

CITY OF EDINBURGH COUNCIL (PORTOBELLO PARK) BILL

WRITTEN SUBMISSION FROM SUE HAMILTON

I write to submit written evidence to the committee on the general principles of the Portobello Park Private Bill and to question the legitimacy of the use of a Private Bill for a local authority decision on the siting of a school.

My submission is as follows:

1. The City of Edinburgh Council should abide by the ruling, by three senior judges of the Court of Session: that it would be illegal to build on this inalienable Common Good land.
2. The Council should not attempt to circumvent this ruling by means of a private bill. The conditions of the original deed of sale should be adhered to, and the land should remain for public recreation for the people of Edinburgh for all time, as per its original intention.
3. There are other suitable brownfield sites for a new Portobello High School identified by the Council (eg Baileyfield, on Portobello High St) which will provide excellent educational facilities. One of them should be used in preference to building on a public park.
4. As a citizen of Scotland (and a Community Council secretary), I believe that this bill could affect my interests because, if it were successful, there is a danger that it could set a precedent for use by other local authorities across Scotland to appropriate Common Good land for purposes which are not in keeping with the original intention for the use of the land.
5. 'Place making' is a major plank of Scottish Planning Policy. Most thinking people recognise that green spaces are an essential element of a good 'place'. They are essential for the health and welfare of citizens (as indeed implied by the original deed of sale of Portobello Park). There is a serious threat to green spaces and recreation grounds across Scotland. This Bill could provide the thin end of a wedge that could accelerate this loss.
6. It affects me very personally because I am incensed at the way that, when a planning decision goes against a developer, the developer will use any and every ruse at his (usually) disposal to circumvent the refusal. This causes my blood pressure to rise dangerously high, affecting me very personally.
7. Parliament should concern itself with running the country. It should not be getting involved in a local issue such as, in this case, a difference of opinion over the appropriate location for a new school.

I urge you to give full consideration to the consequences of allowing the Private Bill process to be used in this case.

19 August 2013