

Portobello Park Private Bill Information Leaflet



The City of Edinburgh Council proposes to take a Private Bill to the Scottish Parliament in early 2013 to address the legal issue that currently stops us using Portobello Park as the site for the new Portobello High School.

We are consulting with people in the local community and the rest of the city to find out whether or not they support this action that, if successful, would allow us to use the park as the location for the new high school. This leaflet explains why we propose to do this, what a Private Bill is, where you can find out more and how you can tell us what you think.



Why is a Private Bill required?

Portobello High School is the Edinburgh school in most urgent need of replacement. After consulting on potential sites in 2006, the Council agreed that the site in Portobello Park would be the best location for the new high school. Full funding is in place and detailed planning permission was granted in early 2011.

A local community group challenged the Council's right to use the land for a school. This is because the park is 'Common Good Land' which means that there are legal controls over what the Council can do with the land.

The Court's decision was that the Council may be able to sell the Portobello park land (with court permission) but, as the law currently stands, we have no power to use the land for a different purpose ourselves – no matter what the merits of an alternative use would be.

We therefore propose to take a Private Bill to the Scottish Parliament that would address the current legal issue and allow the use of Portobello Park as the site for a new Portobello High School. As we already have planning permission to progress the high school in the park, the Private Bill would simply remove the legal obstacle to using that location as planned.

Does this affect other parks or open spaces?

No, absolutely not. This Private Bill would apply only to this site in Portobello Park.

It would not change the status of any other Common Good land, either in Edinburgh or the rest of Scotland.

What is a Private Bill?

A Private Bill is legislation that is introduced to the Scottish Parliament by a 'promoter', rather than by an MSP or Committee of the Scottish Parliament. The promoter can be an individual, company, local authority or other body. In this

case the Council would be the promoter. We would be asking the Parliament to allow the use of Portobello Park as the site for a new Portobello High School.

If the Council decides to go ahead with the Bill, those who object to it (in general, or to specific provisions) will have an opportunity to submit objections to the Scottish Parliament after the Bill is lodged. People whose property may be affected by the changes the Bill would make would receive a letter in advance of it being lodged. That letter would explain how the Bill process works, and how to object to a Bill. The Council would also place advertisements in the local media.

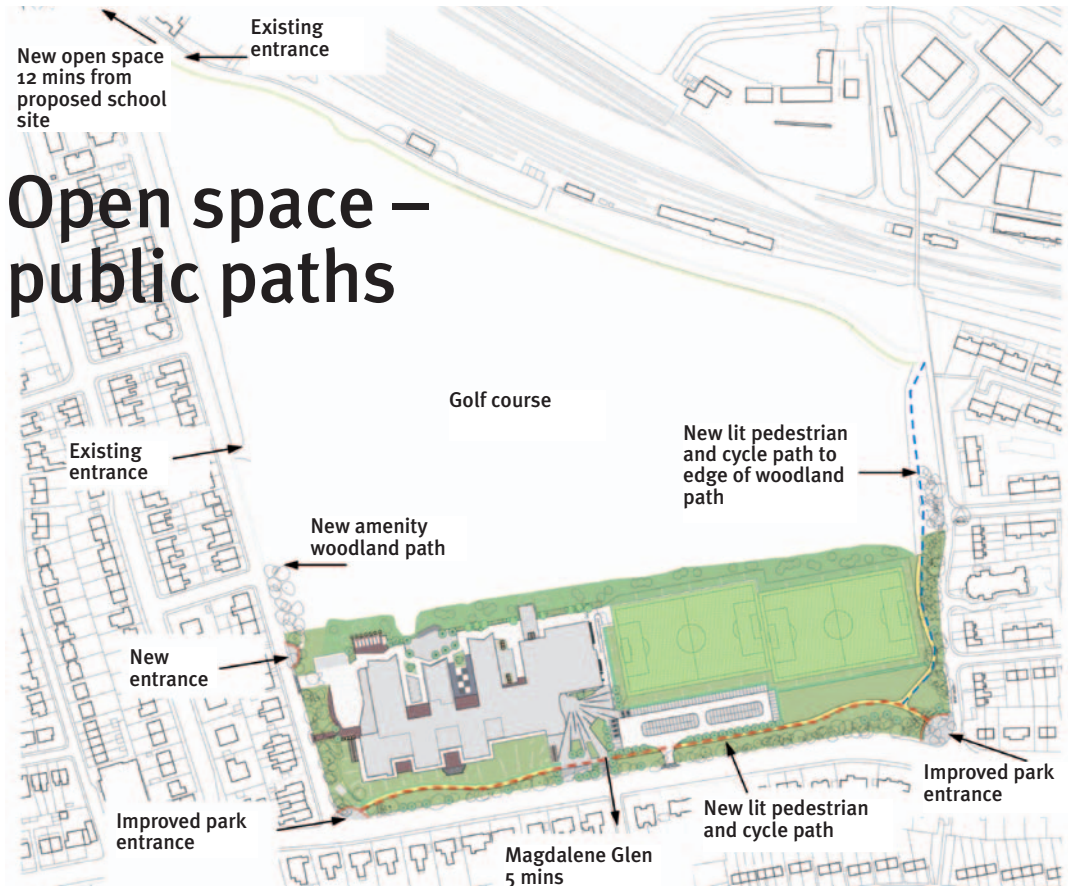
What are the plans for the new school?

We already have planning permission for detailed designs for a new high school in Portobello Park – a new school that we see as being at the heart of the community. The planned building would sit well in its surroundings and offer high quality, state of the art facilities for 1,400 pupils (this is the same capacity as the current high school). It would sit beside two full size all weather pitches that could be used all year for a variety of sports, not just by the school but also enjoyed by the community outside normal school hours. There would be no cost for local groups to book the all weather pitches when the school was not using them.

How much space would the school actually take up?

Much has been said about the area which would be lost if the park was used as the site for the new school so it is important to be clear on the facts:

- The total area of Portobello Park, not including any of the Golf Course, is approximately 6.4 hectares.
- The school building, playground and car park would be located towards the Park



Open space – public paths

Avenue side of the park, covering about two fifths of this land (roughly 2.6 hectares). We would create a new area of open space at the site of the existing combined high school and primary school to compensate almost entirely for the loss of this space.

- The two new all weather pitches would simply be replacing the park's existing grass football pitches. They would use about a quarter of the overall area (roughly 1.6 hectares) and their lighting would make them significantly more versatile than the grass pitches as they could be available in the evenings and weekends all year round.
- About a quarter of the parkland (roughly 1.6 hectares) would remain as woodland, public pathways or cycle paths. Most of the mature

trees in the park would stay and planting in many of the areas, such as between the park and golf course or along the park edges, would either remain unchanged or be improved.

- The old sports pavilion that sits next to Hope Lane would be removed to open up an area of land slightly smaller than a full size football pitch (roughly 0.6 hectares) between Hope Lane and Milton Road. This would be landscaped to create a pleasant public space for play and recreation with better paths and entrances to it so that it could be more easily accessed and used.

What about the people who use the park now?

A survey was carried out in summer 2009 which showed that the main use of the park

was for dog walking and there was very little wider recreational use. We believe our plans would not only meet the needs of people who already use the park but would actually have a very positive affect in terms of community enjoyment of the area. We believe many more people would come to the park for leisure and recreation to use greatly improved facilities which would be available in all weathers and all year round.

You would reduce green space in the area – do you have any plans to replace it?

Yes. We recognise that our plans would result in some loss of open space at Portobello Park. However we believe that the measures we are putting forward would compensate for this and improve access to local open spaces for many people.

If the Council is able to use the park for the school site we would:

- create an entirely new area of open space of roughly 2.2 hectares at the existing combined site of Portobello High School and St John’s RC Primary School.
- give St John’s RC Primary School additional space that it very much needs (increasing the area the school occupies from 0.6 hectares to 1.3 hectares).
- improve entrances to the park and create better paths to give everyone better access and especially people with pushchairs,

disabilities and mobility issues.

- improve public paths down the edges of the golf course and introduce a cycle path along the eastern edge to fill a missing link in the Sustrans Cycle network across Edinburgh.
- keep mature boundary trees wherever possible around the park to help preserve the look and feel of the park for its neighbours.
- create a pleasant, good sized grass area between Hope Lane and Milton Road for recreation and play.
- provide two all weather pitches to replace the park’s current grass pitch area.
- ensure that there would be no charges for people who live in the Portobello area who wanted to book and use the pitches when the school was not using them.
- invest £150,000 in improving outdoor play facilities in Magdalene Glen.

The proposed new open space

If the Council does decide to go ahead with a Private Bill, and it was passed so as to allow Portobello Park to be used as the site for the new Portobello High School, a new area of open space would be created at the existing combined high school and primary school site. We can do this under the powers the Council already has so this would not actually be part of the Private Bill. However it is an important part of the proposals to use Portobello Park as the site for the new Portobello High School and we want to know what people think the





best use of this new open space would be.

Part of the combined existing Portobello High School and St John's RC Primary School site would be kept to allow us to deliver a new St John's on a larger site of roughly 1.3 hectares providing additional space which it very much needs.

This would leave a large part of the existing combined site, roughly the size of three full-size football pitches (2.2 hectares), where new open space could be created if the high school moved to Portobello Park. This would be only slightly smaller than the open space lost at the park. Where on the site this new open space was created would depend on where the new St John's RC Primary School was located.

£1million has been set aside in the project budget to develop this new open space if Portobello Park could be used as the site for the new Portobello High School and the old high school demolished. It is only a short distance from Portobello Park and there would be plenty of scope for a variety of uses.

Since this would be your open space, we are keen to hear your views on what use you would like and what facilities you would like to see in it.

Are there other options for the new school?

We have looked again at all the options in, and around, the high school's catchment area. The results of this review show that there is simply no other site in a good location with space to provide the same level of facilities and easy access as the site at Portobello Park. This would allow us to provide the best school with all of the required facilities. It would also be considerably cheaper and quicker to deliver a new school on the park than to start new design and planning processes for a different option.

If it were not possible to use Portobello Park two potential back-up options have been identified which are the former Scottish Power site at Baileyfield (assuming the Council was able to buy it) and a phased rebuild on the existing school site. Compared with the proposal to locate the school at the park, both options would be a significant compromise and take far longer to deliver. We estimate that the costs to complete the new high school on the park would be between £5.8 million and £6.9 million cheaper than the back-up options, money which could be better spent on much needed school building projects including a new St John's RC Primary School and a new St Crispin's Special School.

For more information about the back-up options and how they compare, please read the report to the City of Edinburgh Council meeting of 22 November 2012. Copies can be found in Piershill and Portobello Libraries or downloaded from the Council's website at www.edinburgh.gov.uk/newportobelloschool

The best option for who?

We appreciate that this is not just about the school because changing the use of Portobello Park would affect the whole community – people of all ages, with or without children. The new facilities would be there for everyone, not just staff and students. With comfortable and modern facilities we would expect there to be opportunities for adult education classes, for drama and music groups and there would be halls that community groups can use.

Everyone has a view on whether the school should be located on Portobello Park or not. To seek a Private Bill is a major step and we want to give everyone a chance to tell us whether they think it is the best option for the whole community.

Where can I find out more?

A road-show will be taking place in local venues across the city including libraries, community centres, schools and leisure facilities. Please look out for more information locally and on the Council's website at www.edinburgh.gov.uk/newportobelloschool.

In addition we will hold two public meetings which will give you an opportunity to hear more about our proposals and also hopefully from local groups both in favour of, and opposed to, our plans. The details for these are as follows:

- 9 January, Portobello Town Hall, 7pm to 9pm
- 17 January, Meadowbank Sports Centre, 7pm to 9pm

We hope the events we have planned can

help you come to an informed decision and further information is also available on the Council's website at www.edinburgh.gov.uk/newportobelloschool

There are a number of ways you can let us know your views on our proposals. There is a short survey which you can complete that can be found on our website www.edinburgh.gov.uk/newportobelloschool or you can fill in a short questionnaire that will be available at the road shows and in Piershill and Portobello Libraries. If you would prefer to put your comments in writing this can be done either by email to NewSchoolBuildings@edinburgh.gov.uk or in writing to: Portobello Park Private Bill, 1/2 Waverley Court, The City of Edinburgh Council, 4 East Market Street, Edinburgh EH8 8BG.

If you are providing written comments please include your name, address and postcode. We are asking for this personal information in order to confirm which survey responses have come from the local community or elsewhere in the city, and ensure that only one response per individual is recorded. Please note that this is for internal use only and no personal details will be published.

The consultation period runs until 5.00pm on Thursday, 31 January 2013 and to be considered your response has to reach us by then.

The results of the consultation will be reported to the Council in March 2013. If the Bill proceeds we anticipate a decision by the Scottish Parliament by February 2014.



You can get this document on tape, in Braille, large print and various computer formats if you ask us. Please contact the Interpretation and Translation Service (ITS) on 0131 242 8181 and quote reference number 12-0809. ITS can also give information on community language translations.

You can get more copies of this document by calling 0131 469 3161