

REPORT TO: East Lothian Council

MEETING DATE: 28 March 2017

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Outcome of the School Consultation on the Proposed Change to Preston Lodge High School Catchment Area and the Establishment of a New Primary School at Blindwells

1 PURPOSE

- 1.1 To approve the recommendations set out within the Consultation Report (Appendix 1) on the proposed change of secondary catchment area for the Blindwells primary school catchment area and the establishment of a new primary school for Blindwells new settlement (LDP Proposal BW1, *hereinafter referred to as 'BW1'*).

2 RECOMMENDATIONS

- 2.1 Following completion of the statutory school consultation exercise, the Council has 3 options to consider, namely:
- i. approve, on the basis of the outcome of the school consultation and taking account of the educational and social benefits of the proposal, that:
 - a. subject to planning permission being approved for the current allocated Blindwells site (Proposal H1 of the East Lothian Local Plan 2008 / Proposal BW1 of the emerging East Lothian Local Development Plan), a new primary school with early learning and childcare provision will be established for the Blindwells primary school catchment area;
 - b. the new primary school will be established initially at Cockenzie Primary School through a "hosting" arrangement until the new primary school building is complete;

- c. the new primary school will relocate to its permanent site on the completion of the new building;
 - d. the Preston Lodge High School catchment area will be extended to include the Blindwells new settlement (BW1) and replace the Blindwells secondary catchment area established in 2010 with immediate effect; and
 - e. the St Gabriel's RC Primary School catchment area will be extended to include the Blindwells new settlement (BW1) in alignment with the proposed revised Preston Lodge High School catchment area with immediate effect.
- ii. withdraw the proposal and make no additional provision for primary education for Blindwells or alteration to the Preston Lodge High School and St Gabriel's RC Primary School catchment areas. In withdrawing the proposal, the Council would not be able to accommodate the educational requirements of eligible pre-school, primary and secondary-aged children arising from planned housing developments in the Blindwells area (BW1).
- iii. undertake a further consultation exercise on a new proposal.

3 BACKGROUND

- 3.1 The *Education (Scotland) Act 1980* places a legislative duty on the Council to provide sufficient school accommodation and plan for growth in our communities. In addition, the Council has a statutory duty to secure best value in terms of the Local Government in Scotland Act 2003.
- 3.2 The Council must consult on certain changes in arrangements for educating children and young people in its area before it can commit to delivering them including, if required, to make proposed development sites effective.
- 3.3 On 24 February 2015 approval was given by East Lothian Council to undertake consultations relating to the school estate (i.e. schools, catchment areas, locations) regarding work necessary to inform the emerging Local Development Plan (LDP), where there is likely to be a need for new or re-provisioned facilities, without further reference to or approval by Council; and to report back to Council on the outcomes of such consultations in order that the Council can make a decision on any proposed changes.
- 3.4 The LDP must be complemented by an educational solution that meets the increase in projected pupil numbers that will be generated from the new housing development. This includes a review of how such capacity will be provided for the new settlement at Blindwells.

- 3.5 The proposed housing development at Blindwells (BW1) will require a new primary education facility with early learning & childcare provision to be established in order for such development to be delivered. The alteration to Preston Lodge High School catchment area to include Blindwells primary school catchment area will also help enable the development of the current allocation for Blindwells (BW1), providing capacity until an on-site permanent secondary education facility is delivered in association with any further expansion of the new settlement as part of LDP Proposal BW2. Preston Lodge High School may also provide the permanent secondary education solution for Blindwells (BW1) if the settlement cannot grow any larger than the current allocation.
- 3.6 The statutory consultation regarding the proposed change of secondary catchment area for the Blindwells primary school catchment area and the establishment of a new primary school for Blindwells (BW1) commenced at 12.00am on Tuesday 8 November 2016 and lasted until 12.00am on Wednesday 21 December 2016, being a period of six weeks, which also included the statutory minimum 30 school days. This was in line with the *Schools (Consultation) (Scotland) Act 2010*. Notification of the consultation was given to all statutory consultees prior to the commencement of the consultation. The Consultation Document was published on [East Lothian Council's Consultation Hub](#) and paper copies distributed on Tuesday 8 November 2016.
- 3.7 Representations were sought from statutory consultees and the wider public by the completion of an online questionnaire available on the East Lothian Council Consultation Hub. The Consultation Hub also stored all relevant consultation documentation for public viewing. Paper copies of the questionnaire were also distributed at Council buildings within the Cockenzie and Prestonpans area.
- 3.8 Publicity material detailed an East Lothian Council email address, phone number and postal address, to which representations and any other queries could be submitted.
- 3.9 HM Inspectors from Education Scotland undertook their statutory duties in accordance with the *Schools (Consultation) (Scotland) Act 2010*, by reviewing the educational aspects of the proposal and completing their report. A full copy of the report can be found in Appendix 5 of the Consultation Report (Appendix 1).
- 3.10 All submitted representations, including the Education Scotland report, were analysed by East Lothian Council Officers, summarised and answered to in the Consultation Report (Appendix 1). The Consultation Report, summarising all representations and East Lothian Council's response, was published on

the East Lothian Council Consultation Hub on 27th February 2017. This was made publicly available for a minimum period of three weeks before consideration of the proposal by East Lothian Council, in line with the *Schools (Consultation) (Scotland) Act 2010*.

Summary

- 3.11 The Council received 81 responses to the questionnaire during the consultation period.
- 3.12 Of the responses which provided an overall view about the Council's proposal, almost all expressed support. In terms of the four individual elements of the proposal, a clear majority of respondents to the questionnaire (88.9%) support the proposal to establish a new school in the Blindwells primary school catchment area (3.7% oppose /4.7% have no opinion). A clear majority (50.2%) also support the proposal to host initially at Cockenzie Primary School until the new permanent facility is built (25.9% oppose/23.9% have no opinion). A greater proportion of respondents overall oppose the proposal to extend Preston Lodge High School catchment to include Blindwells (46.9% oppose/43.2% support/9.9% have no opinion). A greater proportion of respondents also oppose the proposal to extend St Gabriel's RC Primary School catchment to include Blindwells (50.6% oppose/33.3% support/16.0% have no opinion).
- 3.13 Although the responses to the questionnaire capture the flavour of opinions regarding the consultation and are all valued, it is important to note that such a small sample size is not statistically significant given the number of families living within the Prestonpans cluster. A summary of responses by demographic is provided in the Consultation Report (Appendix 1).
- 3.14 During the consultation period, Council officers visited Cockenzie Primary School, St Gabriel's RC Primary School and Preston Lodge High School, providing good opportunities for pupils to discuss their views. Overall, pupils showed support for the proposal.
- 3.15 A number of common themes emerged from the questionnaire and oral responses, and can be grouped as follows:
- Concerns over level of proposed housing & impact on infrastructure
 - Consultation with the community on the proposals
 - Impact on community identity
 - Clarification of schools within the proposed revised Prestonpans Cluster
 - Rationale for inclusion of Blindwells settlement (BW1) in the Prestonpans Cluster
 - Transport Links & Safer Routes to Schools

- Impact on capacity of Preston Lodge High School
- Impact on capacity of St Gabriel's RC Primary School
- Hosting arrangements at Cockenzie Primary School
- Ongoing consultation with stakeholders

East Lothian Council's response to these themes is detailed in Section 7 of the Consultation Report (Appendix 1).

3.16 In line with the *Schools (Consultation) (Scotland) Act 2010*, Education Scotland considered the educational aspects of the proposal and submitted a report to East Lothian Council. As part of this consideration, Education Scotland met with children, young people, staff and parents who may be affected by the proposal. The full report from Education Scotland can be found in Appendix 5 of the Consultation Report (Appendix 1).

3.17 Education Scotland reported that the proposal to establish a new primary school for Blindwells and alter the catchment area of Preston Lodge High School and St Gabriel's RC Primary School to include the Blindwells new settlement has clear educational benefits as follows:

- the proposal has the potential to provide children who will reside in the Blindwells housing development with modern, purpose built accommodation designed to meet the needs of its learners;
- the new school will provide a range of leisure and learning facilities which will potentially benefit the wider community;
- changing the secondary catchment area of the current Blindwells secondary catchment into Preston Lodge High School catchment, ensures secondary pupils from the Blindwells area will attend a school offering access to a broad curriculum which already has very well established community links;
- Similarly, changing the denominational catchment of Blindwells to St Gabriel's ensures the denominational pupils from Blindwells will be attending a school aligned to the same cluster community and secondary school as their non-denominational peers.

3.18 Education Scotland reported that almost all parents, pupils and staff who met with HM Inspectors supported the proposal.

3.19 Education Scotland noted that East Lothian Council needs to ensure the following, if the proposal is taken forward:

- During the interim 'hosting' period the Council should provide both groups of children with a high quality education; and

- Continue to engage with stakeholders and ensure that all arrangements are well planned and clearly communicated to all stakeholders to meet the needs of all children who attend Cockenzie Primary School, St Gabriel's RC Primary School, Preston Lodge High School and the new Blindwells primary school.

3.20 Following receipt of a total of 81 questionnaire responses and consideration of oral representations made at a public meeting held during the consultation period, a range of officers from Education, Finance, Planning, Property and Road Services reviewed the proposal. This ensured that the Council met the requirements of sections 9(1), 12 and 13(3) (b) of the 2010 Act. Officers of the Education Authority have listened carefully to the points made at the public meetings and have considered equally carefully the written representations, including the Education Scotland report.

3.21 Having reviewed the feedback from consultees, officers conclude that the basis of the original proposal remained the best solution to provide appropriate and effective early learning & childcare, primary and secondary education provision for the Blindwells area (BW1).

4 POLICY IMPLICATIONS

4.1 None

5 INTEGRATED IMPACT ASSESSMENT

5.1 The subject of this report has been through the Integrated Impact Assessment process. Potential impacts have been identified and will be addressed.

6 RESOURCE IMPLICATIONS

6.1 Financial – Developer contributions will be sought from the developers of relevant sites allocated in the Blindwells new settlement area (BW1) to fund the costs of the permanent early learning & childcare and primary school provision at Blindwells which will be the subject of legal agreement with relevant landowners. Developer contributions will also be sought from the developers of relevant sites allocated in the proposed revised catchment areas of Preston Lodge High School and St Gabriel's RC Primary School, including Blindwells (BW1), to ensure there is sufficient capacity and facilities to provide suitable education to all at Preston Lodge High School and St Gabriel's RC Primary School, which will be the subject of legal agreement with relevant landowners. Developer contributions will not be sought to

resolve pre-existing deficiencies or shortfalls in accommodation, unrelated to the new proposed housing developments.

School revenue budgets and staffing complements are set in line with the school roll in accordance with the approved Scheme of Delegation for Schools and the Council's devolved school management (DSM) policies. The Council will incur additional revenue costs associated with the day to day running of the new early learning & childcare and primary school provision at Blindwells (BW1) as well as any increase to revenue budgets and staffing complements for Preston Lodge High School and St Gabriel's RC Primary School as a result of increased rolls from planned and committed housing in the area.

6.2 Personnel - The Education Service closely monitors school rolls and plans staff recruitment in response to increases in rolls. The new Blindwells primary school and any increase to the staffing complements at Preston Lodge High School and St Gabriel's RC Primary School will be staffed in line with current East Lothian recruitment procedures, appointing the best candidates for each vacancy. Recruitment will be open to all appropriately qualified staff from East Lothian and beyond. Whilst this will provide career opportunities for many of our existing staff, the staffing will be phased in over a number of years and should not have a detrimental impact on the teaching and learning in neighbouring schools. A senior management team will be recruited a number of months before the new Blindwells school is open. The key tasks of this group will be to appoint the staff team in readiness for the school opening, and to prepare for transition.

6.3 Other – None

7 BACKGROUND PAPERS

7.1 Consultation Report on the outcome of the consultation on the proposed change to Preston Lodge High School catchment area and the establishment of a new primary school at Blindwells (Appendix 1).

AUTHOR'S NAME	Fiona Robertson
DESIGNATION	Head of Education
CONTACT INFO	frobertson@eastlothian.gov.uk Tel No – 01620 827834
DATE	13 th March 2017