

## Paving the way for Flamingo Land – Scottish Enterprise’s transfer of land at the pierhead to the National Park Authority

### Description

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 03 September 2015 17:16  
**To:** Pearson, Malcolm  
**Cc:** Mairi Bell  
**Subject:** RE: West Riverside, Loch Lomond

Hi Mairi,

[REDACTED]

I remember initially you had mentioned the afternoon of the 30<sup>th</sup> September as being a time that Stuart could attend? Is that still the case? If so, I will schedule a meeting in AC and circulate a meeting agenda.

Best Regards,

[REDACTED]

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**Please consider the environment - do you really need to print this email?**

The LLTNPA have refused to disclose whether the “Stuart” who attended the meeting on 30th September discussed the secret appointment of Flamingo Land as preferred developer for Balloch was Stuart Mead.

The Loch Lomond and Trossachs National Park Authority (LLTNPA) Board duly agreed ([see here](#)) at their meeting yesterday to do nothing further to oppose the proposed Lomond Banks development.

They have also handed all responsibility for negotiating a Section 75 Agreement with Flamingo Land, (as suggested but NOT required by the Scottish Government's Reporter) which is designed to enable the development to go ahead to Stuart Mearns, the "Appointed Officer". If Mr Mearns is the same Stuart who is referred to in the email above, that means the LLTNPA Board have handed all power to the person who paved the way for the Flamingo Land development in the first place ([see here](#)).

Only one Board Member, the locally elected member for Balloch, Sid Perrie, dissented from this decision. And he had to interrupt the Convener, Heather Reid, to get his dissent recorded on what would otherwise have been another noddy "vote". (The local councillor for Balloch who sits on the Board, Hazel Sorrell, had given her apologies to the meeting)

I will write further about the LLTNPA's morally corrupt decision, which undermines the statutory purpose of National Parks in Scotland, in due course. But it was Sid Perrie, again, who helped reveal the further transition of what was a National Park into the Loch Lomond and Trossachs National Development Agency, when he was eventually allowed to ask questions during the following item of business about "The Place Plan Investment Strategy Update" ([see here](#)).

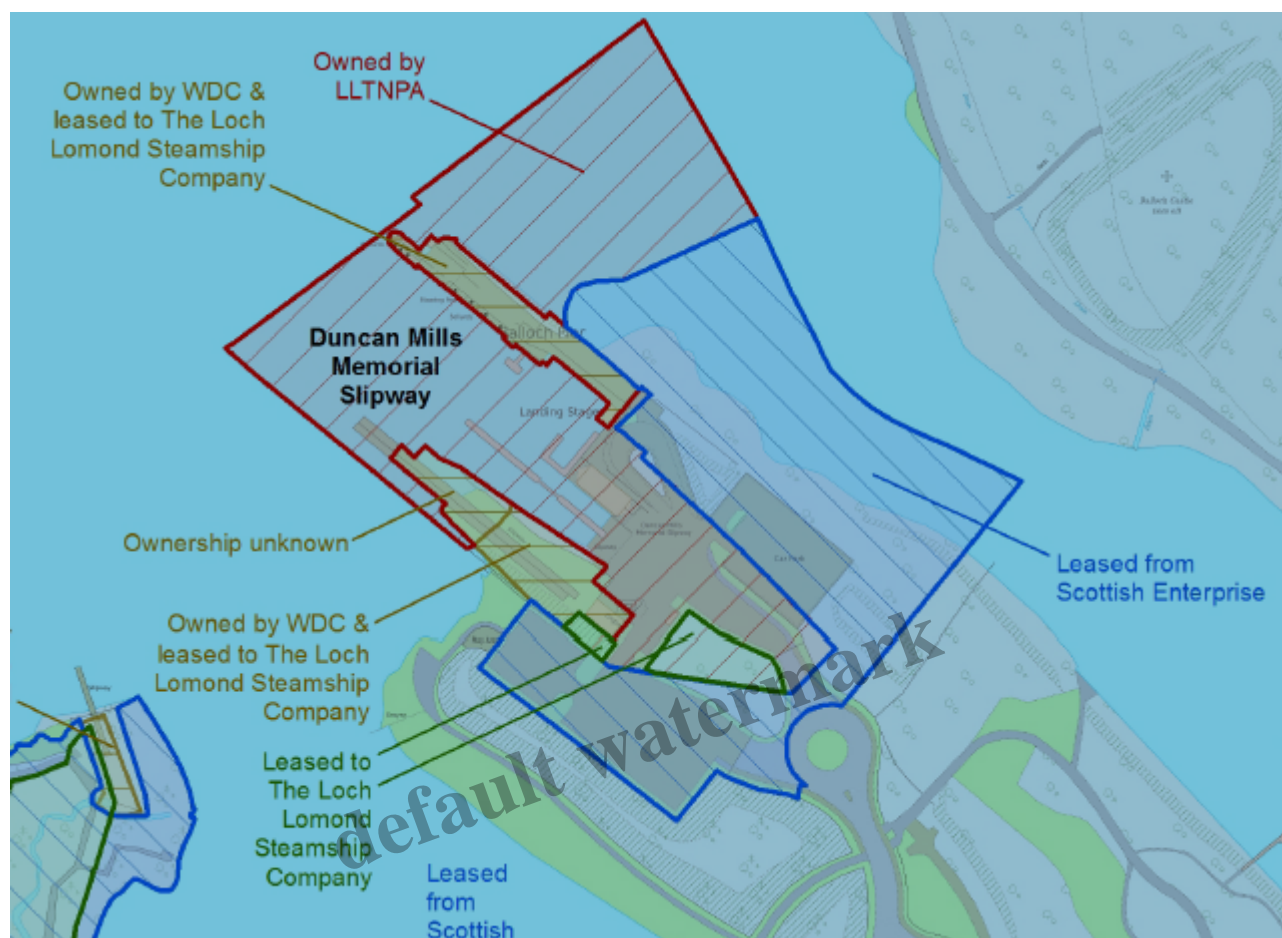
Once again the board were not asked to consider options for the Place Investment Strategy, only to give the nod to staff plans, which included an "Action Plan" for the Pierhead Area in Balloch (a short and a longer version ([see here](#)) are included as appendices to the report). This had previously been described as a "masterplan" – for what and for who? It has been produced and published before the local community has had a chance to develop a local place plan for Balloch. This, as I explained last year, clearly prejudices their ability to decide what happens at the pierhead ([see here](#)).

The Action Plan contains a Landownership Map which reveals that most of the land at the pierhead is now in the ownership of the LLTNPA:



My red lines show the approximate position of

Flamingo Land's proposed aparthotel and leisure complex. WDC = West Dunbartonshire Council.



Previous landownership at the Pierhead.

The two maps show that the land previously owned by Scottish Enterprise (SE) at the Pierhead, and which lay outside the area covered by their Exclusivity Agreement with Flamingo Land ([see here](#)), have been sold/transferred to the LLTNPA. In response to Sid Perrie's question, LLTNPA staff revealed that the land had been "transferred" from SE to the LLTNPA in early May after what was described as 26 years of negotiation, i.e since before the LLTNPA was created. After so many years it was unfortunate timing that the transfer was signed off just before the Scottish Government Reporter issued his decision on 16th May that he was minded to approve the Flamingo Land planning application.

A further question from Sid Perrie revealed that LLTNPA staff had not been informed by SE of any registration of interest in this land by the local community development trust. The LLTNPA Chief Executive, Gordon Watson, added that if they now did so any proposal would be evaluated against "operational requirements". It appears likely LLTNPA staff will do all in their power to frustrate a local community buyout at the pierhead as they did at Luss ([see here](#)). This also helps explain the lack of any meaningful engagement with the Balloch and Haldane Community Council about options for the area during Pierhead Action Plan consultation.

## **The concerns about the land transfer at the Pierhead**

The top map shows that what happens on the land now owned by the LLTNPA is crucial to the financial viability of Flamingo Land's proposed development at the Pierhead – since the LLTNPA now controls the road access and all the parking! Indeed, since the aparthotel and leisure complex form the core part of the proposed Flamingo Land development, how the LLTNPA uses the land they now own at the Pierhead will determine the viability of the development as a whole.

Sid Perrie did not attend the special board meeting on 16th September after receiving a letter from the LLTNPA's solicitors effectively threatening to remove him if he turned up – hence perhaps the police presence on the day – but not a single board member who did and voted against Flamingo Land the proposal asked yesterday whether the Pierhead Action Plan might benefit Flamingo Land. Nor did any question why it does not contain a single reference to their proposed development next door. That despite the fact that the main beneficiaries of the proposals in the Pierhead Action Plan to improve the landscape and parking facilities in the pierhead area are likely to be Flamingo Land.

Indeed, if you want to understand why Scottish Enterprise have agreed to transfer their land at the Pierhead to the LLTNPA after 26 years of negotiations, it is worth recalling that they have been subject to significant political criticism from Jackie Baillie (Labour) and Ross Greer (Greens) for subsidising Flamingo Land's first planning application ([see here](#)) and committing to selling off public land on the cheap. The political consequences if Scottish Ministers had offered Flamingo Land any further sweeteners through Scottish Enterprise would have been enormous. The way round that was to channel money through the LLTNPA in the form of the £2,400,000 ([see here](#)) which was identified to fund the Action Plan last year BEFORE any public consultation took place!

Under the National Parks (Scotland) Act 2000 the LLTNPA has the power to acquire and dispose of land. That normally requires board approval (as in the proposed disposal of the former visitor centre at Luss), not least because of the financial implications and the impact this will have on the Park's balance sheet. The LLTNPA Board do not appear to have been asked to approve the transfer of land in this case – it appears it may have been transferred not bought – and there has certainly been no announcement about the value of the land and what conditions have been attached to the transfer. After 26 years of negotiations you would expect SE to extract the equivalent of a pound of flesh. Nor did any board member, whose primary function now is governance and not operational matters, follow up Mr Perrie's question by asking about these matters. (I have submitted a Freedom of Information request).

Nor did any board member, assuming Scottish Enterprise was transferring the land out of the goodness of its heart, think to ask why the other land which the LLTNPA leases from SE at Balloch (and falls outside the Exclusivity agreement with Flamingo Land) was not also part of the deal? The answer from staff would have been interesting! My explanation is this land (including the strip of woodland behind the former Gateway Centre) doesn't need investment and Scottish Enterprise's interests are best served by keeping it.

The land transfer will have had to be approved by Kate Forbes, the Cabinet Secretary responsible for SE, and Mairi Gougeon, the Cabinet Secretary responsible for the LLTNPA. Ivan McKee, the Minister responsible for public finance and planning, who has so far refused to call-in the Flamingo Land

planning application, is directly responsible to Kate Forbes. It beggars belief that none of these ministers or their officials have thought through the implications of transferring land at the Pierhead from SE to the LLTNPA or of offering the LLTNPA £2.4m to upgrade the area next to the Flamingo Land development. Responsibility for the Flamingo Land disaster would appear to go to the heart of the body politic in Scotland.

## What next?

As a matter of urgency the local Community Development Trust now need to register an interest in ALL the land the LLTNPA own at the Pierhead and probably the smaller areas owned by West Dunbartonshire Council too. In my view there then needs to be a major consultation, led by both community and national interests, to develop an alternative plan for the pierhead area including the land where the Flamingo Land development would be located.

Only 200 people contributed to the Pierhead Action Plan, compared to the 150,000 who objected to the Flamingo Land application and the 800 who submitted individual responses, so it has no legitimacy. It would be extremely difficult for the Scottish Government to continue to support the Flamingo Land development if it was faced with alternative proposals for the Pierhead.

There is no need for such proposals to include a major development. They could protect the woodland, as LLTNPA board members purported to want to do when they refused planning permission for Flamingo Land last September, and few if any new buildings would be required for example to develop the area as a centre for watersports ([see here](#)). Indeed, if a residential watersports centre was desired, it could use some of the empty buildings/units at Lomond Shores, including the former National Park Gateway Centre.

## Category

1. Loch Lomond and Trossachs

## Tags

1. conservation
2. flamingo land
3. Freedom of Information
4. Governance
5. LLTNPA
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7. Scottish Enterprise
8. Scottish Government

## Date Created

June 10, 2025

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