Email sent to Convener@lochlomond-trossachs.org 23rd October

Dear Dr Reid,

I note that following my previous correspondence about the lack of information about what the LLTNPA is doing in response to the crisis at the  Cononish Goldmine and my questioning of your reported decision that this was an "operational matter" and not something for the Board, that a report on the Cononish mine has been put on the agenda for the meeting of the Planning and Access Committee on 30th October <https://www.lochlomond-trossachs.org/wp-content/uploads/2023/10/Agenda-Item-6-Cononish-Gold-Mine-Tyndrum-Update.pdf>.   I am delighted that some members of the LLTNPA Board are now going to have the opportunity to consider the issues. I wonder whether you were aware of this and, if so, why I wasn't alerted?

This report describes itself as the "annual report" on the mine and appears  to have been brought forward - the last was in December 2022 and the one before that apparently in November 2021.  Unfortunately, as you can see from the screenshot pasted below, if there were any Planning Committee meetings between April and December 2021 all have disappeared from your website and I cannot find any meetings where the "Annual Report" was considered before that.  I would be grateful therefore if you could ask staff to provide me with copies of all the Annual Reports that the LLTNPA has produced on the Cononish Goldmine since before December 2022.

The Annual Report is quite extraordinary in that it makes no mention of the financial crisis of the mine until near the end:  the way it is written Board Members would have absolutely no idea that serious issues might be at stake.  It is in my view totally unfit for purpose and raises serious governance issues.  I will make a limited number of points here which I would be grateful could be brought to the attention of ALL board members and would then ask for your considered reply:

1) Para 4.3  is about the Restoration Bond and notes that after discussions "the bond amount would be increased from £537,918.22 to £623,767.46. A payment of £40,000 was received by the National Park Authority in June 2023 and the remaining £45,848.24 remains outstanding despite reminders that this payment is overdue."  That is a breach of the Section 75 Agreement and should have the alarm bells ringing but instead of inviting board discussion about the crisis the paragraph concludes "it is considered that the current funds are sufficient relative to the current phase of stack preparation and restoration"

2) Para 4.4 is about the Greater Cononish Glen Management Plan bond.  Stuart Mearns the head of planning decided (rightly) this needed to be reviewed in June last year - 16 months later the review is still not complete.   More alarm bells!

3) There is no mention in the report of the number of actions agreed in monitoring reports that have not been addressed month after month.  The LLTNPA's policy is that actions that are not addressed between one report and the next should be marked red but this has not been happening and some actions have now been outstanding for more than a year.  That is a fundamental failure in governance.

4) There is no mention in the  report of any of the pollution incidents that took place earlier this year as recorded in the March monitoring report (the last publicly available) or whether further pollution incidents have taken place at the mine since then.

5) While the report states Park staff are content with the arrangements put in place to monitor and care for the mine area while the bulk of the workforce has been laid off, there is no detail of what these arrangements are, neither what staff are still on site nor what information is being provided in reports (presumably its different to the monitoring reports).  It is impossible for the Board to scrutinise whether such arrangements are adequate or not unless it knows what has been put in place.

6) There is no mention in the report of the 5 year review of the Waste Management Plan which is due to be delivered this month - I assume that Board Members will be told on Monday whether it has been delivered or not.

7) But most important of all there is no attempt in the report to consider the risks of what will happen if Scotgold goes into administration.  The restoration and aftercare bond, as I understand it, comes into effect if the mine is abandoned for a year or a decision is made to close it.  It does not cover what happens if, for example, an administrator found there was insufficient funds left to pay to keep a staff team on site.

It seems to me that there is a strong case for the LLTNPA to enforce the Section 75 agreement and take proactive steps to close the mine down using the Restoration Bond to do so - yet the possibility that the Board might use its powers in this way is not even mentioned in the report.  Your decision to allow staff to keep treating the crisis at the Cononish goldmine as though it were a standard operational matter appears to me a serious mistake.

Yours Sincerely,

Nick Kempe

