

## **Draft for Submission to CEC**

### **The Future of Cramond Campus**

#### **Draft Good Neighbour Agreement Comments from CBCC and CA**

We welcome the draft prepared by the City Council as an excellent first step towards a worthwhile Good Neighbour Agreement. In this note we set out a few issues on which we feel we need guidance from the Council and some specific suggestions for enhancing the draft.

#### **Issues on which we seek the Council's Guidance**

##### *The Meaning of "Community Body"*

- 1 The legislation governing GNAs specifies that they are between a landowner and a community body. The term "community body" specifically includes the Community Council for the area in which the land is located, which in this case is the Cramond and Barnton Community Council. However, the community body can also be "a body or trust whose members or trustees have a substantial connection to the land in question and whose object or function is to preserve or enhance the amenity of the local area where the land is situated". We suggest that this definition also covers the Cramond Association (CA). Its website describes it as

*"...a local community organisation open to everyone living or interested in the Cramond, Barnton and Cammo areas of Edinburgh. We are a thriving membership body which aims to bring people together, encouraging us all to take an active interest in the local area and to ensure the preservation, development and improvement of its unique features for the benefit of all")*

- 2 CBCC is committed to involving the CA fully in discussions relating to the future of the Campus at community level, but we ask the City Council to consider including it within the GNA as an "identified organisation", not least so that Michael Ramsay can continue to be involved in the formal discussions with AMA and the Council on behalf of the CA.
- 3 Given the above definition of a "community body", however, we wonder whether local ward councillors can formally be involved in a GNA. This said, however, they should not be left out of the process entirely. The Council's draft suggests that they should be "engaged within the process" but it is not clear what this actually means. We will welcome the Council's advice on this issue. We are concerned that they might be thought to have a conflict of interest simply because they are members of the City Council. While none of

the Almond ward councillors is a member of the Planning Committee, we think that, strictly speaking, it is the Council as a whole that is the planning authority.

- 4 If the CEC view is that this is a legitimate concern, we will obviously wish to find a suitable mechanism to ensure that they have the opportunity to contribute to the discussions in a suitable way.

#### *The Role of Current Planning Policy*

- 5 While we welcome the Council's adoption of most of our suggested objective for the discussions with AMA, we wonder why it has omitted the reference to "current planning policy". We included this in the expectation that one outcome of the discussions with AMA may well be a need for either a further S.42 application or a completely new one and assumed that any such application will fall to be determined in the light of current policy. It may be that CEC believes it is not necessary to say this as any new application will inevitably be considered in relation to current policy.

### **Specific Comments on the Draft GNA**

#### *Section 1: Legislative Context*

- 6 We suggest the addition of the Cramond Association as one of the identified organisations.

#### *Section 2: Vision/Section 3: Goals of the Agreement*

- 7 The suggested vision is almost identical to the draft objective for the discussions with AMA in our "Suggested Approach to Discussions" paper. A vision is usually regarded as a summary of the desirable future, as agreed after discussions. This may be only a semantic quibble, but we suggest it is better described as an objective than a vision, and possibly even better to omit the "Vision" section and highlight it as the Goal of the Agreement.

#### *Section 4: Lines of Communication*

- 8 We fully endorse this section.

#### *Section 5: Community Access to Information*

- 9 In broad terms we endorse this section. However, we question the need for the suggested developer-prepared newsletter, while strongly endorsing the importance of ensuring that the local community is fully informed not only during the GNA discussions but later during the delivery of whatever is agreed. For as long as discussions are continuing between AMA and the community representatives, we suggest a better approach will be for the various parties to agree a summary of the matters discussed at each meeting and then publish it on the CBCC and CA websites and Facebook pages as soon

as possible. We will be happy to have this included in the GNA if the Council thinks it desirable.

- 10 In the longer term, after the conclusion of the discussions between AMA and the local community representatives there will obviously be merit in AMA providing regular progress reports.

#### *Section 6: Mediation*

- 11 In broad terms we endorse this section but suggest that it will be desirable to include a commitment to open-ness and transparency. For example, the first sentence might be amended to say "All parties agree to participate in mediation in an open and transparent manner in order to facilitate developer-community engagement and resolution of matters". The last sentence perhaps needs some amendment as it lacks a verb. Alternatively the second and third sentences could be combined to say "... needs to be shared in order to identify options for resolving matters and ...".

#### *Section 7: Detailed Route Map*

- 12 We have a slight concern that we could all agree something only for AMA to say something along the lines of "Sorry – we can't do that after all. So we're going to have one more go at our gold-plated solution instead" and then we will be back to square one. However, we do not see an easy way of ensuring that this cannot happen and the recently launched Scottish Government Planning Circular 2/2021, *Planning system – promotion and use of mediation – guidance* offers no help.