

CITY OF EDINBURGH COUNCIL (PORTOBELLO PARK) BILL

CONSIDERATION STAGE – WRITTEN EVIDENCE TO SUPPORT ORIGINAL OBJECTION

JEAN AND CHARLES DOUGLAS (OBJECTION 6)

Further to my previous objection I would like to add the following points, focussing on 3 particular aspects:

1. The lack of progress with the 'Twin track' regarding fall back sites;
2. The exclusion of provision for the replacement park within the private bill;
3. The failure in due process of the Private Bill because of the inadequacies in the consultation

Fall Back site options

As far back as 2003 Portobello school was identified as being in need of replacement and a feasibility study was carried out. The findings were that the existing site, without relocating St John's, was suitable for a modern school with one full size playing field. The vast majority of new schools in Edinburgh, (including the nearby Holy Rood High School completed in 2010) only have 1 pitch. Nothing has changed to make the existing site less suitable today than it was in 2003. Without adequate explanation, back in 2004, CEC changed its mind and dropped PHS from the list of new builds within the last round of PPP2. Once that PPP2 deal, worth £550million, was finalised, CEC quickly reinstated Portobello High School status as a school 'desperately in need of rebuild' and unveiled plans for Portobello High which involved building on Portobello Park/Golf Course, and initially also included a significant area of new housing to generate capital receipts.

Right from the start CEC have disregarded all lawful considerations and concentrated on appropriating Portobello Park. Although they went through a charade of pretending to conduct feasibility studies into 15 possible sites, it is clear that this was never a proper process because there was total inconsistency in the criteria for discounting sites, and totally inadequate risk assessments in relation to their preferred option. We have evidence from 2006 of a clearly preferred option (Portobello Park) identified before any feasibility studies were undertaken, and the purpose of the feasibility study was simply to provide justification although the outcome had been predetermined by CEC, much like the recent consultation exercise into the private bill, will loaded information, biased criteria, and selective processing of the results. No other site was seriously considered.

Replacement park

During all this time there has been lack of transparency and information has only been reluctantly released after Freedom of Information requests. There is no honesty from the Council and repeatedly they changed their position. They originally took the decision to select Portobello Park as the new school site based on 2 conditions: One was that they would find replacement green space to compensate for loss of the park, and the second was that they would resolve the legal problems before continuing. They then backtracked on both of these conditions, and pro-actively decreed that the existing school site was not in a suitable location for a new park. They have not yet explained why they have now u-turned again, but it appears to be a highly cynical move on their part to edge a highly controversial plan ahead. Of course they continue to refuse to reflect this 'commitment' to the new park in the Private Bill that they are promoting.

Private Bill Consultation

For reasons that have already been well rehearsed and discussed, it is clear that this was a most dishonest and biased process, and I do not believe that the results can be considered as valid because of the many serious flaws in the process. If you follow the logic that the flawed process invalidates the results, then the private bill process is itself flawed as the consultation is an integral and essential part of this it. I am very keen to hear the Private Bill Committee's view on this, given their quasi judicial role in the consideration stage of the private bill process.

Conclusion

There seems to be a view that because 'we are where we are', then the errors of the past should be put aside and we should move forward with the easiest solution to the problem we face, but I strongly believe that these are not honest errors made in good faith, but serious maladministration on the part of Edinburgh Council, and the repercussions are far too great for us to just sweep everything under the carpet. If we do not take a stand against this destructive, dishonest and damaging culture in our council then we should be scared of what the future will hold for our city. There are major issues here that have not yet been properly addressed, and unfortunately for the children of Portobello, their new school, which should have been delivered years ago is still the subject of this increasingly bitter debate.

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