

WEST DUNBARTONSHIRE COUNCIL

Report by the Chief Executive

Council : 28 April 2010

**Subject: CONSULTATION ON MODIFICATIONS TO THE LOCH LOMOND
AND THE TROSSACHS NATIONAL PARK DESIGNATION ORDER**

1. Purpose

- 1.1** This report deals with continuing proposals to modify the Loch Lomond and the Trossachs National Park Designation, Transitional and Consequential Provisions (Scotland) Order 2002 (the Designation Order).

2. Background

- 2.1** This is the last phase of the statutory consultation on the proposals to modify the Designation Order. The Scottish Government proposes to reduce the overall membership of the Board of the Loch Lomond and the Trossachs Park Authority from 25 to 17, while still retaining a mix of ministerial appointees, Local Authority nominees and directly elected members. There is also a proposed modification to the delegation arrangements for the exercise of planning functions. Responses are to be submitted to the Scottish Government by 31 May 2010.
- 2.2** The effect of the reduction in Board numbers for West Dunbartonshire Council would be to reduce its membership on the Board from 2 to 1. The current members are Provost Agnew and Councillor Craig McLaughlin.
- 2.3** The earlier stage of the consultation was reported to Council at its meeting on 16 December 2009, when it was agreed to make representations that this Council's membership should be retained at the existing level. The Leader of the Council accordingly made representations to that effect.
- 2.4** The Council's representations were not accepted and the consultation has now progressed to its final stage of statutory consultation with the issue of a draft Scottish Statutory Instrument (SSI).

3. Main Issues

- 3.1** The proposed modification to the exercise of planning functions is in accordance with the requirement under the Planning etc. (Scotland) Act 2006 for all planning authorities to implement a scheme of delegation for certain categories of "local developments". It is recommended that this is noted.
- 3.2** In relation to the reduction in Board membership, the Council now has the option to accept the proposal or to make the same representations as it did after the Council meeting in December 2009.

4. Personnel Issues

4.1 There are no personnel issues arising from this report.

5. Financial Implications

5.1 The report has no financial implications for the Council.

6. Risk Analysis

6.1 Accepting the proposal would reduce this Council's membership on the Board.

7. Conclusions and Recommendations

7.1 It is recommended that the modification relating to the delegation of planning functions be noted.

7.2 In relation to the issue of Board membership, the Council has to decide whether it wishes to note the consultation, recognising that the proposal has ministerial support, or whether it wishes to restate its representations.

7.3 It is recommended that the Council notes the proposal relative to the delegation of planning functions and agrees a response to the proposal on Board membership for submission to the Scottish Government by the deadline date of 31 May 2010.

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David McMillan
Chief Executive
Date: 9 April 2010

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Appendix: None

Background Papers:

National Parks Review Report - November 2008:
<http://www.scotland.gov.uk/Resource/Doc/1051/0069461.pdf>

National Parks Review – Strategic Recommendations
<http://www.scotland.gov.uk/Resource/Doc/281970/0085205.pdf>

Proposal to Modify the Loch Lomond and the Trossachs National Park Designation,
Transitional and Consequential Provisions (Scotland) Order 2002
<http://www.scotland.gov.uk/Publications/2009/10/26101947/1>

Consultation on the Draft Scottish Statutory Instrument
<http://www.scotland.gov.uk/Publications/2010/03/05091106/0>

Wards Affected: Ward 1 Lomond