

**CITY OF EDINBURGH COUNCIL (PORTOBELLO PARK) BILL**  
**CONSIDERATION STAGE – WRITTEN EVIDENCE TO SUPPORT**  
**ORIGINAL OBJECTION**

**ANNE AND TONY KING (OBJECTION 28)**

I wish to reiterate our objection to building Portobello High School on the aforementioned Park.

In my original letter I detailed in full the many objections which my husband Anthony and I still strongly feel are valid reasons to preserve this park.

The school could be built elsewhere, but due to the Council, before taking legal advice as to the status of the park, made promises to the Parents of the present Portobello High School that the new build would be on the Park. The Councillors being determined to achieve their goal at all costs to please the School Parents and Pupils, resulted in those worried about losing their green space raising an enormous amount of cash to ask the opinion of the Court of Session they opted for a judgement by three judges to make sure that justice prevailed and they unanimously found that the Park's status is indeed inalienable Common ground.

This caused consternation amongst the Councillors and those parents and children who had been told the school would be built there. We do not blame the parents or the children as the council should have made sure of their facts before making promises. These three judges are educated to a high degree in dealing with such matters but instead of accepting their decision the Council decided to change the law in order to achieve what they wanted. My husband and I do not accept that there was not an alternative site but the Council said that each area suggested was unfit for purpose. That would have been taken on trust had it been decided by an objective group outwith the Council. The blatant aggression towards those against the building on the park has caused divisions in the community.

Instead of accepting the Judgement not of one but three eminent Judges the Council decided to change the law in order to achieve their aim. We think it is arrogance to do so as having decided to take this action makes a mockery of the law and is not a good example for the children concerned. What is the point of voting for anyone in the Council as demonstrated by their actions to unite to change a conservation law especially now as throughout UK there is a general outcry about these valuable spaces being built on reducing seepage and causing floods etc and denying future generations of the pleasure of using them. Had it been done in order to change an anachronistic unfair law that is another matter but please do not give a bad example to the children especially by rewarding carelessness in not seeking legal advice before promising what was not within Councillor's power to deliver.

7 February 2014