

**ASSET TRANSFER UNDER PART 5 OF THE COMMUNITY EMPOWERMENT
(SCOTLAND) ACT 2015**

DECISION NOTICE - REFUSED

To: The Association of the Friends of St. John's
7 Bath Street, Edinburgh, EH15 1EZ

14 December 2018

This Decision Notice relates to the asset transfer request made by **The Association of the Friends of St. John's** on **12 December 2018** in relation to an area of land with the footprint of the main building of **St. John's RC Primary School**, located on the junction of **Hamilton Terrace and Duddingston Road**, Edinburgh, EH15 and ancillary space.

The City of Edinburgh Council has decided to **refuse** the request.

The reasons for this decision are as follows:

In accordance with Section 82 (5) of the act, the reasonable grounds for refusal of the request are:

In line with the Bill that went through the Scottish Parliament in 2014 for the building of the new Portobello High School the Council is committed to building a new park on the old site for St John's. Public consultations have taken place regarding the whole school site project which included the design of the park for which planning permission has been approved.

The benefits accruing to the wider community from the provision of a new public park to replace the area of Portobello Park occupied by the new Portobello High School are deemed to be greater than those articulated in the asset transfer request.

There is no evidence of meaningful community engagement on the future use of the asset should an asset transfer take place.

Right to Review

You have a right to apply to the Council to review this decision

Any application for review must be made in writing to

**Operational Estates Team,
The City of Edinburgh Council
Waverley Court, Level 1:4,
4 East Market Street,
Edinburgh, EH8 8BG**

by 17 January 2019, which is 20 working days from the date of this notice.
Guidance on making an application for review is available at
<https://www.gov.scot/publications/asset-transfer-under-community-empowerment-scotland-act-2015-guidance-relevant-9781786527493/pages/18/>