

CITY OF EDINBURGH COUNCIL (PORTOBELLO PARK) BILL
OBJECTION 54 – PARK AVENUE RESIDENTS – MS K GILLON AND 114
OTHERS

We, the undersigned residents of Park Avenue wish to object to the above Bill being promoted by City of Edinburgh Council. Our objections are set out below.

We object in the strongest terms to the Bill which aims to change the common good status of Portobello Park from inalienable to alienable common good, to allow the City of Edinburgh Council to appropriate the park for the purpose of building a replacement high school.

We object to the City of Edinburgh Council attempting to subvert the law which clearly states that they cannot appropriate inalienable common good land. We believe that, if successful, this will set a precedent and endanger common good land across Scotland.

We object to the loss of accessible green, open space for the local community and the loss of a public park and playing fields used by all members of the community. If this Bill is successful it will result in a substantial loss of recreational assets in the immediate area. The Council has identified at least two possible alternative sites for the school, so there is no justifiable case for using the park to build a school.

This Park is one of only two City Parks on the east side of the city. This type of space with its variety of flexible uses is in extremely short supply in the area. The whole area of Portobello Park, including the Golf Course, is of outstanding landscape value, encompassing as it does protected views to Arthur's Seat and views from Milton Road down to the Firth of Forth. Homes the length of Park Avenue overlook the mature community woodland that borders the park and Millennium planting with many mature trees and shrubs, which is a haven for wildlife and wild flowers. Numbers of these mature trees will be lost to accommodate the new school building. Local residents of all ages use this area for dog-walking, jogging, strolling, for walking and exercise, informal as well as formal games, free of charge to all. Over the past five years residents and users of the park have been concerned and disappointed by the Council's decision to remove facilities, football pitches and markings and the lack of even basic maintenance.

The building of a school of this size (up to 1400 pupils) on the park will have significant detrimental impact on those living round the park. The proposed three/four storey building will obscure the views of Park Avenue residents, block light from, dominate and overshadow

the surrounding two storey dwellings. The planned school buildings make no attempt to complement the existing architecture, leading to a detrimental effect on character and amenity of the area.

There are a number of traffic issues associated with the proposed development:

- The school run brings 294 pupils (21%) of children to school every day. There is no safe provision for dropping off pupils and therefore on cold wet days there will be congestion on Park Avenue caused by pupils being dropped off/picked up outside new school. This will also lead to increase likelihood for accidents for school children and local residents.
- The only provision for parking is for teachers and a limited number of visitors. There is no provision for parents, evening class students or users of sports facilities. This will lead to congestion and confusion on adjoining streets which are not appropriate for traffic of this nature and will lead to accident risk to pupils and other road users.
- The width of footway on north side of Milton Road between Park Avenue and Duddingston Park is very narrow, less than four feet at the streetlight. There are also two vehicular accesses for Park Avenue and Duddingston Park. The school proposal will generate significant pupils (>500) using this footway going to and from school in morning, lunchtime to shops and afternoon. When the bus lane is in operation, two lane eastbound traffic is competing for outside lane. This is very dangerous situation for pedestrians. No road safety audit has been carried out to assess this hazard
- School buses will stop in Park Avenue to pick up pupils. Park Avenue is a general access road and not suitable bus parking. This will lead to increase in accidents to pupils and local residents. No road safety audit has been carried out to assess this hazard.
- There is a lack of right turn ghost island safe storage areas for traffic turning right from or into Milton Road at Hope Lane (substandard), Baillie Place (substandard) and Park Avenue (nil). There is also substandard visibility to the east at Hope Lane. The additional traffic movements will lead to congestion at peak hours and the likelihood of increased accident potential.
- Park Avenue is a General Access Road. In the southern section of Park Avenue from Park Lane to Milton Road there is a need for residential parking on both sides of the road as only 5 of 25 properties have off street parking. Cars visiting properties on Duddingston Crescent park in Park Avenue. With parking on both sides there is insufficient width for two-way traffic. Additional traffic movements will lead to congestion and confusion and will lead to increase accident potential with high level of pedestrians and cyclists.
- Secondary access onto Park Avenue - with parking on both sides there is insufficient width for two-way traffic. The secondary access with additional traffic movements including HGVs/LGVs for deliveries and waste collection will lead to congestion and confusion and to increased accident potential with high level of pedestrians and cyclists. Proposed access appears to be opposite vehicular access to Park Avenue – this would be very dangerous. No road safety audit has been carried out to assess this hazard.
- The road surfacing is in deplorable condition and the visibility for pedestrians is substandard at Durham Place Lane and Park Lane. Increased traffic movements including buses will lead to further breaking up of road surfacing and potential accidents, particularly to pedestrians and cyclists.
- A 20mph speed limit on Milton Road along the proposed school frontage is not appropriate on four lane strategic route. It will encourage further abuse of the bus lanes, and rat running through Magdalene, Hope Lane and Park Avenue – none of these roads will be regularly policed and this will inevitably lead to accidents.

The Council carried out a consultation on its proposal to take the private bill to parliament. We object to this consultation being used to support the case for building on the park as the consultation process and outcome is hugely flawed.

- Park Avenue residents did not receive leaflets about the consultation from the council until 5 weeks into the 8 week consultation process.
- The literature was misleading and biased towards the result the council wanted. There were no details of the alternative sites
- The literature states that this Bill will 'absolutely not' affect other parks and open spaces. This is misleading because it is the precedent the Bill sets that will affect other parks and open spaces. Many residents took this reassurance at face value and have therefore been misled
- The inclusion in the consultation material of the question asking what people want the replacement green space to be is irrelevant to a consultation on the Private Bill. It was clearly there to mislead and entice support for the Bill.
- Allowing children to vote where there can be no verification of these children's' existence invalidates the responses from all. These children were told nothing of the alternative options even if they were at a stage where an informed decision could have been given
- The consultation was carried out in an area only slightly larger than that of the school and significant campaigning for yes votes was permitted in school playgrounds
- It is now widely presented that 76% voted in favour of the Bill. The reality is it is only 76% of the people who voted (includes the unverified children). Many in our community who don't own computers or don't have children of school age were unaware a consultation was going on. The actual percentage of the whole community who support this Bill is a significantly lower figure

We are concerned about the message that this piece of legislation will send out to councils all over Scotland, and if it succeeds there will be a very real threat to other common good land across the country.

9 June 2013