

*These notes relate to the City of Edinburgh Council (Portobello Park)
Act 2014 (asp 15) which received Royal Assent on 1 August 2014*

CITY OF EDINBURGH COUNCIL (PORTOBELLO PARK) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 1

11. Subsection (1) provides that the Park is deemed to be alienable common good land for the purposes of Part VI of the 1973 Act. This enables the Council to rely on section 73(1) of that Act, read with section 75(1), to appropriate the Park for functions other than the recreation purposes for which the Park was vested in the Council.
12. Subsection (2) limits subsection (1) so that the Park may only be appropriated for the purposes of the Council's education authority functions. The Park otherwise remains inalienable, and so the Council may not appropriate it under section 73(1) of the 1973 Act for any other purpose. Section 17 of the Education (Scotland) Act 1980 confers on the Council a duty to provide for its area sufficient accommodation in public schools, and a power to provide, alter, improve, enlarge, equip and maintain schools for that purpose.