

From: John Illingworth
Date: Mon, 04 Apr 2011 22:00:25 +0100
To: "Palmer, Leanne" <Leanne.Palmer@pins.gsi.gov.uk>,
Subject: Leeds Girls High School APP/N4720/E/10/2140587 etc - Statement of Common Ground

Dear Leanne and others

Although I can find no explicit instruction in the bespoke timetable, I understand that you are expecting comments on the "Statement of Common Ground" from the Rule 6 objectors before midnight tonight.

I have read the "Statement of Common Ground", but apart from the list of planning application and appeal numbers, and the list of numbered drawings, there is very little else that I can agree with. I cannot support the Rose Court applications, which will in my view cause significant damage to a valuable listed building, nor can I support the proposals for the main school building. I am mindful of the Inspector's advice that the objectors should not needlessly repeat themselves, so I am leaving most of these aspects to be dealt with by the other objectors, who will make a more eloquent case than I can.

My principal objections are to the loss of N6 designated inner-city playing fields, an aspect that attracts relatively little attention in the Statement of Common Ground. I shall argue principally from the guidance in PPG17, and also draw attention to the implications for Public Health and "narrowing the gap" in central Leeds. I note the attempts to minimise the area of designated land, to suggest that tennis courts are not "real" playing pitches, and to claim that part of the site has actually been used as a car park. The fact remains that the whole of this land is designated N6 in our Unitary Development Plan, and after an extended Public Inquiry such designation was accepted by the Secretary of State. The main school site could readily accommodate a full size, artificial surface hockey pitch in addition to those tennis courts that are retained. I will argue that this would be a highly appropriate outcome for this particular site, since there is widespread shortage of hockey facilities, they can be used very intensively, and they have no racial or gender bias. The precise mixture of sporting uses is, in any event, largely irrelevant so far as PPG17 is concerned.

I note that UDP Policy N6 is cast as a logical "OR" statement, but this has little relevance since neither branch of the "OR" is satisfied

in the present case. The replacement pitches at Alwoodley Gate, despite their doubtless excellent quality, are not in the same area of Leeds. These replacement pitches are not in practice available to those inner-city children who live closest to the LGHS site, who suffer the worst health outcomes, and who are in greatest need.

In relation to Policy N6, I am surprised that the "Statement of Common Ground" makes no reference to the two Inspectors' Reports on the Leeds Unitary Development Plan (and its subsequent revision) where many of these issues have already been rehearsed in considerable detail. The UDP is already a Core Document for the Public Inquiry, but please could the Inspectors' Reports, and their various appendices, be added to the list, since it appears to me that the Council has not so far included all the relevant papers. In particular, please could the Council locate the full version of Appendix G to the UDP Inspector's Report published in February 1999, complete with all the tables, schedules and maps, since some of these adopted Council policies appear to be at variance with the "Statement of Common Ground"?

Non-disclosure of relevant documents by the Council is likely to be a significant issue during the forthcoming Public Inquiry. The Inspector and the other participants may have already noticed my so-far unsuccessful attempts to secure the release of relevant documents under the Freedom of Information Act and the Local Government Acts. I have made a formal complaint to the Information Commissioner about the Council's apparent inability to comply with the law. In essence, I have asked the Council and its alleged partners to substantiate the claims made in paragraph 10.8 of the report to the Plans West Panel on 4 November 2010, which states:

The local community & Ward Members have asked Officers to explore the potential use of this land by local Primary Schools who do not have their own playing fields. Education Leeds responded to an earlier request to purchase the LGHS site in an email dated 4th April 2008, which states that:

"there is no identified funding vested with Education Leeds to support the cost of this purchase and, since the fields are not linked to any of the local existing primary schools, I would foresee implications in both the management and maintenance of the fields if they were linked to the schools." In addition Education Leeds states that "the absence of playing fields (at the primary schools) does not of itself constitute a breach of any regulation or legislation".

Extensive efforts have been made by Officers to attract an organisation to acquire the playing pitches. Both Leeds Metropolitan University and Leeds University were approached about the sites and declined to acquire them as did Leeds City College. Officers have concluded that there is no reasonable prospect of facilitating a recreational use for the land.

So far, only a tiny fraction of the relevant documents have been disclosed by Council officers. The University of Leeds has responded by denying any involvement in the alleged events, and the excellent response from Leeds Metropolitan University (LMU) has a rather different "spin" to the interpretation provided by the Council. In particular, it appears that LMU was negotiating to buy only part of the site at housing development values, rather than the very much lower playing field prices that would apply if the planning application were refused. I have attached the electronic disclosures from LMU. As yet I have not been able to scan their paper disclosure, but I will add this in due course. At this writing I have yet to hear from Leeds City College, but I will forward their response when it becomes available.

Council officers claim that Education Leeds is "unable to find" most of the correspondence relating to local schools' use of the LGHS sports facilities. It is clear that an extended correspondence did take place, because there are fragments and cross references on the single document that has been disclosed. These claims by the Council frankly beggar belief. These missing documents are the background papers for a series of formal reports to the Plans West Panel, which must by law be retained for four years. Despite their likely circulation to a significant number of officers, the Council claims that it has "lost" almost all of them. This correspondence resulted from a Public Deputation to a full meeting of Leeds City Council, which ultimately resulted in detailed reports to the Executive Board. In Local Government terms, it is difficult to envisage a higher profile event. This was only three years ago, and it has been a live issue ever since, yet we are asked to believe that most of this highly relevant correspondence has very conveniently "disappeared".

John Illingworth