

RECORD OF PUBLIC MEETING

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| Meeting No: | N/A | | |
| Title: | RECORD OF PUBLIC MEETING | Status: | JCC APPROVED: 05.06.2017 |
| Location: | JORDANHILL PARISH CURCH, 28 WOODEND DRIVE JORDANHILL, G13 1QT. | | |
| Date & Time: | SUNDAY 14 MAY 2017. 14:00 – 16:00hrs | | |
| Purpose: | JORDANHILL CAMPUS – COMMUNITY UPDATE & AGREEMENT ON ACTIONS | | |
| Present: | Mrs. Gillian MORGAN | GM | Chairperson Whiteinch Community Council |
| | Mrs. Patricia CHALMERS | PC | Chairperson, Jordanhill Campus Sub-Committee |
| | Mr. Willie DICK | WD | Jordanhill Campus Residents' Group |
| | Mr. Douglas FOTHERINGHAM | DF | JCC Community Councillor |
| | Mr. John GRIERSON | JG | JCC Community Councillor/Secretary. |
| | Mr. Tom HAMILTON | TH | Sub-Committee Member |
| | Mr. Euan MILLER | EM | Sub-Committee Member |
| | Mr. Ken ROBERTSON | KR | Jordanhill Campus Residents' Group |
| | Mrs. Beryl ROBUCK | BR | JCC Community Councillor |
| | Mr. Steven RETTIE | SR | JCC Community Councillor |
| | Mr. Andrew SAUNDERS | AS | Sub-Committee Member |
| | Mrs. Kate STILL | KS | JCC Vice-Chairperson |
| Chairperson: | Prof. John WINFIELD | JW | Chairperson Jordanhill Community Council |
| In Attendance | ONE HUNDRED AND EIGHTS (180) Members of the Public. | | |
| Apologies: | Apologies were received from: | | |
| | Ms. Stephanie ADAMS | | JCC Community Councillor/Treasurer |
| | Mr. David BEATON | | JCC Community Councillor |
| | Dr. Catherine BENTON | | Jordanhill Campus Residents' Group |
| | Mrs. Phyllis FISHER | | JCC Community Councillor |
| | Mr. Gerry MATHER | | Sub-Committee Member |
| | Mr. Dave REYNOLDS | | Jordanhill Campus Residents' Group |
| | Mr. Robert SCOTT | | JCC Associate Member |
| | Mr. Jim OSBORNE | | Jordanhill Campus Residents' Group |
| Distribution | Head of Democratic Services: Glasgow City Council Chairpersons: Broomhill; Claythorn; Whiteinch & Scotstoun Community Councils. Convenor: Jordanhill School Board of Managers. Convenor: Jordanhill School Educational Amenities Trust Fund. Jordanhill Out of School Service. JCC Sub Committee & Campus Residents' Group. JCC Membership & Associates for approval on 05 June 2017. | | |
| Publication: | JCC Website & Facebook. | | |

Agenda:

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| 1 | Welcome and Introductions | John WINFIELD - (JW) |
| 2 | Campus Update | Tom HAMILTON - (TH) |
| 3 | The Judicial Review Petition | Euan MILLER |
| 4 | Community Funding & Events | Pat CHALMERS |
| 5 | Building Community Resources | TH |
| 6 | Q&A | ALL |
| 7 | Closing Remarks and Thanks | JW |

Attachment: MS/PowerPoint Presentation - PDF



| REF | MINUTE | ACTION |
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| 1.0 | WELCOME & INTRODUCTIONS | SLIDES 1 to 3. |
| 1.1 | Professor John WINFIELD welcomed a healthy attendance at the public meeting; with reference to the Agenda introduced the Panel and Speakers. | |
| 1.2 | General house-keeping including means of escape and toilet facilities were explained to the meeting by Tom HAMILTON. | |
| 2.0 | CAMPUS UPDATE | SLIDES 4 to 8. |
| 2.1 | Tom HAMILTON (TH) presented an update on activity outcomes related to: | |
| | 2.1.1 Communications and Community Engagement. | |
| | 2.1.2 Representations against Planning Applications: 17/00530/DC and 17/00531/DC. | |
| 2.2 | TH reported that positive communication and engagement continues with 9,000 leaflets and 500 emails distributed to the Community, this includes Advice and Guidance on making Planning Representations. Continued liaison is taking place with Jordanhill School and Jordanhill School Educational Amenities Trust Fund. | |
| 2.3 | The Meeting was advised of the appointment of Specialist Consultants to inform planning representations and the Judicial Review Petition. | |
| 2.4 | The Meeting was advised that the Planning Portal on 14 May 2017 has published: <ul style="list-style-type: none"> ○ <u>259 Representations against Listed Building Consent Application 17/00530/DC</u>: Internal and external alterations to 'David Stow Building' to facilitate residential development associated with PPP consent 11/00794/DC. ○ <u>301 Representations against Matters Specified in Conditions Application 17/00531/DC</u>: Erection of residential development and associated infrastructure including conversion of listed and non-listed buildings, formation of car parking and provision of landscaping: Approval of Matters Specified in Conditions 02, 06, 07 and 09 of Planning Permission in Principle consent 11/00794/DC. | |
| 2.5 | Representations against the Applications have been made by Jordanhill Community Council and Jordanhill School. The Meeting was advised to read these representations. JCC Representations' are published on the Website. | |
| 2.6 | The Meeting was reminded that the Application for Planning Permission in Principle validated by the Planning Authority on 06 April 2011 received ONLY 18 public representations made against the Application: 11/00794/DC. | |
| 2.7 | The Meeting was advised of concern with regard Glasgow City Council's Development Management of the Planning Portal and handling of representations, along with publishing of inaccurate statements and notifications. A large majority of representations being marked 'late' including JCC submitted objections made within the revised statutory period. TH advised that any person who has made representations against the applications, and not seeing their objection(s) published on the planning-portal should immediately pursue satisfaction with the planning authority or refer to the Community Council. It is the Planning Authorities legal duty to take into account all relevant and material considerations. | |

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| 3.0 | THE JUDICIAL REVIEW PETITION | SLIDES 9 to 19. |
| 3.1 | Introduction | |
| 3.1.1 | Euan MILLER advised the Meeting that on behalf of the Constituents, Jordanhill Community Council (JCC) served on 03 May 2017 a Judicial Review Petition (JRP) against Glasgow City Council (GCC). The Petition cited the Planning Decision Notice of 26 January 2017 that granted Planning Permission in Principle subject to Conditions for the Residential Development including conversion of listed and non-listed buildings, at Jordanhill College (11/00794/DC). | |
| 3.1.2 | The Respondent (GCC) has 21 days to provide answers to challenge the JRP (27 May 2017). | |
| 3.1.3 | An explanation was given to what decision has been judicially reviewed, what a judicial review means, the next steps in the process, potential outcomes, to conclude with a public/community support vote by a show of hands to endorse the JRP action. The process was presented as: | |
| | <ul style="list-style-type: none"> (a) Decision Making Review, and what does it mean? (b) Next Steps – Protected Expenses Order. (c) Potential Outcomes. (d) Community Support – Vote. | |
| 3.2 | Decision Making Review, and what does it mean? | |
| 3.2.1 | <u>Planning Application Types related to Major Projects.</u> | |
| | <p>Planning permission is almost always required for 'development' on any significant scale. This term is defined in law and covers a wide range of building and engineering work as well as changes in the way land and buildings are used. There are two types of planning permission: (i) Planning Permission in Principle and (ii) Full Planning. Planning Permission in Principle (PPiP) is the type of application related to Jordanhill College made by The University of Strathclyde (UoS) in April 2011 under Application11/00794/DC.</p> <p>Full planning permission is a single stage process used for major applications. PPiP is a two stage process, also used for major applications and is commonly used by developers. Granting of PPiP subject to Conditions can be obtained with a 'broadbrush' approach based on minimum information, usually a site plan showing the development boundary.</p> <p>Major planning applications require a prospective applicant to undertake a statutory minimum period of 12 weeks for Pre-Application Consultation (PAC) with the community that results in the submission of a PAC Report to the Planning Authority in order to validate the application.</p> | |
| 3.2.2 | <u>Decision Making Timescales</u> | |
| | <p>2006/2007 Minutes of Glasgow City Council Print 6 / Item 790 noted: (i) the aspiration of The UoS to vacate the Jordanhill Educational Campus as expressed in the Jordanhill Campus Plan (Phase 1); (ii) the proposed re-designation of part of the Jordanhill Site to Residential & Supporting Uses (DEV2) and the remainder to Greenspace (DEV11) in City Plan 2; (iii) that much of the underlying detail in the campus plan proposals still require to be finalised and that the UoS had been requested to submit the Jordanhill Campus Plan (Phase 2) for consideration as soon as possible by the Planning Authority.</p> | |

| REF | MINUTE | ACTION |
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| 3.2.2 | <u>Decision Making Timescales</u> | <u>Continued.</u> |
| | EM reported the timescale between the PPIP Planning Application of 06 April 2011 and the Planning Decision Notice of 26 January 2017 is <u>five (5) years and nine months.</u> | |
| | In terms of Judicial Review the Meeting was advised that the timescale is significant between the Planning Applications Committee of 15 January 2013 and the Planning Decision Notice of 26 January 2017) being just over <u>four (4) years.</u> | |
| | The Meeting was advised of key milestone dates in the planning process: | |
| | (i) <u>15 April 2010:</u> A Planning Application Notice (PAN) was lodged with the planning authority. The PAN is a legislative mandate for the prospective applicant (UoS) to undertake a minimum pre-application consultation (PAC) period of 12 calendar weeks with the Community. | |
| | PAC is managed between the Land Owner (UoS) and the Community. | |
| | (ii) <u>15 April 2010 – 03 March 2011:</u> Pre Application Consultation (PAC) was carried-out. A mandatory Public Meeting was held on 25 November 2010 along with meetings with JCC, Jordanhill School, Elected Members and Partick Area West Committee. PAC is intended to add value by improving the quality of the proposal and allowing the <u>prospective applicant the opportunity to amend their emerging proposals to accommodate community opinion to ensure that all parties are clear on the process that leads to the decision.</u> | |
| | PAC outcomes were recorded in the PAC Report that was submitted to the planning authority to validate the PPIP Application 11/00794/DC. | |
| | (iii) <u>6 April 2011:</u> PPIP Application 11/00794/DC validated by the planning authority. Number and type of new dwelling(s) proposed was indicatively shown as 348-364. | |
| | Applications for Planning Permission in Principle and/or Full Planning Permission are between the Planning Authority and usually the Land Owner (UoS). | |
| | A total of 18 representations were made against the PPIP Application 11/00794/DC including one from JCC. | |
| | (iv) <u>15 January 2013:</u> Planning Applications Committee granted PPIP Subject to Condition(s) and a Section 75 Agreement. It is significant to note that the Report to the Planning Applications Committee refers to 'supporting documents' that include an illustrative Masterplan. The Committee noted a potential maximum development of 364 new dwellings. This figure is the upper limit of the indicative development range taken from the Application (348 - 364). Campus Plan 2 (Phase 2) being the illustrative Masterplan that proposed an approximate number of new units as 356 (348-356-364). The Committee also noted as a material consideration the community pitches and the management role of Jordanhill School controlled by a legal agreement. | |
| | (v) <u>January 2017:</u> Two Section 75 Agreements were signed-off between GCC and relevant Parties related to Open Spaces and Community Pitches. | |
| | (vi) <u>26 January 2017:</u> Planning Decision Notice issued to the UoS that granted PPIP Subject to Conditions for Application 11/00794/DC.. | |

3.2.3

The Judicial Review Petition

EM explained that Judicial Review is when the courts tell a public body that they think they got a decision they made wrong and they ask that body to reconsider the decision reached. If JCC are successful in their challenge, this could give a real opportunity to seek changes to the PPIP structure for the communities benefit

The reason that JCC are asking the courts to intervene is that previous court decisions make clear that a planning authority can't simply rubber stamp the decision to release consent in circumstances where there is an extended period of delay between the Council agreeing to grant the permission. Refer Item 3.2.2 – Decision Making Timescales.

Case law provides that, in such circumstances, the planning authority have a duty to take into account any material change in circumstances between the date of the resolution to grant and the date of the grant. The change might relate to the nature of the development, the surrounding circumstances, and changes to the development plan or to other material circumstances, for example, changes in national policy.

JCC has lodged the appeal based on legal opinion that the first relevant events being related to a Transport Assessment submitted as part of the PPIP application in 2011 was hopelessly out of date by 26 January 2017 (Planning Decision Notice), and taken with the significant reduction in the number 4 bus service means the Council should have looked at that aspect again before making a decision.

The second relevant event is that the Planning Applications Committee when reaching its decision to grant on 15 January 2013 had sight of a paper prepared by Council officials which gave certain assurances, amongst other things, on the retention of open/greenspace within the Campus to the Councillors.

The final relevant event is that the two (2) Section 75 Legal Agreements may not respect the assurances given to the Councillors' in terms of open spaces and community pitches including the sports pitches management plan.

3.3**Next Step – Protected Expenses Order (PEO)**

3.3.1

EM advised the Meeting that the next step is to obtain a PEO from the courts. This has the effect of limiting the Community Councils exposure to paying the Courts legal costs and that of Glasgow City Council. JCC may find that exposure might be limited to say £1, 000 or £5,000; if we are successful in getting one, and our lawyer is confident we will, then it will significantly cut the risk to the Community Council and will also hopefully weigh on the Councils mind before they commit public money to trying to defend the indefensible.

The Council is expected to confirm that they intend to defend the action then the JCC lawyer will lodge the appropriate paperwork with the courts. In the present circumstances, it is expected that a PEO will be granted in favour of JCC.

| REF | MINUTE | ACTION |
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| 3.4 | Potential Outcomes | |
| 3.4.1 | EM reported that JCC in assessing what the community might have expected from a Planning Decision Notice that did not depart from the Planning Applications Committee decision to grant on 15 January 2017 is developing a schedule of proposed mitigation measures for negotiation with relevant Parties. Such measures include reverting to general principles of Jordanhill Campus Plan 2 and the introduction of greater community value benefits. Examples are: | |
| | (i) <u>Community Value Proposition 1 - Community Pitches and SPMP</u> | |
| | Jordanhill School Educational Amenities Trust Fund being charged with responsibility for the Sports Pitches Management Plan (SPMP) to ensure the pitches benefits the School, local and wider community. Revise the Section 75 Community Pitches and re-register. | |
| | Negotiate a developer contribution to the care and maintenance of the community pitches along with the provision of 'appropriate' sports changing facilities and supporting infrastructure beyond the proposed toilet and first aid facility within the Jordanhill School site. | |
| | (ii) <u>Community Value Proposition 2 – University House & University Plot 12</u> | |
| | Gift University House and Plot 12 to Jordanhill Community Council to allow development of a shared-space Community Centre to integrate with Jordanhill School South Campus. Agree a delivery timescale to coordinate with the design and construction programme. | |
| | (iii) Ensure that the David Stow Building grading of conservation significance related with the Francis Tombs Hall and Council Chamber is maintained' and that these large volume spaces are retained for civic and community uses. | |
| | (iv) In terms of residential density revert to the lower capacity figure of 348 dwellings and to ensure the majority of the development to be non-flatted, and where appropriate be limited to 2/3 levels. | |
| | (v) Development to reflect the reduced development footprint maintaining the open/greenspace areas. Undertake a PAN 65 Open Space comparative audit between site as existing, Campus Plan 2 and MSC proposals. Revise the Section 75 Open Spaces and re-register. | |
| | (vi) Strengthen the built and landscape heritage relationships with the pond, walled garden and sunken garden feature along with screening of established trees to the David Stow Building. Protection of all trees. | |
| | (vii) Strengthen the pond feature in terms of ecology (protected species), biodiversity including integration with SUDS and landscape character areas. Build-upon open/greenspace principles set by Campus Plan | |
| | (viii) Greater emphasis on pedestrian and cycle core path connectivity by adopting principles of Designing Streets. Strengthen connectivity to Victoria Park Nature Walk. | |
| | (ix) Involve the community in producing a robust Construction Traffic Management Plan. Engage in all environmental aspects that may affect residents' health and wellbeing. | |

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| 3.5 | Community Support - Vote | |
| 3.5.1 | The Public Meeting gave unanimous support to the motion for JCC to serve a Judicial Review Petition on Glasgow City Council and take necessary steps to 'get back into the game' by obtaining a Protected Expenses Order from the courts. | |
| 4 | COMMUNITY FUNDING & EVENTS | SLIDES 20 to 22. |
| 4.1 | Pat CHALMERS (PC) with reference to JCC Financial Statement extracted on 12 May 2017 reported that funds of £8 968.72 had been raised. The Meeting noted: | |
| | (i) Taking account of verified pledges of £800 the total is £9 768.72. JCC thanks and appreciation is extended to the generosity of support received from the Community. | |
| | (ii) The revised Campus Fund Target £15,568.00 along with the present shortfall of £6,799.28 required to obtain a Protected Expenses Order. | |
| 4.2 | PC appealed to those who have not had the opportunity to donate, and emphasised the importance to do so at their earliest convenience. Donations would be accepted at the meeting. | |
| | EIGHT HUNDRED & TWENTY TWO POUNDS (£822.00) was raised at the Public Meeting on 14 May 2017 with certified payment received by the Bank of Scotland/JCC Treasurers Account. | |
| 4.3 | Alumni of the former Jordanhill College of Education were to be contacted via social media. | JCC |
| 4.4 | PC advised the Meeting that Local Authorities may use agreements under a Section 75 of the Town and Country Planning (Scotland) Act 1997 to mitigate the impact of new development on infrastructure. Where a shortfall in infrastructure capacity has been identified the impact of new development may be mitigated through a financial contribution. This allows proposed developments to be acceptable in planning terms and helps provide wider benefits across Glasgow. No Section 75 Agreements for developer contributions are associated with Jordanhill Campus. With regard to the development of a brownfield Fire College site in Gullane, CALA Management Limited is set to make substantial monetary contributions, with East Lothian Council set to receive £1.84m to spend on the improvement of educational and other public facilities within the village. | |
| 4.7 | TH advised the Meeting of potential fundraising events with suggestions welcomed: | |
| | (i) Comedy and Music Night - Woodside Tennis and Bowling Club Mid to Late June 2017. | |
| | (ii) Bake & Cake Tea Morning "Sale" Jordanhill Parish Church Late May to Early June 2017 | |
| | (iii) Sponsored Walk "Up Ben Lomond" (Adults) or "Around The Campus" (Families) - Late June 2017. | |

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| 5 | BUILDING CAPACITY RESOURCES | SLIDE 23 |
| 5.1 | <p>TH appealed for volunteer resources to build capacity within the Sub-Committee emphasising the urgent need for specialist skills in key areas:</p> <ul style="list-style-type: none"> (i) Fundraising Working Group. (ii) Event Coordinators and Volunteers. (iii) Graphic & Web Design. (iv) "Door To Door" Campaigners. (v) Architecture and Planning. | |
| 6 | Q&A | SLIDE 24 |
| 6.1 | <p>Q What is the timescale for Judicial Review?</p> <p><i>A As previously stated, Glasgow City Council (Respondent) has 21 days to provide answers to challenge the Judicial Review Petition. This requires to be lodged on/before 27 May 2017.</i></p> | |
| 6.2 | <p>Q What steps shall be taken to ensure that Representations marked 'LATE' shall be taken into consideration by the Planning authority?</p> <p><i>A JCC is aware that there is a lack of clarity about the purposes of planning engagement along with a gap between the rhetoric of community empowerment and communities' experience in trying to influence the planning system. As proven by Jordanhill Campus, there exists a lack of trust, respect and confidence in the system.</i></p> <p><i>Rather than embracing the efforts of the Community Council, it appears that the Planning Authority is working against-us. By providing advice and guidance on making representation, JCC has attempted to address the language of planning that is a serious barrier to community engagement. We have also tried to connect with the seldom-heard, especially young people.</i></p> <p><i>Confusing official notices, advertisements, track of transparency in the management of the on-line portal, representations marked 'LATE' all of which are seen as ways in which our local authority has rationed participation in planning rather than actively promoting it.</i></p> <p><i>Planners are under a legal duty to take into account, in the determination of the application, all relevant and material considerations, whether made late or not. Thus, if in making the decision the authority has failed to take properly into account a material consideration, it is no defence to say that the matter only came late to their attention. There might be something highly pertinent to the decision to be taken. The fact that this was only brought to the planners' before determination would not entitle the planning committee to ignore that point.</i></p> <p><i>As previously advised, any person who has made representations against the applications, and not seeing their objection(s) published on the planning-portal should immediately pursue satisfaction with the planning authority or refer to the Community Council. It is the Planning Authorities legal duty to take into account all relevant and material considerations.</i></p> | |

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| 6 | Q&A | CONTINUED |
| 6.3 | <p>Q What steps shall be taken to hold to account ‘warm words’ and legacy commitments given to the Community by The University of Strathclyde.</p> <p><i>A We are aware that The University of Strathclyde is taking-up position behind a Section 75 Legal Agreement for the Community Pitches. It is hoped that the Judicial Review process shall open deliberate dialogue to challenge these matters and hold to account promises made by the University.</i></p> | |
| 6.4 | <p>Q Clarification is required on the number of entrances to the development site and associated environmental impacts?</p> <p><i>A Access to the residential amenity is proposed at the North and South of the site. Our key focus is to reduce density, and by achieving this transport impact shall be reduced. Design of the junctions requires recognising pedestrian and cycling hierarchy. Outwith the proposed development existing traffic tends are already dangerously impacting on Jordanhill Drive, Seggielea Road, Wilmot Road, Helensburgh Drive and proximity streets.</i></p> | |
| 7 | CLOSING REMARKS & THANKS | SLIDE 25 |
| 7.1 | JW thanked Jordanhill Parish Church for their hospitality and venue. This is the third Public Meeting that has been hosted with JCC directing the last two. Thanks was also extended to the Community for turning-out in such fine weather to participate in important decision making. | |
| 7.2 | JCC will hold their next meeting in Jordanhill School Refectory on Monday 05 June 2017 starting promptly at 19:00hrs. All are welcome. | |
| | <u>End of Record of Public Meeting.</u> | |