

Portobello Park Action Group

Legal Action Update

In recent newspaper articles the Council has expressed their 'extreme disappointment' at the legal petition lodged by PPAG and claimed that the 'late' lodging of the petition could cause a delay in building the new Portobello High School.

The Portobello High School Newsletter (16 September 2011, Issue 7) also makes this claim but goes further to state that:
'... any additional costs incurred by having to defend this action will not just have an impact for Portobello but also for other school.'

What has not been made clear by either the newspaper articles or the PHS Newsletter are the actions taken by PPAG to resolve the legal issues in the eighteen months prior to the lodging of the legal petition.

- In February 2010 we wrote to the City of Edinburgh Council Head of Legal and Administrative Services proposing that the Council and PPAG participate in a joint action in the Courts to resolve the legal issues. The Council replied in March 2010 declining that offer.
- In March 2010, in a deputation, PPAG informed the Council that, based on the legal opinion from Roy Martin QC, it remained PPAG's intention to launch a legal challenge at the appropriate time. This was further stated in a letter to the Council Chief Executive and the Director of Children and Families in September 2010.
- In March 2011, our solicitor wrote to the Head of Legal Services suggesting the most effective and efficient legal routes to the resolution of the differing legal opinions, including the further suggestion of pursuing a joint action. The Council replied in April 2011 declining that offer for a second time.

Portobello Park Action Group has consistently supported the need for a new high school in Portobello and has consistently supported the need for retaining green space in Portobello.

September 2011