



FOI Ref: 2015/032

21st July 2015

REQUEST UNDER FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

Thank you for your requests for information under the Freedom of Information (Scotland) Act 2002 (the "Act") made by two separate letters dated 23rd June 2015 and sent by email on 23rd June 2015 to Linda McKay and Gordon Watson respectively. We have treated the requests for information made in these letters as a single request for information under the Act.

Your specific requests and the relevant information held by the National Park Authority are provided below.

Letter to Gordon Watson, CEO

I believe it is in the public interest for the National Park to give a clear account as to why Mr McKee stood down. I can find no other public record of what happened or why but if there is information about this that has been published would be grateful if you could point me towards it.

There is no information held by the Park Authority falling within the scope of this request. There is no published information relating to Mr McKee's resignation. This is not inconsistent with normal practice for both the Park Authority and public bodies more generally. Resignations may occur for a range of personal or organisational reasons, without any public announcement being made or any record being kept of those reasons.

If not, I would be interested the explanation for this, or if you are not prepared to give this would be grateful if you could provide me with:

- **The contents of any written statement from Mr McKee indicating why he stood down, when this was written and when received by the LLTNP**
- **Any emails or other communications between Board members on this issue between the date Mr McKee stood down and the Board meeting in March**
- **Any other information held by the Park Authority on why Mr McKee stood down**

LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY

National Park Headquarters, Carrochan, Carrochan Road, Balloch, G83 8EG Long: 4°34'24"W Lat: 56°00'12"N
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I enclose the following documents held by the National Park Authority in response to your request:

Some of the information has been redacted, specifically the personal email addresses of Board Members. This information is exempt from release under sections 38(1)(b) and 38(2) of the Freedom of Information (Scotland) Act 2002.

This exemption is an absolute exemption under the Freedom of Information (Scotland) Act 2002, which means we do not need to consider the public interest in the disclosure of this information, it is completely exempt from release.

Additional information contained in an email (document 6) on a matter unrelated to the subject of this information request has also been redacted. While internal emails have been released in this case, as a matter of public interest, there is no requirement to release information on a different matter that is unrelated to the subject of this request. It is therefore exempt from release under S30(b)(i)(ii)(c) of the Freedom of Information (Scotland) Act 2002.

1. 12th December 2014: email from Owen McKee to Linda McKay, Convener, entitled 'Declaration of Interest';
2. 12th December 2014: email from Owen McKee to Linda McKay, Convener, entitled 'Vice Convener and Chair of Planning Posts';
3. 12th December 2014: email from Owen McKee to Linda McKay, Convener, entitled 'CEO Selection Panel';
4. 14th December 2014: email from Linda McKay, Convener, to Board members, entitled 'Follow Up to Board Meeting of 8th December';
5. 14th December 2014: email from Linda McKay, Convener, to Owen McKee, entitled 'Letter of Resignation'.
6. 15th December 2014: Email correspondence between Linda McKay, Convener, and Lindsay Morrison, Chair of Audit Committee, entitled 'FW: Follow Up to Board Meeting of 8th December';
7. 17th December 2014: email from Linda McKay, Convener, to Board members, entitled 'Update'.
 - a. 18th December 2014: email from David McKenzie in response to Linda McKay's email of 17th December 2015;
 - b. 18th December 2014: email from James Robb in response to Linda McKay's email of 17th December 2015;
8. Document – 'Report of the Review into the Cononish Goldmine Shareholding'
9. 24th January 2015: email issued on behalf of Lindsay Morrison, Chair of Audit Committee, entitled 'Review'.
 - a. 24th January 2015: email from Angus Allan in response to Lindsay Morrison's email of 24th January 2015.

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“...you will be able to send me copies of the minutes of the meetings of 27th April and 15th June which clearly reflect what was said at both meetings”

The information requested is held with a view to being published on the Park Authority website when the draft minutes are presented to the 21st September 2015 National Park Authority Board meeting for approval. The draft minutes will be publicly available no later than 3 days before the scheduled meeting. We are therefore withholding this information to you as it is scheduled for future publication. It is reasonable in all the circumstances that the information be withheld from disclosure until the date of publication prior to their formal approval by the Board. Your request for this information is refused on the basis of the exemption in section 27(1) of the Act.

“confirm whether or not you are aware of any information or rumours indicating that a member of the Board, whether current or past, may have had a financial interest in the Cononish Goldmine at any time since it was first proposed, whether through Scotgold Ltd or any other developers linked to the development? If you are aware of such information or rumours, I would be grateful if you could inform me what action you or other members of the Board who were aware of this have taken to establish whether this was true or not and of any other actions consequent to that.”

The reference to knowledge of rumours is not a valid request for information in terms of the Act.

Concerning your request for “information...indicating that a member of the Board...may have had a financial interest in the Cononish Goldmine at any time since it was first proposed”, I enclose the following documents, in addition to the information provided above, held by the National Park Authority in response to your request:

10. 12th November 2014: letter from Owen McKee to Director of Corporate Services, entitled ‘Members Code of Conduct’.
11. 7th – 10th December 2014: email thread, entitled ‘20141203 Convener Briefing Note – Financial Interests.docx’.
 - a. Document - Convener Briefing Note Financial Interests

Yours sincerely

Jaki Carnegie
Director of Corporate Services

Appendices available on request

Review Procedure

If you are dissatisfied with this decision, or the way in which the Authority has dealt with your request, you are entitled to require the Authority to review its decision. Please note that in order for a review to take place you are required to:

- Send your request for review in writing, setting out in full the reasons why you are requesting a review.
- Submit your review request within 40 working days of either the date on which you received a response from the Authority or the date by which you should have received a response under the terms of the Freedom of Information (Scotland) Act 2002, whichever is the later.
- address your review request to the Governance and Legal Manager:

Amanda Aikman
Loch Lomond & The Trossachs National Park Authority
National Park Headquarters
Carrochan
Carrochan Road
Balloch
G83 8EG
E-mail: amanda.aikman@lochlomond-trossachs.org

The review will be handled by staff who were not involved in the original decision. You will receive notice of the result of your review within 20 working days.

If you are not satisfied with the response to your request for review, you can contact the Scottish Information Commissioner, the independent body which oversees the Freedom of Information (Scotland) Act 2002, at:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Tel: 01334 464610
Website: www.itspublicknowledge.info
E-mail: enquiries@itspublicknowledge.info

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