

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 the Letham Mains Primary School Catchment Area

1 PURPOSE

- 1.1 To approve the recommendations set out within the Consultation Report (Appendix 1) on the proposal to extend Letham Mains Primary School catchment area to include the Letham Mains Expansion Area (LDP Proposal HN2, *hereinafter referred to as 'HN2'*), currently in the Haddington Infant School and King's Meadow Primary School catchment areas.

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. Letham Mains Primary School catchment area will be extended to include the Letham Mains Expansion Area (HN2) and remove this area of land from the Haddington Infant School and King's Meadow Primary School catchment areas; and
 - b. the new catchment and admission arrangements for Letham Mains Primary School, Haddington Infant School and King's Meadow Primary School would become operational with immediate effect.

- ii. withdraw the proposal and make no alteration to the Letham Mains Primary School, Haddington Infant School and King's Meadow Primary School catchment areas. In withdrawing the proposal, the Council would not be able to accommodate the educational requirements of primary-aged pupils arising from the Land at Letham Mains Expansion area (HN2). The projected pupil numbers arising from both this site and other committed housing developments outlined in the Proposed LDP 2016 cannot be accommodated in Haddington Infant School and King's Meadow Primary School.
- 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. The proposed housing development at Letham Mains Expansion (HN2) identified in the 2016 Proposed LDP will require the revision to the Letham Mains catchment area for such development to be delivered. The Letham Mains Primary School will also need to be further extended to accommodate the proposed expansion of the Letham Mains allocation (HN2).
- 3.5 The statutory consultation regarding the proposed revised catchment area for Letham Mains Primary School 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.

- 3.6 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 in Haddington.
- 3.7 Publicity material detailed an East Lothian Council email address, phone number and postal address, to which representations and any other queries could be submitted.
- 3.8 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).
- 3.9 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

- 3.10 The Council received 26 responses to the questionnaire during the consultation period.
- 3.11 Within this small sample size 46.2% of respondents to the questionnaire support the proposal. 38.5% of questionnaire respondents oppose the proposal while 15.4% had no opinion.
- 3.12 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 Haddington community. A summary of responses by demographic is provided in the Consultation Report (Appendix 1).

3.13 During the consultation period, Council officers visited Haddington Infant School and King's Meadow Primary School providing good opportunities for pupils to discuss their views. Overall, pupils showed support for the proposal.

3.14 A number of common themes emerged from the questionnaire and oral responses, and can be grouped as follows:

- Concerns over the proposed revised catchment area for Letham Mains
- Concerns over building a separate primary school
- Community Division, SIMD profile & diversity
- Capacity for "Hosting" Arrangements
- Consultation with Staff & Pupils
- Staff Retention
- Housing Developments not supported by the Community

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

3.15 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).

3.16 Education Scotland reported that the proposal to extend the catchment area of the planned Letham Mains Primary School has clear educational benefits to children in each of the affected schools:

- the proposal has the potential to provide children who will reside in the Letham Mains housing development with modern, purpose built accommodation designed to meet the needs of its learners;
- children who come to live in the planned housing development at Letham Mains Expansion area (HN2) attending Letham Mains Primary School will reduce the possibility of overcrowding at both Haddington Infant School and King's Meadow Primary School.

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

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

- continue to engage with stakeholders over its planned transition arrangements for children who will attend Letham Mains Primary School.

- 3.19 Following receipt of a total of 26 questionnaire responses and consideration of oral representations made at a public meeting held during the consultation period, a range of officers from Education, 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.
- 3.20 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 and primary education provision for the Letham Mains Expansion area (HN2).

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 – The planned new Letham Mains Primary School will be extended to accommodate the projected primary-aged pupils arising from the Letham Mains expansion site (HN2) and additional pre-school capacity will also be provided. Developer contributions will be sought from the developers of relevant sites in respect of the additional education capacity required to accommodate the cumulative impact of development, which will be the subject of legal agreement with relevant landowners.

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 planned new Letham Mains Primary School.

- 6.2 Personnel – The Education Service closely monitors school rolls and plans staff recruitment in response to increases in rolls. Letham Mains 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 Letham Mains Primary 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 school consultation on the proposed change to the Letham Mains Primary School catchment area (Appendix 1).

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