

Five things you need to know today



Portobello High School – Bus lanes – Cake Time for Shelter Scotland – Roller Derby this weekend – Edinburgh Inspiring Capital

In the Court of Session this morning the Petition by Portobello Park Action Group Association for Judicial Review will be heard. Two days of court time have been set aside for the hearing.

The original court decision [can be read online](#). There are of course two sides to this long running story, so what we offer you here is some signposting to the arguments for and against. The first point to note is that the existing school is deemed unfit by the parents of pupils attending it. The decision has already been made by the council to build a new school rather than decant the pupils and renovate the existing one or indeed, build on the existing site. Those in favour of a new school on the new site [have a Facebook page here](#). Sean Watters of the group wrote an opinion article for us at the beginning of April [which you can read here](#).

Then there is the other side PPAG who are campaigning for the preservation of Portobello Park where the council plans to build the new school, claiming that it is common good land and a green space which should not be used for this purpose. They have a [Facebook page here](#) where they most recently reported that newly elected councillor David Walker is supporting their cause. A lengthy statement from him is reproduced in full.

The council say their position is clear. This is what they

wrote on 20 April 2012:-“A report has been issued to Councillors today (20 April) calling for the construction of the new Portobello High School to begin as soon as the current appeal by PPAG (Portobello Park Action Group) is either withdrawn or concluded in the Council’s favour.

If the report is approved at the Council meeting next week, the only remaining obstacle to work beginning immediately will be PPAG’s court appeal.

The appeal is due to be heard on 23 and 24 May 2012 although the judgement may take some time, meaning that the earliest the much needed new High School could open would be August 2014. However, if the appeal is dropped, the school could open its doors as early as January 2014.

Councillors will be asked to formally approve the appropriation of an area of land in Portobello Park under the powers of the Local Government (Scotland) Act 1973. The power to do this is something that the Council has asserted since 2008, a position that was fully supported in the recent judgement by Judge Lady Dorrian, in which she also dismissed the petition from PPAG on the grounds of their excessive delay.

In addition, Councillors will also be asked to approve the appropriation of the land under Section 20 of the Local Government in Scotland Act 2003. This provides local authorities with the power to do anything they consider likely to promote or improve the well-being of its area and persons within that area. This provides the Council with a separate legal power to allow the plans for the new Portobello High School to be taken forward.”

When the council met on 26 April 2012 they approved the administration motion to proceed with the legal moves necessary to put the land at the disposal of the council for the purpose of building a school on it. Below is what is

recorded in the Council minutes, and it is clear that the council await the court decision which will flow from the proceedings today and perhaps tomorrow, before taking any further action.

This is what the council minutes record:-

The New Portobello High School

Progress on the project to build the new Portobello High School on a site at Portobello Park was detailed.

(a) Deputations

The Council heard the following deputations:

PFANS (Portobello For A New School)

The deputation expressed concern at the delays in providing a new Portobello High School. They said that the current building was extremely flawed, the accommodation sub-standard and there was now no patience within the community for further legal arguments against the building of a new school.

The deputation expressed their gratitude for the support they had received from the Council for the new high school and urged them to support the recommendations in the report by the Director of Children and Families.

Portobello Park Action Group

The deputation stressed that they were in support of a new school for Portobello; their objection was to it being built on public parkland. They felt that the future of the golf course remained at risk as its future funding was only guaranteed for one year with no assurances that it would be safeguarded for recreation in perpetuity. They asked the Council to nominate the golf course as a Queen Elizabeth Field to demonstrate the Council's commitment to its future.

The deputation felt that there had been no meaningful consultation through the six years planning process and that the Council had contravened its own Open Space planning policy. They urged the Council not to approve the recommendations in the report by the Director of Children and Families until the legal situation had been resolved.

Portobello High School Parent Council

The deputation were delighted to see the plans for the new school at Portobello reaching their final stage and felt that the Council should be proud of the way in which they had carried out their consultation and research which would result in a fabulous design for a fantastic school. They were of the view that the current school was preventing both pupils and staff reaching their full potential.

The deputation stressed that the Portobello community were extremely enthusiastic about the proposals and that the majority recognised it as a good option for the area and a wonderful community resource. They urged the Council to support the recommendations in the report by the Director of Children and Families.

(Reference – e-mail requests, submitted.)

(b) Report by the Director of Children and Families

An update was given on the project to build the new Portobello High School, together with details of the status of the legal challenge to, and subsequent appeal against, the school's construction on a site at Portobello Park. Approval was sought for the next steps in the process.

Motion

- 1. To note the contents of the report by the Director of Children and Families and the latest position relating to the progress of the project and the associated legal*

challenge.

2. To note the outcome of, and approve the responses to, the consultation exercise required by the Town and Country Planning (Scotland) Act 1959 as set out in the Director's report.
3. To appropriate the land (as common good land) at Portobello Park as specified at paragraph 3.28 of the Director's report for use as the site of the new Portobello High School and associated community facilities under the powers available within the Local Government (Scotland) Act 1973.
4. To appropriate the land (as open space and common good land) at Portobello Park as specified at paragraph 3.28 of the report for use as the site of the new Portobello High School and associated community facilities under the powers available within s20 of the Local Government in Scotland Act 2003.
5. To accept the tender from Balfour Beatty Construction Scottish & Southern Limited of £26,114,107 and to enter into a contract with them as the principal construction contractor to deliver the new Portobello High School on the condition that the existing appeal be first either successfully concluded in favour of the Council or withdrawn in each case to the satisfaction of the Chief Executive in consultation with the Director of Children and Families and the Director of Corporate Governance.
6. To delegate authority to make the decision referred to in paragraph 5 above to the Chief Executive, in consultation with the Director of Children and Families and Director of Corporate Governance.
7. To receive a further report for information at the earliest opportunity following any decision having been taken in accordance with paragraph 6 above.

– moved by Councillor MacLaren, seconded by Councillor McIvor (on behalf of the Administration).

Amendment

To approve the motion and add:

- 8. To recognise that those supporting the new school were also supportive of open space provision and that those defending the park were not opposed to a new school.*
- 9. Therefore, to call for a report, within three cycles, investigating the possibility of using the existing school site as compensatory green space, such compensation having been originally agreed in 2006.*
- 10. 10) Further, in order to guarantee the remaining open space around the school, including the golf course, would be protected from development, to designate it a Jubilee Park.*

– moved by Councillor Chapman, seconded by Councillor Johnstone (on behalf of the Green Group).

Voting

The voting was as follows:

For the motion – 54 votes

For the amendment – 3 votes

Decision:- To approve the motion by Councillor MacLaren.

(References – Act of Council No 1 of 22 September 2012; report no CEC/102/11-12/CF by the Director of Children and Families, submitted.)

Drivers fined in the recent moves by the council to stop car drivers using bus lanes have not been dealt with correctly, according to an article in today's [Scotsman](#). According to the report some of the drivers were fined for simply crossing over

the bus lanes to get in and out of their houses....

Make time for Cake Time with John Lewis Edinburgh and Shelter Scotland
Date/Time: Wednesday, 23 May 2012, 12.30pm-13.30pm

What: Shelter Scotland, John Lewis Edinburgh and customers indulge in annual cake fest to raise money for Scotland's leading housing and homelessness charity.

Where: John Lewis Edinburgh, Place to Eat restaurant, St James Centre, Edinburgh EH1 3SP

John Lewis Edinburgh is gearing up to indulge in a cake-fest with their customers to raise money for Scotland's leading housing and homelessness charity.

Today the national retailer, which also has shops in Glasgow and Aberdeen, is supporting Shelter Scotland's annual Cake Time fundraising event which asks members of the public to give in to their sweet tooth for a good cause.

John Lewis is supporting Cake Time in its Place to Eat restaurants, and will also donate £20,000 to the charity. As well as donating money raised from cake sales, each store will also hold independent fundraising events with Partners and customers, with donations also going to Shelter Scotland.

Live! Roller Derby! Auld Reekie Roller Girls' mighty Cannon Belles versus the Kent Roller Girls this weekend Saturday 26 May 2012 : Cannon Belles vs. Kent Roller Girls at Meadowbank Sports Centre, Edinburgh

Tickets: £5 plus booking fee online, £7 on the door. Available

from:

<http://arrg.co.uk/events/event/cannon-belles-vs-kent-roller-girls/>

Free for children aged 14 and under!

“After the resounding success of ARRG’s recent home team tournament, the 26th May sees the Auld Reekie Roller Girls’ Cannon Belles battling Kent Roller Girls in what’s sure to be a belter of a bout. The Cannon Belles have been in fine form this season, with a decisive win over Perth’s Fair City Rollers in March: they’re keen to continue their winning streak, and are certain to do everything in their power to ensure victory. Kent’s first and only roller derby team played in their debut public bout in September 2011, but have been training hard and are sure to be tough opponents for the Cannon Belles. Expect to see some brutal hitting, high-speeding sprinting and some impressive tactical play from both teams when the action begins at 2pm on Saturday 26th May at Meadowbank Sports Centre. Fast-paced skating action by two cracking teams! What else could you wish for on a Saturday afternoon?

Edinburgh Inspiring Capital the yacht which is taking part in the Clipper Round the World Race is in first place in Race 11 according to [BYM news](#). The yacht is decorated with Inspiring Capital logos and was hailed last year by former Council leader Jenny Dawe as an investment which actually generates around 10 times its value in advertising return. The council investment is £55,000, and [you can read our article here](#) where that investment was agreed.