

# National Park Authority Board Meeting



**Minutes of Meeting held at  
10:30am on 26<sup>th</sup> January 2015  
National Park Headquarters, Balloch**

Present: Colin Bayes (CB) – Acting Chair  
David McKenzie (DMcK)  
Angus Allan (AA)  
Lindsay Morrison (LM)  
James Robb (JR)  
Martin Earl (ME)  
Petra Biberbach (PB)  
Bob Ellis (BE)

Fergus Wood (FW)  
William Nisbet (WN)  
George Freeman (GF)  
Hazel Sorrel (HS)  
David Warnock (DW)

In Attendance: Park Authority Staff:  
Gordon Watson (GW)  
Jaki Carnegie (JC)  
Stuart Mearns (SM)  
Catherine Stewart (CS)  
Sandra Dalziel (SD)  
Sharon McIntyre (SMcI)

Scotgold Resources Ltd:  
Rob Latimer (RL)  
Chris Sangster (CS)  
Richard Gray (RG)

Apologies: Linda McKay (LMc)  
Owen McKee (OM)  
David McCowan (DMcC)

Item	Action	Action by
1	<p><b>Welcome and Apologies</b></p> <p>The acting Chair opened the Special Board Meeting and explained that he was chairing the meeting due to LMc being on annual leave.</p> <p>He confirmed that the Special Board Meeting would be considering a planning application, so the meeting would be held under the standing orders of the Planning &amp; Access Committee.</p> <p>Members congratulated GW on his appointment as Chief Executive.</p> <p>Apologies were received from LMc, OM and DMcC.</p>	
2	<p><b>Declarations of Interest</b></p> <p>No declarations of interest were received.</p>	

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<b>3</b>	<p><b>CEO Appointments Panel</b></p> <p>JC introduced this report and advised Members that its purpose it to seek retrospective approval for changes to membership of the Appointments Panel. The Chair thanked DMcK for his attendance on the panel.</p> <p><b>DECISION:</b> Members <b>approved</b> retrospectively changes to membership of the Appointments Panel to the Convener; Linda McKay and Board members; David McKenzie and James Robb, and Keith Connal, Depute Director Scottish Government Natural Resources Division.</p>	
<b>4</b>	<p><b>Cononish Goldmine 2014/0285/DET</b></p> <p>SM introduced this paper and provided a summary of the proposal, advising members that there were two applications:</p> <ul style="list-style-type: none"> <li>(i) 2014/0285/DET for the variation of Condition number thirteen attached to planning permission 2011/0166/MIN to allow extended hours for construction, decommissioning and restoration and for processing plant operation; and</li> <li>(ii) 2014/0317/DET for the modification of a section 75 legal agreement associated with the existing consent (2011/0166/MIN).</li> </ul> <p>SM advised that appendix 2 of the report included a typing error and the word 'underlined' should be removed.</p> <p>SM advised that should Members approve the recommendations, planning permission would then be granted for a further three years. SM also brought to Members attention that the Park Authority would be able to request a review of the bond amounts prior to the commencement of development, on the basis of the time that has passed since the initial approval to ensure information is accurate and up to date.</p> <p>SM explained that initially there would be a construction phase on the site and referred to location maps of the development. The working hours that are proposed to be extended were summarised as follows:</p> <ul style="list-style-type: none"> <li>- Surface working operations relating to construction, decommissioning and post-production restoration would be from 06:00hrs and 21:00hrs Monday to Saturday and not on Sundays or recognised Scottish</li> </ul>	

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	<p>Public Holidays. This would be an extension from the original hours granted of 07:00hrs and 19:00hrs.</p> <ul style="list-style-type: none"> <li>- Processing building, including vehicle movements within the site would be a twenty-four hour operation, Monday to Saturday and not on Sundays or recognised Scottish Public Holidays. This would be an extension from the original hours granted of between 07:00hrs and 23:00hrs.</li> <li>- Surface working operations, including vehicle movements, on the Tailings Management Facility relating to progressive construction of subsequent lifts and restoration would be between 06:00hrs and 21:00hrs, Monday to Saturday and not on Sundays or recognised Scottish Public Holidays. This would be an extension from the original hours granted of between 08:00hrs and 18:00hrs.</li> </ul> <p>The main implications in a change of the working hours would be in relation to additional noise and light.</p> <p>SM directed members to section 7.6 on page 10 of the report which summarises the recommended changes to condition 13. These are that there shall also be:</p> <ul style="list-style-type: none"> <li>- no construction activities within 350m of Cononish Farm during the period 06:00-7:00hrs; and</li> <li>- no surface drilling operations between 06:00-07:00hrs and 18:00-21:00hrs.</li> </ul> <p>SM advised that there were two further conditions which it has been recommended be amended; condition 45 'Noise Limit' to minimise potential noise disruption to members of the public and condition 30 'Otter Survey' to ensure works do not disturb this species if these are found to be present within the area of development.</p> <p>SM advised that the officer recommendation is to approve the amendments to the original conditions of this application.</p> <p>The Chair thanked SM for this presentation and opened discussions asking if any further consultations or representations had been received other than those detailed in the report. SM advised no further consultations or representations had been received other than those outlined in the report.</p> <p>Members asked for confirmation that all changes related to workings within</p>	

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	<p>the main site. SM confirmed that this was not the case and referred Members to paragraph 3.6 on page 3 of the report.</p> <p>Members referred to a press release from the applicant advising that there is now more product than previously anticipated and queried whether this was the reason behind extending hours and whether this would have an impact on the Tailings Management Facility. The Chair advised that this was not a valid consideration in terms of the current applications. SM further advised that the existing consent stipulates the total amount of material that can be removed that it will be monitored throughout the life cycle of the mine.</p> <p>The Chair invited further questions from Board Members, noting that representatives from the applicant Scotgold were present.</p> <p>Members queried whether the applicant envisaged any issues in complying with the proposed conditions set out in section 3.6. RL confirmed that he had no concerns in relation to Scotgold satisfying these conditions.</p> <p>Members discussed the bond figures included in the Section 75 legal agreement, to be amended under application (ii). GW clarified that prior to the commencement of the development the Park Authority will have the right to request a review of the bond amounts. Given that the original application was approved three years ago this will be undertaken to ensure bond amounts reflected current day prices. Members requested that, should this item be approved by Members, SM reports to the Board on the review of the bond amounts prior to the commencement of the development</p> <p>The Chair brought discussions to a close and asked Members by show of hands whether they approved application (i) 2014/0285/DET. All Members agreed to approve application (ii), apart from DW who wished his abstention to be noted.</p> <p><b>DECISION:</b> Members <b>approved</b> application 2014/0285/DET for the variation of existing Condition 13 subject to the conditions contained in appendix 1 of the report and the registration of the modification of the planning obligation proposed in application reference 2014/0317/DET in the Land Register/Register of Sasines.</p> <p>The Chair then asked Members by show of hands whether they approved application (ii) 2014/0317/DET. All Members agreed to approve application (ii), apart from DW who wished his abstention to be noted.</p>	

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	<p><b>DECISION:</b> Members <b>approved</b> application reference 2014/0317/DET for the modification of the legal agreement as set out in appendix 2 of the report.</p>	
5	<p><b>Any Other Business</b></p> <p>JC advised that following the completion of the Best Companies survey by staff, the Park Authority has been rated as one of the top 100 not-for-profit organisations to work for in the United Kingdom.</p> <p>The Chair confirmed that the next Board Meeting will take place on the 16<sup>th</sup> March 2015 and that a Board Business Session would take place on the 23<sup>rd</sup> February 2015.</p>	

DRAFT