

# Land Reform campaigner lends support to Portobello park petition



*Common Good expert describes park protesters claim as 'nonsense'*

Andy Wightman, expert on the Common Good land in Scotland and well known campaigner for land reform, has criticised claims by a protest group about the implications of a recent court ruling.

The Portobello Park Action Group (PPAG) has lodged an appeal after losing a legal bid to stop a new Portobello High School being built on what is known as Common Good land. After almost six years in preparation the project was due to start on site last autumn, but the supporters of the new school say there are fears the legal appeal could delay completion of a new school for years.

Lady Dorrian, in the Inner House of the Court of Session, dismissed [PPAG's](#) case because of the 'considerable delay in bringing this petition' but also made clear that the case would have failed on merit.

Since launching their appeal PPAG have made several claims about [Lady Dorrian's judgement](#) that have angered local residents who are in favour of the school. A petition has triggered an emergency meeting of Portobello Community Council, (due to be held next week), to demand that PPAG remove misleading claims from their website and ask that they

drop their appeal “in the interests of the community in general and the children and young people of Portobello in particular.”

Asked to comment on claims about the case, Andy Wightman made several remarks.

On the suggestion that the ruling could lead to Common Good assets being sold across Scotland, Andy Wightman said:- “It is nonsense to suggest that the ruling provides a green light for selling off common good assets. Sales will be governed by existing legal precedent and the Portobello case has no bearing on them.”

Regarding PPAG’s statement that the ruling meant “no-one will be able to challenge decisions to appropriate or alienate common good land in law” Andy Wightman noted that decisions would still be open to challenge, that the ruling had clarified the legal situation regarding the appropriation (change of use) of Common Good land, and that “the Portobello decision has no bearing whatsoever on alienations.”

[Andy Wightman](#) also said:-“The appeal would turn on grounds that are extremely narrow and would be unlikely to succeed.”

Sean Watters, Chair of Portobello for a New School (PFANS), commented:-

“This confirms what we’ve been saying; PPAG’s statements about the recent court case are simply wrong. They need to stop making these claims.

Most importantly they need to recognise that their appeal has little hope of success. It will only cause more delay and expense, as well as anger within the local community. We desperately need a new High School. It’s time to get on and build it.”

