomond and Trossachs National Park Authority (LLTNPA) recorded that an ACTION recored in the minute the March meeting, that *“SM to look at possibility of organising a site visit to the gold and silver mine at Cononish for Members”*, was *“closed”*. The wording begs some questions? Why would SM, Stuart Mearns the Director of Development, need to look into the possibility of a board visit to Cononish? Do he and his staff, who are meant to be monitoring the now closed mine, have to ask permission from SGZ Cononish, the company that still runs the mine, each time they visit? Why could he have not just said *“yes”*, of course I will arrange that? And the statement the ACTION was closed could mean anything! I

therefore submitted a Freedom of Information on 9th June asking if the board had visited the goldmine and, if so, for any information relating to it.

A visit six months too late

It turns out the out the following board members visited on 27th May: Heather Reid (Convener, who is yet to respond to a single one of my emails expressing concerning about the mine); Rhona Brock; Claire Chapman (Convener of Planning); Maurice Corry; â?ç Martin Earl; Ronnie Erskine (Convener of Audit and Risk Management); Richard Johnston; David Mackie; Shonny Paterson; William Sinclair and Chris Spray along with the following National Park staff: Stuart Mearns, Director of Place; Anna MacLean, Director of Engagement and Innovation; Development Management Planner; and Ecologist.

Given this level of interest, the question arises why these board members did not ask to visit the mine last October, when I first started to alert them to the environmental risks posed by the financial collapse at the mine ([see here](#))? Or last December, when a series of predictable pollution incidents forced planning staff to take action ([see here](#))? In all I wrote to the Convener of the LLTNPA on 11 occasions between October and the end of February, trying to make her aware of the crisis at the mine, and never received any acknowledgment or response from her. A visit any time during that period would have been more than justified but she and her fellow board members chose to leave it until after the crisis was over and, as photos from the FOI show, the mine had been all cleared up so there was very little to see!.

Care and Maintenance – Water Management



- Water Quality monitoring is ongoing in accordance with the CAR licence and planning consent.
- Number of instances where the site has been exceeding on suspended solids in the discharge into the river Cononish. These have often occurred at times of very heavy rain fall and/or coincided with the clearance of the ponds when sediment has been disturbed.



Settlement Pond October 2023



Settlement Pond April 2024
(post clearout)

The commentary on the slides minimises the seriousness of these incidents and blames sediment leaks on heavy rain when of course the point of the planning conditions attached to the Cononish goldmine is they were intended to prevent such incidents happening, whatever the weather!

It is possible that some board members wanted to use the visit on 27th May to promote some ‘learning after the event’ but there are no ‘lessons learned’ included in the information response.

Staff control all LLTNPA board members do and say

The majority of information provided in the information response was not about what had gone wrong at the mine last year and had belatedly prompted the visit. Instead, it mainly consisted of instructions to board members of what they could and could not do starting with this letter:

From: [REDACTED]
Sent: Thursday, May 23, 2024 5:14 PM
To: 'David Mackie' [REDACTED]; Claire Chapman [REDACTED]; 'William Sinclair' [REDACTED];
[REDACTED]; Ronnie Erskine [REDACTED]; Chris Spray [REDACTED]; 'Dick Johnson'
[REDACTED]; Heather Reid [REDACTED]; Rhona Brock [REDACTED]; Martin Earl
[REDACTED]; 'maurice.corry' [REDACTED]; Councillor Shonny Paterson
[REDACTED]; Sid Perrie [REDACTED]
Cc: Stuart Mearns [REDACTED] <[REDACTED]@lochlomond-trossachs.org>; Anna MacLean
[REDACTED] <[REDACTED]@lochlomond-trossachs.org>;
[REDACTED] <[REDACTED]@scotgoldresources.co.uk>; [REDACTED] <[REDACTED]@dalgleishassociates.co.uk>;
[REDACTED] <[REDACTED]@dalgleishassociates.co.uk>; [REDACTED] <[REDACTED]@scotgoldresources.co.uk>;
[REDACTED] <[REDACTED]@scotgoldresources.co.uk>;
[REDACTED] <[REDACTED]@infracapp.com>; [REDACTED] <[REDACTED]@infracapp.com>; [REDACTED] <[REDACTED]@scotgoldresources.co.uk>;
[REDACTED] <[REDACTED]@scotgoldresources.co.uk>; [REDACTED] <[REDACTED]@scotgoldresources.co.uk>; [REDACTED] <[REDACTED]@scotgoldresources.co.uk>
Subject: Cononish Visit by Park Authority Board members - Monday 27th May
Importance: High

Dear All

As we look forward to the Cononish Goldmine visit on 27th May, I just wanted to send some reading material in advance and confirmation of the meeting arrangements to help you make the most of the visit and ensure a safe experience.

Instead of having a full briefing session before setting off for the site, we thought it would be better if you had the presentation to look over in your own time and also because some members are making their own way there. Please find attached. Stuart and [REDACTED] will however be at headquarters at 11.30 on Monday in the Robert Grieve Room and can give you more of a background should you wish to meet them before heading off for the site at 12.

Please also find attached risk assessments for you to read through. **IMPORTANT - Please can I ask that you confirm by reply that you have read them.**

The last document attached is the day's updated itinerary. This will give you all the details you will need to know for the day. If however, you have any questions before Monday please contact me and I'll be happy to help. Your contact on the day is Stuart and his details are at the bottom of the document.

Documents attached:

- Presentation Slides
- 3 x Risk Assessments to be confirmed as read
- Site Visit Itinerary

Have a safe trip, a great day and hopefully the rain will stay away!
Kind Regards

[REDACTED]
[REDACTED]
Governance & Information Advisor

I am not going to publish the whole risk assessment that board members were asked by return to confirm they had read because I have been provided with 30 pages of it but here is a flavour:

Number	Hazards & Harm:	People exposed	Current Controls in place.	Risk Rating With Controls			Further required controls: To be determined based upon site specific conditions	Risk Rating With additional Controls			Responsibilities Staff/Team
				L	C	R		L	C	R	
			Participants issued with sun block and sunhats if necessary Participants encouraged to drink water and avoid extended periods in direct sunlight If site unknown, then recon undertaken beforehand								
3	Terrain: walking on slippery, loose, uneven surfaces and poor visibility	Members, Staff, Legal Adviser, Members of the public	Briefings on the site sent to members in advance Any accessibility requirements to be gathered from members in advance Pre activity talk by group leader highlighting route and terrain to be expected, including potential trip and slip hazards Footwear – all participants to wear appropriate footwear	1	3	3	*			*	
4	Vegetation: Loose overhanging/ branches or trees Head/eye injuries	Members, Staff, Legal Adviser, Members of the public	If heavily wooded site, then pre-activity site check carried out Any dangerous limbs or obstructions present, and site cannot be made safe, then identify an alternate route Pre activity talk by group leader highlighting hazards Dynamic RA to be carried out by staff continually Cancel Activity if conditions are deemed dangerous (e.g., high winds)	1	2	2	*			*	
5	Group supervision:	Members, Staff, Legal	Group leader to explain ground rules and expectations at the start of the day	1	2	2	*			*	

It would not be unreasonable to expect that anyone appointed to the LLTNPA board would have experience of being outdoors in National Parks and not need to be told about hazards like uneven ground, sunburn or dehydration. So why require board members to read about this?

The LLTNPA never used to do this. I, with a couple of other objectors, were allowed to observe the then LLTNPA Board when they visited the Cononish gold mine site prior to determining the planning application and I do not recall any of this bureaucracy (the risk assessment is for planning visits, not mines as such) or having to sign anything. We were even given a lift up the mine in National Park vehicles and some of the board members spoke to us (without of course saying how they were going to vote). The mine has already been operational, so it was a mine site.

And then, as if this reading the risk was enough, the lecturing was repeated in the slides.

Health & Safety



The site operators will be giving a Health and Safety Induction when we arrive at site and will issue us with PPE but please note:

- Weather on site can be unpredictable – please bring warm clothes including waterproof jacket and trousers if possible;
- Stay together as a group at all times;
- Be aware we will be walking on uneven ground;
- Stay at a safe distance away from watercourses and the settlement ponds.

If any LLTNPA Board Member needs to be told that the weather in upland areas like Cononish can be unpredictable, they shouldn't be on the board. But to dismiss the slides and risk assessment as patronising or nonsensical bureaucracy is, I believe, to miss the point.

Number	Hazards & Harm:	Current Controls in place.	Risk Rating With Controls			Further required controls:	Risk Rating With additional Controls			Responsibility for further controls
			L	C	R		L	C	R	
						soon as possible and given hot food/drink to assist warming. <ul style="list-style-type: none"> Call emergency services in circumstances where drowning might happen. 				
2	Traffic: walking alongside and in proximity to roads	<ul style="list-style-type: none"> All staff and Board Members will be escorted by mine staff at all times. Mine is not currently operational so limited activity taking place. Site Induction to be undertaken by site staff 	3	4	20	<ul style="list-style-type: none"> High visibility clothing to be available and worn by staff and Board Members when leading groups near traffic. Staff provides advice to walkers and volunteers regarding safety around traffic. If parking staff and volunteers should do so in a safe manner and where it is safe to enter and exit vehicle. If transporting board members, staff is responsible for the safety of passengers, please refer to Driving Risk Assessment for more details. 	2	4	20	<ul style="list-style-type: none">
3		•				•				•

By treating board members like very young children you control them, hence "All staff and board members will be escorted by mine staff at all times". There is not a single hazard mentioned in the risk assessment that you might not come across anywhere in the countryside and nothing specific to the mine and mining. Unless the mine site still contains hidden horrors, e.g polluted land that might poison visitors, there was no justification for trying to control board members in this way.

SGZ Cononish Ltd Team

Name	Position
[REDACTED]	Director
[REDACTED]	Process Plant Manager
[REDACTED]	Senior Geologist
[REDACTED]	Environmental Officer
[REDACTED]	Director at Dalgleish Associates

Uniform

Site Visit

All Park Authority staff and Board members attending the site visit should wear their National Park Jackets. Appropriate footwear should be worn however there is a requirement for steel toe capped boots and these will be provided at the site. If you do have your own, please bring them. Hi-vis vests and hard hats will also be provided.

Venue

Cononish Gold & Silver Mine
Scotgold Resources Ltd
Tyndrum Upper Station
Crainlarich
FK20 8RY

default watermark

Forcing board members to wear National Park jackets, Hi Viz Jackets on top of those and steel capped boots to boot, on a site which is non-operational and where the public are denied access goes beyond control, its abusive. That is the point, any board member who accepted this level of coercion and control by LLTNPA and Cononish staff as normal, was never going to question them.

Despite this exercise in group control, however, it appears LLTNPA senior management were still concerned that some board members could try and hold Scotgold to account. Why otherwise produce this slide?

Code of Conduct



The purpose of this gathering is to provide a site update on an approved development	Be respectful of your fellow attendees	Make sure we hear the quiet people and make space for everyone
At all times we ask you retain a constructive, positive approach to questions	Be mindful of the sensitive circumstances for the staff you may meet	There may be information the company shares that is not in the public domain yet
Be safe on site – stay with the group		

My guess is that it was aimed at the local Board Member for Balloch, Sid Perrie, who is the one member of the National Park Authority prepared to speak his mind and whom the Board Convener, Heather Reid, threatened to evict from the last meeting for questioning what the proposed changes to the Code of Conduct were really about ([see here](#)). While Mr Perrie did not attend the visit, he was one of those scheduled to attend – perhaps the slide made him decide it would be a waste of time? Whatever the case, the slide helps confirm that the primary intention of staff in putting a revised Code of Conduct to the June Board Meeting was to use it to limit critical questions about the planning system, not just at Flamingo Land but Cononish too.

Where now for the Cononish goldmine?

The LLTNPA only published the mine monitoring report for December, which I obtained through an FOI request and discussed in a post in May ([see here](#)), in June and has not yet published subsequent reports. Despite the lack of public information, however, I am pretty confident the mine site no longer poses any immediate environmental risk: staff would never have allowed the board to visit if it did.

The main issue now, therefore, is what happens to what is effectively a mothballed mine. There have been no updates to the information about SGZ Cononish, the company that was operating the mine, since Nathaniel Le Roux, the person who now appears to own the mine (see link above), resigned as a Director in January. What if any discussions have taken place between LLTNPA staff and Mr Le Roux and his agents is not public knowledge.

Under the Section 75 Agreement which was put in place for Cononish, the LLTNPA should trigger provisions to restore the site if the mine ceases to operate for a year. With the mine closing at the end of September 2023 that date is only six weeks away. While one of the slides for the board visit referred to the restoration bond and there is a reference to the mine being in a "care and maintenance phase", nowhere was there any mention of the potential closure of the mine or what happens next.

There is evidence to suggest LLTNPA senior management are putting the interests of Mr Le Roux before those of the National Park. For example, apart from the very belated work to prevent environmental pollution, the LLTNPA appears to have done nothing to resolve the retrospective application ([see here](#)) to retain "containers for accommodating site office, welfare facilities and laboratory (including associated infrastructure) and formation of associated parking areas" where there has been no progress since May 2023.

The risk is that if left to staff the LLTNPA will continue to allow the mine to lie in limbo, despoiling the landscape and impact on the public's enjoyment of it, until "market conditions" are such that Mr Le Roux or someone else can raise funds to start mining again. Such an outcome would be contrary to the intention of the Section 75 agreement and the aims of the National Park which is why the future of the mine needs to be on the agenda of the September Board Meeting and discussed in public.

Category

1. Loch Lomond and Trossachs

Tags

1. Governance
2. landscape
3. LLTNPA
4. planning
5. restoration

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