



**MINUTES OF THE MEETING OF
EAST LOTHIAN COUNCIL**

**TUESDAY 21 FEBRUARY 2017
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

1a

Committee Members Present:

Provost L Broun-Lindsay (Convener)
Councillor S Akhtar
Councillor D Berry
Councillor S Brown
Councillor J Caldwell
Councillor S Currie
Councillor T Day
Councillor A Forrest
Councillor J Gillies
Councillor J Goodfellow
Councillor D Grant
Councillor N Hampshire

Councillor W Innes
Councillor M Libberton
Councillor P MacKenzie
Councillor F McAllister
Councillor P McLennan
Councillor K McLeod
Councillor J McMillan
Councillor J McNeil
Councillor T Trotter
Councillor M Veitch
Councillor J Williamson

Council Officials Present:

Mrs A Leitch, Chief Executive
Mr A McCrorie, Depute Chief Executive (Resources and People Services)
Ms M Patterson, Depute Chief Executive (Partnerships and Community Services)
and Monitoring Officer
Mr J Lamond, Head of Council Resources
Mr D Proudfoot, Acting Head of Development
Ms S Saunders, Head of Children's Wellbeing
Mr T Shearer, Head of Communities and Partnerships
Mr K Christie, Service Manager – Revenues
Mr S Cooper, Team Manager - Communications
Mr J Cunningham, Service Manager – Benefits
Ms S Fortune, Service Manager – Business Manager
Ms C Grandison, Executive Officer
Ms H Hargreaves, Finance Business Partner
Ms C McCorry, Service Manager – Community Housing
Ms C McKenzie, PA, Members' Services
Mr C O'Donnell, Principal Accountant (Management)
Ms E Shaw, Corporate Finance Manager
Mr A Stubbs, Service Manager - Roads
Mr P Vestri, Service Manager – Corporate Policy and Improvement

Visitors Present:

None

Clerk:

Mrs L Gillingwater

Apologies:

None

1. COUNCIL FINANCIAL STRATEGY 2017/18 TO 2019/20

A report was submitted by the Depute Chief Executive (Resources and People Services) outlining the Financial Strategy of the Council, which provided the financial context for Councillors in preparing their budgets for the period 2017–20.

The Head of Council Resources, Jim Lamond, presented the report, highlighting the success of the Council in reducing the scale of its capital investment plans and reducing its reliance on the use of reserves in order to balance the budget. He advised that the proposed Financial Strategy for 2017–20 continued to focus on cost constraint and cost avoidance at the same time as delivering service redesign and transformational change.

Mr Lamond drew attention to the pressures facing the Council in relation to the delivery of the Local Development Plan, and its associated impact on future capital plans. He noted that it was likely that austerity conditions would remain in place until at least 2019/20, and that the Council should continue to plan on this basis. He advised that the Strategy provided financial management guidance for both the Housing Revenue and General Services Accounts and established the various parameters within which political groups had been asked to prepare their budget proposals.

As regards the General Services budget, Mr Lamond advised that East Lothian's share of the Revenue Support Grant (RSG) had been reduced by £2.9 million (1.7%), and that this was conditional on the Council accepting the delivery of a package of Scottish Government conditions or policy objectives, failure of which would result in a less favourable settlement. He set out the impact of the amended Council Tax band multipliers on Bands E–H; confirmed that councils now had the flexibility to increase Council Tax by up to a maximum of 3%; and noted that Groups would have to declare an appropriate Band D Council Tax level within their proposals.

Mr Lamond warned of the financial challenges facing the Council, noting that the Council would have to demonstrate that its capital investment plans were both affordable and sustainable. He confirmed that, in order to balance future budgets, further reductions would need to be made, and that the transformational change programme would need to be delivered.

He outlined the position as regards reserves, setting out his recommendations for earmarked reserves and noting that any further available reserves should be transferred to the Cost Reduction Fund or to the Capital Fund.

He went on to highlight key aspects of the Strategy in relation to the Housing Revenue Account (HRA): ensuring the capital programme would be sustainable and affordable through the proposed rent and revenue spending levels and consistent with the Local Housing Strategy; continuing to meet the requirements of the Scottish Housing Quality Standards and Energy Efficiency Standard in Social Housing (ESSH); responding to the challenges arising from the recent and proposed UK Benefit reforms; ensuring rent arrears would be kept to a minimum; delivering efficiencies across the housing management and repairs service; staying within the recommended upper limit for the ratio of debt to overall income of 40%; and maintaining a minimum reserve/balance on the HRA of £1 million.

Mr Lamond concluded his report by advising that budgets would continue to be monitored, with quarterly reports being presented to Cabinet, and an end-of-year report being presented to Council in advance of the final audit.

Mr Lamond responded to a number of questions from Councillor Berry, advising that an element of business rates income was included in the Council's financial settlement from the Scottish Government, and that he expected the reduction in the Scottish Government grant to be offset by the increase in Council Tax income through the band multiplier changes.

As regards questions raised by Councillor Currie, Mr Lamond confirmed that the budget proposals from both the Administration and SNP Group were affordable, sustainable and fully funded. He pointed out that formal acceptance of the Scottish Government's financial settlement had not yet been given; however, he referred to the report recommendations, which outlined that approval of the budget proposals would imply acceptance of the conditions set by the Scottish Government. Mr Lamond accepted that the amount of funding available to the Council in 2017/18 was greater than that of the previous year, but pointed out that the amount received directly from the Scottish Government had decreased, whilst the Council's capacity to generate additional Council Tax income during 2017/18 would increase, which should compensate for the reduction in core grant. He also pointed out that the financial settlement had a number of obligations attached to it which would have an impact on how this funding was used.

Councillor Innes asked if provision had been made in the Scottish Government grant settlement for pay and pension increases. Mr Lamond advised that there had been no direct provision made, and that the Council would need to make provision for such increases.

Councillor McAllister queried a reduction in capital investment and asked for an update on the rent arrears situation. Mr Lamond advised that decisions on capital expenditure had been taken on the grounds of affordability, but that capital expenditure would need to be reconsidered in the context of the Local Development Plan and City Region Deal. On rent arrears, Kenny Christie, Service Manager – Revenues, reported that arrears had risen by £289,000 during 2016/17, with this increase coinciding with the introduction of Universal Credit.

Decision

The Council agreed:

- i. to approve the Financial Strategy, attached as Appendix 1 to the report;
- ii. that, as part of presenting their budget proposals, each Group of Councillors had been recommended to:
 - Develop a sustainable General Services budget avoiding the use of reserves in Year 3 (2019/20);
 - Develop General Services Capital Plans, which sought to minimise net borrowing requirements and were considered affordable both in terms of prudential limits and within the three-year revenue budget;
 - Adopt the recommended levels for earmarked reserves, as detailed in the Financial Strategy Statement;
 - Transfer any further additional reserves at the end of 2016/17 to either the General Services Capital Fund or the Cost Reduction Fund, with any balance on the Capital Fund to be used in future years to directly fund capital expenditure or defray capital charges;
 - Prepare balanced budget proposals for General Services taking into account a freeze in the level of Council Tax for Year 1 and the related estimates of Scottish

Government Grant and other funding, and noting that in developing proposals consistent with the financial settlement, the Council would then effectively be accepting the settlement and related conditions that apply;

- Give due consideration to potential Council Tax yield, taking into account new housing development and the effects of Scottish Government changes to the Council Tax Band Multipliers;
- Propose an appropriate Band D Council Tax level, noting the terms of the Local Government settlement set by the Scottish Government, which allows councils to increase Council Tax by up to a maximum of 3%;
- Consider the level of Council Tax discount offered awarded to second homes for 2017/18;
- Retain within the HRA, at least £1.0 million of reserves as protection against unexpected costs or loss of income;
- Maintain the ratio of debt charges to income within the HRA to below 40%; and
- Propose an appropriate rent increase to support the HRA revenue and capital budget proposals.

2. PROPOSALS TO INCREASE COUNCIL HOUSE RENTS: CONSULTATION EXERCISE

A report was submitted by the Depute Chief Executive (Partnerships and Community Services) outlining the results of the consultation exercise on the proposals to increase Council House rents in 2017/18, and outlining the key aspects of the consultation process.

The Head of Communities and Partnerships, Tom Shearer, presented the report, explaining that the Council had a statutory obligation to consult with all tenants when making proposals to increase rent levels. He drew attention to the work undertaken by the project group and to the outcome of the consultation, advising that 1099 responses had been received, representing a return rate of 13% of all letters issued, compared to 14% the previous year.

In response to questions from Members, Mr Shearer confirmed that the same questionnaire had been issued to all tenants. He advised that officers were trying to encourage tenants to move to online payments, and that, although an incentive scheme had not been introduced to date, this could be considered as part of the development of the Council's digital strategy.

Decision

The Council agreed:

- i. to note the results of the consultation exercise; and
- ii. to note the consultation process, which would be further improved and consolidated on in future years.

3. RENT PROPOSALS 2017/18 – 2021/22

(a) Presentation by the Administration

After thanking officers for their advice and support in developing the proposals, Councillor Hampshire presented the Administration's Housing budget to the Council. He reported that the Administration had delivered 370 new council homes over the past five years and that, in addition to those, 283 affordable homes had been delivered through housing association partners. He referred to the Council's Local Development Plan, which would support the delivery of a further 2,500 new affordable homes. On the Council's modernisation

programme, he advised that 522 new kitchens and 501 new bathrooms had been delivered, and that insulation, central heating and electrical wiring upgrades were being carried out in order that the Council's housing stock meets the EESSH standard. He thanked staff in the Property Maintenance Team for implementing these improvements. Councillor Hampshire stated that the Administration would continue to deliver a quality housing service in East Lothian and called on the Council to support the rent proposals as set out by the Administration.

The Administration proposals were seconded by Councillor Day.

(b) Presentation by the SNP Group

Councillor Currie thanked officers for their help in preparing the proposals. He presented the SNP Group housing budget to the Council, highlighting the importance of taking every opportunity to provide more council homes, believing that low cost home ownership would not provide a solution to East Lothian's housing problems. He proposed investment of £99 million to deliver 1,000 new council homes over the next five years, with £61.6 million to be invested in modernising existing stock, including the installation of solar panels. He criticised the Administration for their transfer of funds from the HRA to general services, and proposed a number of initiatives, including providing lending facilities for housing associations to build more homes for rent and the provision of housing bonds to provide additional council houses. He moved the SNP housing proposals.

The SNP Group proposals were seconded by Councillor McLeod.

(c) Debate and Decision

Following the presentations, the Provost opened the matter for debate.

Councillor Berry questioned the number of council homes delivered in North Berwick, particularly as there was a high level of demand in the town. Councillor Hampshire pointed out that the delivery of housing in East Lothian was largely dependent on the approval of the Local Development Plan. He referred to the Administration's record of council house delivery, noting that it was difficult to deliver additional homes without charging tenants higher rents. On the proposal to appoint a consultant, Councillor Hampshire advised that all options had been explored and that this course of action was considered to be the most appropriate.

Responding to comments made by Councillor McAllister, Councillor Innes reminded Members that it was a change in the terms of the Right to Buy scheme that had allowed councils to deliver affordable council housing. He remarked that the current Administration had delivered a higher number of units than the previous Administration, and in more challenging financial circumstances.

Councillor MacKenzie expressed concern at the increasing levels of rent arrears, which he believed was as a result of the implementation of Universal Credit. He suggested that an incentive scheme should be considered for rent payers to pay by direct debit.

Summing up, Councillor Currie voiced his disappointment that the Administration had not spoken out as regards the impact of Universal Credit. He also referred to the previous Administration's record of delivering affordable housing in conjunction with East Lothian Housing Association. He reiterated his view as regards low cost home ownership being unaffordable to many people, and that new affordable homes should be offered as rental properties. He also expressed concern that sites set out in the Strategic Housing Investment

Plan had not come forward, and stated that the SNP housing proposals would deliver homes for those in need.

Councillor Hampshire, summing up for the Administration, stated that the Council would deliver homes in the Wallyford area, and that the Council was working with the Scottish Government to take this forward, with a view to commencing work prior to the end of the current Council term. He advised that the Administration's rent proposals were fair and acceptable to tenants. He undertook to deliver more council homes and called for Members to support the Administration proposals.

The Provost then asked the Council to move to the vote.

The HRA budget proposals of the SNP Group for 2017/18 to 2021/22 were put to the vote.

For: 9
Against: 13
Abstentions: 1

The SNP Group's proposals therefore fell.

The HRA budget proposals of the Administration for 2017/18 to 2021/22 were put to the vote.

For: 13
Against: 8
Abstentions: 2

The HRA budget as proposed and seconded by the Administration was therefore carried.

Decision

The Council agreed to approve the rent proposals as presented by the Administration and increase Council house rent levels by 5% in 2017/18.

4. COUNCIL TAX PROPOSALS 2017/18 to 2019/20

(a) Presentation by the Administration

Councillor Innes presented the Administration's budget proposals, thanking the Chief Executive, Mr Lamond and his Finance staff for their support and assistance. He spoke of the achievements of the Administration over the past five years, including improving the Council's financial situation, the introduction of the living wage, the retention of home care services, and the protection and development of the local economy and tourism. He expressed concern at the reduction in the grant from the Scottish Government and the impact this would have on Council services. He also criticised the SNP Group's budget proposals, which, he argued, would impact on Council jobs and services. He called on Members to support the Administration's budget to protect services and jobs, and safeguard the local economy.

The Administration proposals were seconded by Councillor Veitch. He welcomed the proposals as regards the funding of bus services, noting that the Council's investment in bus services was ranked third in Scotland. He also highlighted the progress made towards establishing a railway station at East Linton, and urged the Council to continue its cross-party support for this project. He advised of the work to improve parking facilities at a number of railway stations. Councillor Veitch expressed concern at the increase in Council

Tax for residents living in Band E–H homes, at the re-evaluation of business rates, and at the SNP Group's proposals to reduce Council staffing levels. He believed that the Administration's proposals would allow the Council to achieve efficiencies whilst continuing to provide high quality services.

(b) Presentation by the SNP Group

After thanking Finance and support staff for their assistance during the process, Councillor Currie set out the budget proposals of the SNP Group, stating that this budget was balanced, affordable and sustainable. He noted the increase in funding from the Scottish Government to the Council, and that the additional Council Tax raised in East Lothian would provide an additional £800,000. He then drew attention to his proposals:

- a Council Tax increase of 1% for 2017/18
- a 5% increase in spending on schools over the next three years, with £1.5 million going directly to schools
- £50.5 million to be invested in Adult Wellbeing to reduce delayed discharge and meet the ongoing needs of the service
- the reinstatement of community policing, with funding to be devolved to the Police, Fire and Community Safety Scrutiny Committee
- investment of £400,00 in each of the six town centres, with area managers to drive forward regeneration and economic development, with a further £1 million of grant funding to be determined by the Area Partnerships
- increased investment in community councils and the East Lothian Foodbank
- a reduction in costs for the use of 3G pitches in Musselburgh and Prestonpans by community clubs
- investment in community facilities, such as libraries, and the former sheriff court building
- the removal of coastal car parking charges
- the introduction of webcasting for Council meetings
- increased capital investment in paths, a new care home for Musselburgh, village hall restoration, sports/recreation/nature facilities, and Fisherrow waterfront
- £18 million to improve roads.

In moving his budget, Councillor Currie stated that the SNP Group would invest in communities and in education across the county.

The SNP Group proposals were seconded by Councillor MacKenzie, who focused on the proposed investment in education and children's services, including the benefits of the Pupil Equality Fund, which would see additional funding go directly to schools. He also proposed further investment in fostering services in order to build capacity, in curriculum development and academies, and in community and recreation projects.

(c) Debate and Decision

Following the presentations, a full debate took place.

Councillor Day opened the debate, thanking Council staff for their hard work and support over the past five years. He spoke in opposition of the SNP Group's proposals to use the Council's reserves. As Cabinet Spokesperson for Community Wellbeing, he drew attention to the progress made over the past five years, including:

- resurfacing of sports pitches in Musselburgh, Haddington, Port Seton and Meadowmill

- 50% participation in the Active Schools programme
- 122 local events and festivals
- investment in Enjoy Leisure's facilities
- an increasing range of services being provided by libraries, and the success of the mobile library service.

Councillor Day accepted that the Council was operating within a challenging financial environment, but believed that the Administration's budget would protect vital services.

Councillor Akhtar, as Spokesperson for Education and Children's Services, advised of the continuing success of the Support from the Start programme, and of improvements in attainment, with the best results in maths and English for five years. She referred to the new communication provision in Haddington, which would enable children to continue their education locally, and to £97 million of investment in improvements to schools across the county. Schools would also benefit from a £5.5 million investment in their IT facilities, and there would be an additional £250,000 for Children's Services.

On health and social care, Councillor Grant highlighted the challenges and achievements of the past five years, notably the establishment of the Health and Social Care Partnership and Integration Joint Board, the introduction of the Hospital at Home and Hospital to Home initiatives, and the construction of the new community hospital in Haddington. He advised that the Council would receive £1.87 million in 2017/18 from the Social Care Fund, and that there would be further support for day centres. He believed the Administration's budget would allow the Council to address pressures in a sustainable manner.

Councillor Brown spoke in support of the SNP Group's proposals for investment in his own ward, especially funding for police services to tackle anti-social behaviour. He highlighted a number of capital projects that had not gone ahead under the current Administration, including funding for a sports hall in Port Seton, extensions to railway station car parks and improvements to Prestongrange Museum, and stated that the SNP would deliver on its budget.

Councillor McAllister focused on the financial situation at a national level, referring to problems caused by changes to the welfare and taxation systems, whilst Councillor Trotter believed that the SNP Group budget would benefit people in his own ward and across East Lothian.

Councillor Hampshire reminded Members of the difficult decisions taken by the Administration, and thanked Council staff for their support over the past five years. He argued that the Council Tax freeze had had a detrimental impact on Council services, and had made it difficult for councils to balance their budgets. He stated that the Administration would raise Council Tax in order to protect staff and services, and to meet the challenges ahead.

Councillor Williamson highlighted the benefits to the Musselburgh community through the SNP Group's proposals, which would lead to increased tourism, road safety improvements, and the introduction of town centre Wifi.

As the Cabinet Spokesperson for Economic Development and Tourism, Councillor McMillan praised officers for their engagement with the community in relation to the future of the Cockenzie Power Station site. He also made reference to a number of initiatives, including the City Region Deal, the East Lothian Food and Drink District, Scotland's Golf Coast and Golf Alliance, and the progress made by East Lothian Works and the Construction Academy. He also mentioned the creation of business premises in Haddington and Prestonpans, and the festivals and events that took place in East Lothian in recent years. However, he also advised of the impact on the community of the closures of Haddington Sheriff Court and the

Fire Service Training College. He called on Members to support the Administration's budget proposals.

Councillor Berry indicated that the Administration had not been innovative enough in addressing the challenges of recent years, and that talk of funding cuts for the coming year was misleading, given the potential increase in Council Tax revenue and additional funding for education.

Councillor McNeil expressed concern that the SNP Group budget would result in a reduction in Council staffing levels.

Councillor Goodfellow provided statistics on the rate of the Council's revenue support grant since 2009, and questioned why the SNP Group was proposing to use £6.2 million from reserves to support their budget, whilst claiming that the Council had been awarded additional funding for 2017/18. He also spoke of the success of the low cost home ownership scheme in his ward.

Summing up for the SNP Group, Councillor Currie reiterated that low cost home ownership was not a solution to the county's housing problems, and that the Council had to provide more homes for rent. He restated his intention to abolish coastal car parking charges. He expressed concern at the Administration's proposal to reduce funding for additional support needs, as well as increased levels of delayed discharge from hospital. He called on Members to support the SNP Group budget.

Councillor Innes summed up for the Administration, arguing that it would be spending more on schools, children's services and adult wellbeing services than the Opposition would. He also outlined the potential employment and economic opportunities offered by the City Region Deal, the Local Development Plan and the development of the Cockenzie Power Station site, adding that the Council had to be in a strong financial position to participate, direct and lead on these. He claimed that the SNP Group budget would lead to a loss of Council jobs and a transfer of services to other councils or providers. He believed that the Administration's budget was the right one for East Lothian.

The Provost then invited Mr Lamond make a statement prior to the vote on the proposals. Mr Lamond pointed out that, notwithstanding the recommendations approved in Item 1 (Council Financial Strategy 2017/18 to 2019/20), both sets of budget proposals had departed from his recommendation as regards the earmarking of reserves. He noted that, in approving either set of proposals, the Council would be agreeing to accept the Scottish Government grant settlement and the conditions attached to that settlement, but that the Council should bear in mind that the Scottish Government draft budget had not yet been approved. He stated that in the event of a material change, he would advise the Council accordingly.

The Provost then asked the Council to move to the vote.

The budget proposals of the SNP Group were then put to the vote.

For:	9
Against:	13
Abstention:	1

The SNP Group's proposals therefore fell.

The budget proposals of the Administration were then put to the vote.

For: 13
Against: 8
Abstention: 2

The budget as proposed and seconded by the Administration was therefore carried.

Decision

The Council agreed to approve the budget proposals as presented by the Administration and increase Council Tax levels by 3% in 2017/18 (Band D level of £1,151.15).

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Signed

Provost Ludovic Broun-Lindsay
Convener of the Council



**MINUTES OF THE MEETING OF
EAST LoTHIAN COUNCIL**

**TUESDAY 28 FEBRUARY 2017
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

1b

Committee Members Present:

Provost L Broun-Lindsay (Convener)
Councillor S Akhtar
Councillor S Brown
Councillor J Caldwell
Councillor S Currie
Councillor T Day
Councillor A Forrest
Councillor J Gillies
Councillor J Goodfellow
Councillor D Grant
Councillor N Hampshire

Councillor W Innes
Councillor M Libberton
Councillor P MacKenzie
Councillor McAllister
Councillor P McLennan
Councillor K McLeod
Councillor J McMillan
Councillor J McNeil
Councillor M Veitch
Councillor J Williamson

Council Officials Present:

Mrs A Leitch, Chief Executive
Mr A McCrorie, Depute Chief Executive (Resources and People Services)
Mrs M Paterson, Depute Chief Executive (Partnerships and Community Services)
Mr D Small, Director of East Lothian Health & Social Care Partnership
Mr J Lamond, Head of Council Resources
Mr R Montgomery, Head of Infrastructure
Mr D Proudfoot, Head of Development
Mr J Cunningham, Service Manager – Benefits
Mrs K MacNeill, Service Manager – Licensing, Admin & Democratic Services
Mr P Zochowski, Principal Planner (Policy & Projects)

Visitors Present:

Mr Ian Thomson, Historic Environment Scotland (for Item 7)

Clerk:

Mrs L Gillingwater

Apologies:

Councillor D Berry
Councillor T Trotter

Declarations of Interest:

None

Order of business

Prior to the commencement of business, the Provost announced that the Chief Executive would provide a verbal update to Members on a private item of business, as a matter arising from the Council meeting of 20 December 2016. This item would be considered as the final item of private business.

1. MINUTES FOR APPROVAL

The minutes of the Council meeting specified below were approved:

East Lothian Council – 20 December 2016

Matter arising: Item 7 (Update on Welfare Reform and Universal Credit) – Councillor Innes reported that, following the meeting, he had written to Damian Green (UK Government Work and Pensions Secretary) and Angela Constance (Scottish Government Cabinet Secretary for Communities, Social Security and Equalities), raising concerns about the implementation of Universal Credit. He advised Members that both governments were keen to engage with the Council as regards the rollout of Universal Credit. He further noted that he would be meeting with Jeanne Freeman (Scottish Government Minister for Social Security) to discuss this issue, and that a meeting had been arranged by CoSLA with the Department for Work and Pensions, at which the Council would be represented.

John Cunningham, Service Manager – Benefits, provided a detailed update on developments since the Council meeting in December, advising that:

- additional provision had been made in the 2017/18 budget to alleviate the DWP subsidy losses and enhance the Council's rent collection capability
- the Welfare Rights Team had been transferred to the Revenues Service to better align services
- the Council Leader's request to suspend the housing costs element of Universal Credit had been refused, as was a request to reconsider this proposal for 18–21 year olds
- as regards a request for financial recompense from the UK Government for lost of Council Tax and rental income, the UK Government would be prepared to consider evidence from the Council relating to these costs
- a request had been made for the Scottish Government to use its recently devolved powers to: have the housing cost element of Universal Credit paid direct to landlords; take immediate steps to redesign the Council Tax Reduction Scheme to better align with Universal Credit; and consider the implications of Universal Credit on the funding of the Scottish Welfare Fund, Discretionary Housing Payments and Social Care budgets (these issues would be discussed with the Scottish Government Minister for Social Security).

Councillor Currie asked if Members could have access to the correspondence concerning this matter; the Chief Executive agreed to this. She also undertook to provide Members with regular progress reports on this matter by way of Member briefings.

Councillor Akhtar highlighted the urgency of resolving the issues experienced in East Lothian in relation to the introduction of Universal Credit.

2. MINUTES FOR NOTING

The minutes of the meetings specified below were noted:

Local Review Body (Planning), 17 November 2016

Local Review Body (Planning), 19 January 2017

3. DRAFT EAST LOTHIAN COUNCIL PLAN 2017–2022

A report was submitted by the Chief Executive presenting the Draft Council Plan 2017–2022 for approval.

The Chief Executive presented the report, reminding Members that a similar report had been brought to Council prior to the 2012 local government election, and that the purpose of the report was to enable an effective transition from one Council term to another. She advised that service planning activity would be taking place between March and May, and that having an agreed direction would enable Heads of Service and their teams to set out their service plans, as well as assisting with the PRD process. She explained that the draft Council Plan was based on a strategic analysis and data from a number of sources, adding that chief officers would work with the incoming Administration with a view to presenting a finalised five-year Council Plan to the Council for approval in the autumn.

Paolo Vestri, Service Manager – Corporate Policy and Improvement, went on to summarise the objectives, strategic goals and challenges, as set out in the draft Council Plan.

Councillor Akhtar requested an update on progress made as regards the current Council Plan. Mr Vestri reported that the majority of commitments had been achieved or were at an advanced stage, and that there would be a detailed report on this presented to Cabinet in March.

Councillor Currie commented on the importance of the Council Plan taking account of the incoming Administration's manifesto(s), and asked how officers would ensure that this was achieved. The Chief Executive anticipated that officers would work with the incoming Administration during the summer period, and would merge the manifesto commitments with the broad principles of the Council Plan. She reassured him that officers had been successful in combining the Administration manifestos with the Council Plan in 2012, and that they would work to ensure that this is achieved again this year.

On care for older people, Councillor MacKenzie commented that the Council Plan should highlight the importance of ensuring older people being cared for at home were involved in community activities in order to address issues of isolation and loneliness, as well as the important role played by day centres.

Councillor Veitch welcomed the draft Council Plan, but emphasised the importance of it being focused on the Administration's manifesto(s). He also welcomed the inclusion of the development of a railway station at East Linton, and urged the Council to ensure that this facility is delivered.

Councillor Currie cautioned that a change of Administration may result in the draft Council Plan being subject to significant amendment, as he believed that the manifesto(s) should take priority and that they should not be bound by the draft Council Plan.

Councillor Akhtar stressed the importance of reflecting on the Council's achievements over the past five years and that the new Council Plan should build on those achievements. She suggested that the new Council Plan should reflect the Council's objective of reducing inequalities and should support the retention of education as a local authority responsibility. She reflected on a number of achievements in education and children's services.

Councillor Hampshire thanked staff for delivering the 2012–15 Council Plan, which he believed had been possible due to sound financial management.

There followed a heated exchange, at the conclusion of which Councillor Currie declared that the SNP Group would not now be supporting the draft Council Plan 2017–22, on the basis that he believed the incoming Administration should not be bound by the document.

The Provost then moved to the vote on the recommendations set out in the report:

For: 13
Against: 7
Abstentions: 1

The recommendations set out in the report were carried.

Decision

The Council agreed:

- i. to approve the Draft Council Plan 2017–2022 (attached as Appendix 1 to the report) as the basis for the development of 2017/18 Service Plans; and
- ii. that the Chief Executive would present a final Council Plan 2017–2022 for approval by the Council following the local government elections in May 2017.

4. AMENDMENTS TO STANDING ORDERS – SCHEME OF DELEGATION

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of proposed changes to the Scheme of Delegation.

The Service Manager – Licensing, Admin & Democratic Services, Kirstie MacNeill, presented the report, advising that the proposed changes would provide a wider pool of officers authorised to carry out a number of functions set out in the Scheme of Delegation.

Decision

The Council agreed to approve proposed changes to the Scheme of Administration as follows:

Statutory Appointment of Officers

Local Government Scotland (1973) Act, Section 33a(3)

Officer the declaration of acceptance of office can be made to: Chief Executive, Service Manager – Licensing, Admin and Democratic Services, and Team Manager – Democratic and Licensing

Local Government Scotland (1973) Act, Section 194

Proper officer for signing deeds and using the Council's seal: Chief Executive, Service Manager – Legal and Procurement, Service Manager – Licensing, Admin and Democratic Services, and Legal Team Leader

Officer who will carry out duties if the proper officer is not available

If the Depute Chief Executive (Partnerships and Community Services) is not available to act as the Monitoring Officer, the Officer who will carry out duties: Service Manager – Legal and

Procurement, Service Manager – Licensing, Admin and Democratic Services, and Team Manager – Democratic and Licensing (in relation to matters concerning the Councillors' Code of Conduct)

If the Service Manager – Licensing, Administration and Democratic Services is not available to act as Clerk to the Licensing Board, the Officer who will carry out duties: Service Manager – Legal and Procurement; Senior Solicitor; and Solicitor.

5. ELECTED MEMBER INDUCTION PROGRAMME 2017

A report was submitted by the Depute Chief Executive (Resources and People Services) seeking approval of the Elected Member Induction Programme 2017.

The Service Manager – Licensing, Admin & Democratic Services, Kirstie MacNeill, presented the report, advising Members of the draft Induction Programme, and highlighting sessions that would be compulsory for all Members.

Councillor Currie suggested that a protocol on Members' communication with officers as regards casework should be included. Mrs MacNeill advised that there was such a protocol in place and that she would consider this.

Councillors McAllister and MacKenzie expressed concern at the extent of the Programme. The Chief Executive pointed out that the sessions listed were essential to the work of councillors and that the regular Members' Briefing Programme would continue throughout the year.

The Induction Programme was welcomed by a number of Members, and it was noted that the Programme could be adapted, if required.

Decision

The Council agreed:

- i. to approve the Elected Member Induction Programme, as set out in Appendix 1 to the report (noting that any changes to the dates outlined would be communicated to Members as soon as practicable); and
- ii. that a number of sessions would be compulsory for returning Members, as well as new Members (as outlined in Section 3.2 of the report, and specified in Appendix 1).

6. SUBMISSIONS TO THE MEMBERS' LIBRARY, 8 DECEMBER 2016 – 15 FEBRUARY 2017

A report was submitted by the Depute Chief Executive (Resources and People Services) advising Members of the reports submitted to the Members' Library since the last meeting of the Council.

In respect of Ref: 12/17 – Proposed Demolition of Winterfield Park Pavilion, Dunbar, Councillor Veitch noted that the building was in such poor condition that there was no alternative but to demolish it. He thanked the community council and the Friends of Winterfield group for their support on this matter.

Decision

The Council agreed to note the reports submitted to the Members' Library Services between 8 December 2016 and 15 February 2017, as listed in Appendix 1 to the report.

SUMMARY OF PROCEEDINGS

Property/Land Matters

A report submitted by the Head of Development providing an update on and recommending a way forward as regards the long-term future of Harlaw Hill House, Prestonpans, and its grounds, was approved by the Council.

The Head of Infrastructure provided an update in relation to the proposed purchase of the former Cockenzie Power Station site.

DRAFT

REPORT TO: East Lothian Council

BY: Depute Chief Executive (Partnership & Community Services)

MEETING DATE: 28 March 2017

SUBJECT: Proposed Local Development Plan: Schedule 4
Representation Responses for Submission to Scottish
Ministers

2

1 PURPOSE

- 1.1 The purpose of this report is to:
 - 1.1.1 Update Council on the consideration of representations to the Proposed LDP and its associated documents;
 - 1.1.2 Seek Council approval of the prepared responses to submitted representations that form the Council's Statement of Case and will inform the Scottish Ministers' Examination of the plan (Schedule 4 documents).
- 1.2 The report also sets out the related documents for Examination as lodged in the Members' Library for Council to note.

2 RECOMMENDATIONS

- 2.1 That Council notes that no pre-examination modifications have been made to the proposed LDP in light of the representations received to the proposed LDP;
- 2.2 That Council approves the Schedule 4 forms appended to this report (Appendix 3) as the Council's responses to the unresolved representations to the proposed LDP;
- 2.3 That Council notes the Participation Statement and Statement of Conformity with the Participation Statement;
- 2.4 That Council notes the position statements / responses to the Strategic Environmental Assessment Environmental Report consultation responses and the Proposed LDP Action Programme;

- 2.5 That Council notes Scottish Natural Heritage's correspondence (0280) expressing that in its view the Proposed LDP satisfies the Habitats Regulations Appraisal Regulations in the format proposed (Members Library Ref: 35/17, March 2017 Bulletin); and
- 2.6 That Council delegates authority to the Head of Development to make editorial and presentational changes to these documents for submission provided they do not alter the Council's Statement of Case.

3 BACKGROUND

- 3.1 The Proposed LDP was approved by Council on 6 September 2016 for a period of representation. The decision confirmed the Council's settled view of the strategy, sites and policies of the Proposed LDP such that if no pre-examination modifications needed to be made, as a result of representations received then it should be submitted as proposed, with its associated documents, to the Scottish Ministers for Examination in Public.
- 3.2 For context, the legislation provides that any proposed modifications which are a significant modification of the strategy, sites or policies of the plan would be notifiable, i.e. this would require the plan to be revised and re-published for representation. Minor modifications may be non-notifiable and still allow the plan to be progressed to examination.
- 3.3 If modifications are not made, all unresolved representations will be considered by the Reporter; there is an opportunity for the cases made to be considered at that stage, i.e. through examination. These will be considered on the basis of written representations as submitted, hearing sessions and inquiry sessions as deemed appropriate and by the Reporter(s). It will be for the Reporter(s) to consider how issues are examined and who should participate in the examination, e.g. statutory consultees, community groups, amenity bodies, members of the public and other stakeholders.
- 3.4 Approval of the Schedule 4 documents, subject to final editorial refinement, will allow the submission of the plan for examination to the Scottish Ministers, intended to be before the end of April. The duration of the examination period will be dependent on the Reporter(s) consideration of the issues arising from the unresolved representations and the resources the Directorate for Planning and Environmental Appeals (DPEA) allocates to the process but is expected to be between 3-6 months. Once complete, the Reporter(s)' findings will be largely binding on the Council. From this it will be for the Council to make formal arrangement to adopt the plan.
- 3.5 Some 443 representations were received, of which some 150 were to the proposed housing allocations in Gullane. Overall over 1,100 issues were raised across all of the representations and these are set out in the Schedule 4 documents together with responses to them. Responses are

made through the Schedule 4 documents and no separate responses are made to those making representations.

- 3.6 What is presented in this report and its appendices is the result of more than three years of research, technical assessment, public and consultee engagement, direction from and reporting to elected members through the stages of Main Issues Report, draft Proposed LDP and Proposed LDP. It is in the context of this and in specifically reflecting the Council decision of 6 September 2016 that no modifications to the plan are proposed.
- 3.7 The reasoning behind this and the main recommendations of the report are given in the 'summary of responses by planning authority' of each of the Schedule 4 documents. This report does not seek to elaborate on that reasoning. Appendix 1 gives a breakdown of representations by cluster area and type. A list of the Schedule 4 documents and their subjects is given in Appendix 2 and serves as a guide to the subject groupings which reflect the structure of the Proposed LDP itself and which therefore allows for cross-referencing between the plan and each Schedule 4 document (Appendix 3).
- 3.8 Key agency responses including the Scottish Government, Transport Scotland, Scottish Natural Heritage, Scottish Environment Protection Agency, Historic Environment Scotland and Transport Scotland are largely positive in response to the plan, though Transport Scotland do raise concerns in respect of the safeguard for Blindwells and also at the level of involvement expected of them in addressing trunk road issues.
- 3.9 Comments on the overall Compact Strategy approach of the plan are made by the public, consultees, developers and other stakeholders. There is objection to the strategy in relation to concerns over infrastructure provision, traffic impacts including on Musselburgh High Street, loss of green belt and loss of character, identity and the separation of settlements. There is also support for the strategy and whilst developers do not particularly object to or support the strategy they raise that housing need and demand should be better catered for in the east of East Lothian as well as in the west.
- 3.10 In the Musselburgh cluster significant levels of response came from the public and community groups with only limited comment from developers. Comments are made on a range of issues with a key concern being the level of development proposed in the area, though largely expressed in terms of reducing the number of houses rather than opposition to particular proposed sites. Related to this are concerns over provision of infrastructure, particularly in respect of transport, education, open space and healthcare provision.
- 3.11 For the Prestonpans cluster there is relatively little comment in which the main issues raised were over the future of the former Cockenzie Power Station site and its associated land and the scale of development at Longniddry.

- 3.12 With regards to Blindwells a small number of comments were received. These were from a mix of the public, consultees and developers with the main considerations around how the wider site would be designed and accessed and the deliverability of the existing allocation. Most significantly, Transport Scotland raised concerns over the potential impact of the proposals, particularly in relation to Proposal BW2 for a wider Blindwells development.
- 3.13 The Tranent cluster attracted significant comment from both public and from landowners of proposed sites and suggested additional sites. Public concerns are raised in particular in respect of the proposed sites in Tranent, Macmerry, Pencaitland, Humbie and East Saltoun with emphasis on the number of houses and impacts on infrastructure particularly roads, education and health provision. For Humbie and East Saltoun there are specific concerns over the scale of proposed development in relation to the existing villages and the level of consultation on the relevant proposed sites.
- 3.14 A small number of developers, the public and amenity groups commented on the Haddington cluster with some concerns over traffic impacts, the scale and nature of development and comments both in favour and against whether there should be further development in the Letham, Dovecot and Amisfield Park areas of the town.
- 3.15 Comments from developers and the public on the Dunbar cluster are mainly in respect of the impact of additional sites in Dunbar but particularly in respect of proposed allocations at East Linton, Spott and Innerwick. Concerns are raised at the impact of proposed development on roads, education and healthcare provision. Developers propose additional sites for Dunbar and East Linton.
- 3.16 The North Berwick cluster attracted the greatest number of comments, the vast majority of which are in respect of the proposed sites at Gullane. For the area as a whole comments were mostly from the public with consultees, amenity groups and developers also commenting. For Gullane, comments are largely from members of the public.

For the area as a whole there are comments opposing proposed sites (including at Dirleton and Aberlady) and related commuting and transport impacts, particularly in respect of North Berwick town centre, and that more should be done to provide for employment within the area. Concerns are raised at the prospect of development at Drem. The need for better walking and cycling links in the area is another issue of particular concern.

For Gullane there are concerns about the proposed sites, the number of houses they would provide for, and their potential individual and cumulative impacts on the village and its traffic levels, education capacity and healthcare provision in particular. Other issues of use of greenfield land, wildlife and visual impacts are amongst the others raised. Most of the comments object to the site at Saltcoats, many to the sites at

Fentoun Gait and fewer to the redevelopment of the former Fire College site.

3.17 Proposed new housing sites include most significantly at Goshen Farm and Galt Terrace, Musselburgh; at the eastern side of Tranent; Letham, Amisfield and Gateside South, Haddington; Newtonlees and Eweford, Dunbar; Phantassie, Preston Mains and Drylawhill, East Linton; and at Drem and Fenton Barns in the North Berwick Cluster. North Berwick Community Council advocate additional employment land in North Berwick.

3.18 Many of the comments made in respect of the clusters are reflected in comments made on matters of infrastructure provision generally, particularly for roads but also in terms of provision and capacity of education, health care, open space and sports facilities and other community facilities. Developers raise concerns at and objection to some of the requirements for contributions set out in the plan.

3.19 In respect of the policies of the plan there are a range of comments from all types of contributors.

Requirements for affordable housing provision are broadly supported, though developers contend these should be more flexible to give greater consideration for individual site circumstances.

There are industry and public concerns over the Council's policy in respect of the Cockenzie site, which mainly centre around the interpretation of National Planning Framework 3 and its implications.

There are mixed views on policy on wind turbines and wind farms reflecting developers interests and the views of some sections of the general public.

In respect of minerals and 'fracking' there is comment from various parties, both for and against, on the Council's criteria based policy for all forms of mineral/gas extraction.

Most notably there is a body of comment from developers on the introduction of a new protection of Countryside Around Towns for areas particularly important to the setting of settlements not in the green belt. There is also a view from landowners and developers that the Council should go further in relaxing control over development in the countryside, particularly in respect of housing and employment opportunities.

3.20 The reasons for not modifying the strategy, sites or policies of the plan are set out in the Schedule 4 documents themselves.

3.21 The responses to comments received from consultation on the Strategic Environmental Assessment Environmental Report are given in the report submitted to the Members' Library (Ref: 32/17, March 2017 Bulletin). The comments have been carefully considered and no modifications are proposed.

- 3.22 The responses to comments on the Proposed LDP Action Programme are given in the report submitted to Members' Library (Ref: 33/17, March 2017 Bulletin). The comments have been carefully considered and no modifications are proposed.
- 3.23 The Participation Statement (Members' Library Ref: 34/17 (March 2017 Bulletin)) sets out how the Proposed LDP and previous stages of the plan process were to be subject to engagement, consultation and representation to allow all parties to participate in the plan process. The Statement of Conformity with the Participation Statement (Members' Library Ref: 34/17, March 2017 Bulletin) details how the Council worked through the plan process to ensure participation was maximised as set out in the Participation Statement.

4 POLICY IMPLICATIONS

- 4.1 The examination of the Proposed LDP will result in a Report of Examination, the findings of which will be largely binding on the Council, Once adopted, the LDP will provide the policy and developer contribution basis for the determination of planning applications within East Lothian.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report has been assessed in terms of an Equalities Impact Assessment process and no significant negative impacts have been identified (see Members' Library Ref: 159/16, August 2016 Bulletin).

6 RESOURCE IMPLICATIONS

- 6.1 Financial – The growth resulting from the implementation of the adopted Local Development Plan will have significant implications for the Council and its wider Community Planning partners in respect of financial and other strategic plans. These implications are reflected within the approved 3 year revenue budget and capital programmes and within longer term financial planning arrangements. The Proposed LDP and the draft Developer Contributions Framework Supplementary Guidance identify where the provision of additional capacity or new facilities/infrastructure is required so as to ensure that developers contribute towards these where appropriate. The cumulative impacts, mitigation interventions and high level costs and contribution requirements are set out across the Proposed LDP and Action Programme as well as the draft Developer Contributions Framework Supplementary Guidance. This will allow the Council to maximise recovery of required developer contributions, government grants and other contributions to help accommodate its own commitments within both capital and revenue forward planning. The Financial Strategy

approved by the Council in February 2017 signalled the future significance of the LDP although it was accepted that the vast majority of this would lie outwith the existing 3-year strategy period. Upon approval and ultimate adoption of the LDP, there will be a clear imperative that the Council continues to refresh and extend the financial planning horizon, particularly in respect of the Council's Capital Programme but also in anticipation of the associated revenue implications that will flow from any such investment.

The Planning Service budget includes for potential examination costs.

- 6.2 Personnel - staff of the Planning Service and other services of the Council will be required to complete further information requests from the Reporter(s) examining the plan and to attend hearing and inquiry sessions to defend the Council's position on the unresolved representations.
- 6.3 Other - none

7 BACKGROUND PAPERS

- 7.1 Representations to the Proposed LDP (Members' Library Ref: 31/17, March 2017 Bulletin)
- 7.2 Strategic Environmental Assessment Environmental Report on consultation responses (Members' Library Ref: 32/17, March 2017 Bulletin)
- 7.3 Proposed LDP Action Programme report on consultation responses (Members' Library Ref: 33/17, March 2017 Bulletin)
- 7.4 Participation Statement and Statement of Conformity with the Participation Statement (Members Library Ref: 34/17, March 2017 Bulletin)
- 7.5 Proposed Local Development Plan and supporting documents September 2016 [Proposed LDP](#)
- 7.6 Housing Land Supply: Interim Planning Guidance February 2016
- 7.7 Consultation Feedback – summaries and key messages April 2015 [CF](#)
- 7.8 Consultation Feedback – summaries and key messages April 2015 [CF](#)
- 7.9 Draft Proposed Local Development Plan and supporting documents November 2015 [draft LDP](#)
- 7.10 Interim Environmental Report October 2014 (with appendices – Site Assessments) October 2014 [IER](#)
- 7.11 East Lothian Local Development Plan Main Issues Report October 2014 [MIR](#)

- 7.12 Monitoring Statement October 2014 [MR](#)
- 7.13 Transport Appraisal October 2014 [TA](#)
- 7.14 SESplan Supplementary Guidance on Housing Land October 2014
- 7.15 National Planning Framework 3 [NPF3](#)
- 7.16 Scottish Planning Policy: June 2014 [SPP](#)
- 7.17 SESplan Strategic Development Plan, June 2013 [SDP](#)

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DATE	12 March 2017

APPENDIX 1 – Number or representations by cluster area and type

Musselburgh

Members of the public: 30
Landowners: 5
Community Groups: 5
Developers: 6
Other organisations: 9
Political parties: 1

Prestonpans

Members of the public: 2
Landowners: 1
Community Groups: 1
Developers: 1
Other organisations: 5
Political parties: 0

Blindwells

Members of the public: 4
Landowners: 4
Community Groups: 1
Developers: 0
Other organisations: 6
Political parties: 0

Tranent

Members of the public: 42
Landowners: 5
Community Groups: 3
Developers: 8
Other organisations: 1
Political parties: 0

Haddington

Members of the public: 4
Landowners: 4
Community Groups: 1
Developers: 4
Other organisations: 1
Political parties: 0

Dunbar

Members of the public: 10

Landowners: 0

Community Groups: 5

Developers: 6

Other organisations: 3

Political parties: 1

North Berwick

Members of the public: 185

Landowners: 3

Community Groups: 5

Developers: 3

Other organisations: 3

Political parties: 1

APPENDIX 2 – List of Schedule 4 titles

Schedule 4 No.	Schedule 4 Name	Reps
1.	Introduction	21
2.	Spatial Strategy	39
3.	Musselburgh	106
4.	Prestonpans	16
5.	Blindwells	19
6.	Tranent	96
7.	Haddington	21
8.	Dunbar	43
9.	North Berwick	242
10.	GUDP	10
11.	Employment	16
	Tourism	1
12.	Housing Land	33
	Position Statement	13
13.	New Sites	31
14.	Affordable Hsg	16
	Specialist Hsg	8
15.	Education	1
	Musselburgh	3
	Other Clusters	10
16.	Community & Health	17
17.	Open Space	23
18.	Transport General	31
	Active travel	10
	Public Transport	25
	Trunk Road	4
	Local Road	3
	Transport Delivery Fund	2
19.	Digital Communication	3
20.	Sustainable Energy / Heat	10
21.	Wind	18
22.	Energy Gen and Transmission	30
	EGT other	8
	Position Statement	
23.	Waste	8

24.	Minerals	10
25.	Countryside and Coast	24
26.	Special Rural Landscapes	29
27.	Natural Heritage	18
28.	Water and Air Quality	15
29.	Cultural Heritage	15
30.	Design	27
31.	Delivery	19
32.	Maps	26
33.	Appendix	2
34.	Miscellaneous	13

APPENDIX 3 – Schedule 4 documents

REPORT TO: East Lothian Council
MEETING DATE: 28 March 2017
BY: Depute Chief Executive (Resources & People Services)
SUBJECT: Treasury Management Strategy 2017/18 to 2019/20

3

1 PURPOSE

- 1.1 To seek the approval of the Council of the Treasury Management and Investment Strategies for 2017/18 to 2019/20.

2 RECOMMENDATIONS

- 2.1 The Council is recommended to :
- i. Note the Treasury Management Strategy referenced within sections 3.4–3.20.
 - ii. Note the Investment Strategy referenced in sections 3.21–3.24.
 - iii. Approve the repayment of loans fund advances by the statutory method 3.9.
 - iv. Approve Operational Boundaries for external debt as detailed in section 3.17.
 - v. Approve Authorised Limits for external debt as detailed in section 3.18.
 - vi. Approve the delegation of authority to the Head of Council Resources to effect movement between external borrowing and other long-term liabilities as detailed in section 3.20.
 - vii. Approve the detailed Treasury Management Strategy Statement, which has been submitted to the Members Library (Ref: 30/17, March 2017 Bulletin).

3 BACKGROUND

3.1 It is a statutory requirement under Section 93 of the Local Government Finance Act 1992, that the Council produces a balanced budget. In particular, a local authority must calculate its budget for each financial year to include the revenue costs that flow from capital financing decisions. This, therefore, means that increases in capital expenditure must be limited to a level whereby any increases in charges to revenue arising from:

- Increases in interest charges caused by increased borrowing to finance additional capital expenditure, and
- Any additional running costs from new capital projects

are limited to a level that is affordable and within the projected income of the Council for the foreseeable future.

3.2 The Treasury Management Code of Practice, updated by CIPFA in 2011, requires the Council to approve a Treasury Management Strategy and an Investment Strategy in advance of each financial year:

3.3 A detailed document more fully covering both the Treasury Management and Investment strategies for 2017/18 to 2019/20 has been placed in the Members Library. This report outlines the key points from those strategies. The figures used are based on those reflected within setting the Council Tax, HRA rents and supporting budgets on 21 February 2017.

Treasury Management Strategy

3.4 Actual capital expenditure incurred in 2015/16 and the estimates of total gross capital expenditure to be incurred for 2016/17 and future years are detailed below in Table 1:

	2015/16	2016/17	2017/18	2018/19	2019/20
	£'000	£'000	£'000	£'000	£'000
	actual	outturn	Estimate	estimate	estimate
General Services	31,268	21,379	47,963	51,582	69,090
HRA	22,020	23,779	23,421	28,210	36,033
TOTAL	53,288	45,158	71,384	79,792	105,123

3.5 Not all of this spending will be funded by borrowing. The table overleaf details the actual and planned capital expenditure over the period.

	2015/16	2016/17	2017/18	2018/19	2019/20
	£'000	£'000	£'000	£'000	£'000
	actual	outturn	Estimate	estimate	estimate
General Services Gross Capital Spend	31,268	21,379	47,963	51,582	69,090
HRA Gross Capital Spend	22,020	23,779	23,421	28,210	36,033
Sub-total	53,288	45,158	71,384	79,792	105,123
Financed by;					
Capital grants	(16,801)	(12,340)	(15,077)	(16,825)	(21,547)
Capital receipts/contributions	(7,679)	(4,881)	(25,688)	(22,082)	(27,303)
Capital Reserves	(122)	-	-	-	-
Revenue Contributions	(90)	(3,382)	(2,683)	(2,183)	(2,683)
Sub-total	(24,692)	(20,603)	(43,448)	(41,090)	(51,533)
Net Financing Need for the Year	28,595	24,556	27,936	38,702	53,590

3.6 The Capital Financing Requirement (CFR) measures the Council's underlying need to borrow for a capital purpose. The Council does not associate borrowing with particular items or types of expenditure. The authority has an integrated treasury management strategy and has adopted the CIPFA Code of Treasury Management in the Public Services. The Council has at any point in time a number of cash flows both positive and negative. In day-to-day cash management, no distinction is made between revenue cash and capital cash. External borrowing arises as a consequence of all the financial transactions of the Council and not simply those arising from capital spending. However, other than to manage short-term cash flows, the Council is not allowed to borrow for revenue purposes.

3.7 Estimates of the end of year capital financing requirement (CFR) for the Council for the current and future years, and the actual CFR at 31 March 2016 are detailed in Table 3 overleaf:

Table 3: Capital Financing Requirement (CFR)					
	2015/16	2016/17	2017/18	2018/19	2019/20
	£'000	£'000	£'000	£'000	£'000
	actual	outturn	Estimate	Estimate	estimate
Total CFR at start of year	368,195	383,848	394,325	407,581	430,519
Movement in CFR represented by	15,653	10,476	13,256	22,939	36,764
Total CFR at end of the year	383,848	394,325	407,581	430,519	467,283
Movement in CFR					
Net Financing Need for the year (above)	28,595	24,556	27,936	38,702	53,590
Less: Scheduled Debt Amortisation	(12,942)	(14,079)	(14,680)	(15,763)	(16,826)
Movement in CFR	15,653	10,476	13,256	22,939	36,764

- 3.8 The importance of the CFR lies in the way it measures the need to borrow for capital purposes excluding the effect of the revenue cash flows.
- 3.9 For loans fund advances made after 1 April 2016, the policy will be to maintain the practice of previous years and apply the statutory method with all loans fund advanced being repaid by the annuity method.
- 3.10 The Council will make capital investment decisions in accordance with the following fundamental principles of the Prudential Code:
- Service objectives, e.g. achieving the Council Plan objectives
 - Stewardship of assets, e.g. asset management planning
 - Affordability, e.g. implications for Council Tax
 - Value for money, e.g. option appraisal
 - Prudence and sustainability, e.g. implications for external borrowing
 - Practicality, e.g. is the investment proposal practical given other competing pressures on the service involved
- 3.11 Prudential indicators are therefore required to assess the affordability of the capital investment plans. These provide an indication of the impact of the capital investment plans on the councils overall finances.
- 3.12 The ratio of financing costs to net revenue streams identifies the trend in the cost of capital against the net revenue stream. Estimates of the ratio of financing costs to net revenue stream for the current and future years, and the actual figures for 2015/16 are:

	2015/16	2016/17	2017/18	2018/19	2019/20
	%	%	%	%	%
	Actual	outturn	estimate	estimate	Estimate
General Services	8.11%	8.45%	8.57%	8.87%	9.17%
HRA	33.21%	34.36%	33.18%	34.09%	35.39%

- 3.13 The gradual increase in the General Services ratio largely reflects the standstill in corporate income against a background of increased capital investment plans to support the infrastructure requirements associated with demographic growth. The increase in the HRA ratio reflects the large planned investment in new affordable housing, which is mainly financed through borrowing. This borrowing has to be repaid with interest and this leads to increased financing costs.
- 3.14 The incremental impact of capital investment decisions on council tax and housing rent levels identify the revenue costs associated with the approved changes to the three year capital budget compared to the councils previously agreed commitments and plans.

	2016/17	2017/18	2018/19	2019/20
	£'000	£'000	£'000	£'000
	estimate	estimate	estimate	estimate
Increase in Council Tax (band D) per annum	£10.19	£14.69	£15.75	£16.36
Increase in average housing rent per week	£1.61	£0.76	£1.79	£2.42

- 3.15 The Council's treasury portfolio position at 31 March 2016, with forward projections are summarised in table 6 overleaf. The table shows the actual external debt (the treasury management operations) against the underlying capital borrowing need (the Capital Financing Requirement – CFR) highlighting any over or under borrowing.

	2015/16	2016/17	2017/18	2018/19	2019/20
	£'000	£'000	£'000	£'000	£'000
	actual	outturn	Estimate	estimate	estimate
Total External debt at start of year	334,930	337,160	348,212	366,780	388,004
Expected/Actual change in debt	2,230	11,052	18,568	21,224	36,086
Actual/Estimate gross debt at 31 March	337,160	348,212	366,780	388,004	424,090
The Capital Financing Requirement (Under)/Over borrowing	383,848	394,325	407,581	430,519	467,283
	(46,688)	(46,113)	(40,800)	(42,515)	(43,193)

- 3.16 The key indicator of prudence is that external borrowing should not exceed the CFR for the preceding year plus additional CFR in the current and two following years. At the close of the 2015/16 financial year, the Council was well within this indicator, as the relevant CFR was £384 million and external borrowing was £337 million.
- 3.17 The Council is asked to approve in table 7 the operational boundaries for gross external debt. This is the limit beyond which external debt is not normally expected to exceed.

	2015/16	2016/17	2017/18	2018/19	2019/20
	£'000	£'000	£'000	£'000	£'000
	estimate	estimate	estimate	estimate	estimate
Borrowing	383,848	394,325	407,581	430,519	467,283
Other long term liabilities	42,506	41,430	39,835	38,357	37,010
Total	426,354	435,755	447,416	468,877	504,293

- 3.18 A further key indicator represents a control on the maximum level of borrowing. The Council is recommended to approve the following Authorised Limits for its gross external debt for the next three years. These limits separately identify borrowing from other long-term liabilities such as finance leases.

	2015/16	2016/17	2017/18	2018/19	2019/20
	£'000	£'000	£'000	£'000	£'000
	estimate	estimate	estimate	estimate	estimate
Borrowing	414,000	424,000	438,000	461,000	497,000
Other long term liabilities	43,000	42,000	40,000	39,000	38,000
Total	457,000	466,000	478,000	500,000	535,000

3.19 These authorised limits are consistent with the Council's current commitments, existing plans and the approved budget for capital expenditure and financing, and with the approved treasury management policy. The limits are based on the estimate of the most likely, prudent but not worst-case scenario with, in addition, sufficient headroom over and above this to allow for the operational management of unusual cash flows, such as debt restructuring.

3.20 The Council has delegated authority to the Head of Council Resources to effect movement between borrowing and long-term liabilities within the total authorised limits and operational boundaries approved. Any such movement would be reported to Cabinet via the Members' Library as part of Treasury Management update reports

Investment Strategy

3.21 The Council's Investment Strategy for 2017/18 has been prepared in accordance with the Local Government Investments (Scotland) Regulations 2010 and the CIPFA Treasury Management code

3.22 The Investment strategy details the approach which the Council will take to minimise the risk to investments and lists the investments which the Council will be permitted to use.

3.23 Common Good and Charitable Trust funds are managed on behalf of the Council by an external investment management firm. The strategy details the Council's policy on the investment of these funds.

3.24 The indicator below sets a limit on the total level of investments held for longer than 364 days

Maximum principal sums invested > 364 days			
£m	2016/17	2017/18	2018/19
Principal sums invested > 364 days	£m 10	£m 10	£m 10

4 POLICY IMPLICATIONS

- 4.1 Implementation of Council policy will require capital expenditure. The policy effect of a proposed capital expenditure will be assessed as part of the project appraisal.
- 4.2 The limited resources available form an important constraint on the development of policy, which requires to be managed through the development of a sustainable corporate plan associated with a corporate asset management plan.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – these strategies are interwoven with the revenue and capital budgets. The expenditure and debt limits are implicit within the revenue budgets approved by the Council on 21 February 2017.
- 6.2 Personnel - none directly from this report although there may be implications arising from capital investment decisions.
- 6.3 Other – capital investment choices made have a major impact on the property, equipment and IT resources available for the delivery of services.

7 BACKGROUND PAPERS

- 7.1 CIPFA (2011) – “Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes”
- 7.2 CIPFA (2011) – “The Prudential Code for Capital Finance in Local Authorities”
- 7.3 The Local Government (Scotland) Regulations 2010
- 7.4 Capital Investment & Treasury Management Strategy 2017/18 to 2019/20 (lodged in Members Library Service)
- 7.5 Council 21 February 2017 – all papers

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CONTACT INFO	jlamond@eastlothian.gov.uk
DATE	14 th March 2017

REPORT TO: East Lothian Council

MEETING DATE: 28 March 2017

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: East Lothian Council Response to the Scottish Government Consultation – Delivering Excellence and Equity in Scottish Education: a Governance Review

4

1 PURPOSE

- 1.1 To update the Council on the response to the Scottish Government's consultation on *Empowering teachers, parents and communities to achieve excellence and equity in education: a Governance Review*.

2 RECOMMENDATIONS

- 2.1 The Council is asked to:
- i) note the contents of this report; and
 - ii) note the response to the consultation

3 BACKGROUND

- 3.1 In September 2016 the Scottish Government published *Empowering teachers, parents and communities to achieve excellence and equity in education: a Governance Review*.
- 3.2 The Scottish Government carried out a consultation on the Governance Review between September 2016 and January 2017.
- 3.3 At the Education Committee meeting held on 22 November 2016, it was agreed to delegate delivery of East Lothian Council's response to the Scottish Government consultation to the Head of Education, in consultation with the Education Convener.
- 3.4 To ensure the response took account of the views of local people, the Education Service carried out a consultation between November and

December 2016. The consultation received 61 responses from children, young people, parents, parent councils and education staff.

- 3.5 Responses to the consultation were collated in December 2016 and informed East Lothian Council's formal response to the Governance Review.
- 3.6 East Lothian Council's formal response was submitted to Scottish Government in January 2017 and is attached as Appendix 1.
- 3.7 The Scottish Government are currently in the process of analysing the responses with a view to implementing proposals at the earliest opportunity.

4 POLICY IMPLICATIONS

- 4.1 There are no immediate direct policy implications associated with this report. Pending the outcome of the Governance Review, any future policy implications will be the subject of a future report to Education Committee or Full Council, as appropriate.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report has been through the Integrated Impact Assessment process and no negative impacts have been identified.

6 RESOURCE IMPLICATIONS

- 6.1 Financial - none
- 6.2 Personnel - none
- 6.3 Other - none

7 BACKGROUND PAPERS

- 7.1 Delivering Excellence and Equity in Scottish Education A delivery Plan for Scotland <http://www.gov.scot/Resource/0050/00502222.pdf>
- 7.2 Empowering Teachers, parents and Communities to Achieve Excellence and Equity in Education A Governance Review <https://consult.scotland.gov.uk/empowering-schools/a-governance-review>
- 7.3 Report to Education Committee on Delivering Excellence and Equity (November 2016)
- 7.4 East Lothian Council's response to the Scottish Government's consultation on *Empowering teachers, parents and communities to achieve Excellent and Equity in Education: A Governance Review*

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DATE	14 March 2017

Empowering teachers, parents and communities to achieve Excellence and Equity in Education A Governance Review

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response.

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

East Lothian Council

Phone number

Address

John Muir House
Haddington East Lothian

Postcode

EH413HA

Email

frobertson@eastlothian.gov.uk

The Scottish Government would like your permission to publish your consultation response.
Please indicate your publishing preference:

- Publish response with name
 Publish response only (anonymous)
 Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

No

Empowering teachers, parents and communities to achieve excellence and equity in education

A Governance Review

Foreword

About this response

East Lothian Council is a democratic organisation comprising 23 elected Councillors and is a coalition Labour /Conservative /Independent Administration. The Council is responsible for taking decisions, but it can delegate decisions to Committees, Sub-Committees or officers. A report was submitted by the Depute Chief Executive (Resources and People Services) to East Lothian Council's Education Committee 22nd November 2016 to inform Committee members of the Scottish Government's Education Delivery Plan and Governance Review and seek the Committee's agreement to provide an East Lothian Council response to the Governance Review to help shape future proposals for the governance of Scottish education. The Education Committee approved the recommendation to undertake a range of consultation activities to gather the views of stakeholders and agreed to delegate to the Head of Education, in consultation with the Education Convener, that East Lothian Council would provide a response to the Governance Review. The Education Committee also agreed that the final response would be presented to a full meeting of East Lothian Council 28th February 2017 for noting and that the response should reflect the following views:

- No extra layers of bureaucracy should be introduced into the education system within East Lothian
- There is no clear educational benefit to establishing Education Regions and they should not be imposed on East Lothian
- The local link and accountability between the support service provided by East Lothian Council's Education Department and other departments to Head Teachers, School Leaders, Teachers, Parent Councils and Unions should not be broken

Political and public accountability and responsibility for improving outcomes for the communities we serve is central to the work of East Lothian Council's Education Service. The Education Service is committed to working in partnership with communities across the County to improve continuously the quality of education provision and outcomes for children and young people. East Lothian Council's Education Service facilitated stakeholder engagement with the content and questions detailed within the Governance Review Consultation Document through the provision of resources and organised events. An online consultation hub enabled stakeholders to submit their views to inform East Lothian Council's response to the Governance Review. Therefore, this response has been compiled based on the views expressed by children, young people, parents, Parent Councils, and education staff within the 61 responses received.

Overview

East Lothian is the 21st largest area out of Scotland's 32 Local Authorities in terms of population. The population is forecast to grow by 23.35% between 2012 and 2037. Whilst the greatest increase is forecast to be within the over 65 years age group and 25-39 years age group, the 0 to 15 years age group is due to increase by 27.5%. East Lothian is estimated currently to have a higher proportion of 0-15 year olds than the average for Scotland as a whole. East Lothian has lower levels of deprivation than most Local Authorities in Scotland. However, there are areas across the county that fall within the most deprived 20% of areas in Scotland. Population growth and demographic change is likely to generate different needs and challenges within the communities.

‘Working Together for a Better East Lothian: The East Lothian Council Plan 2012-2017 sets out the Council’s ambition to make East Lothian an even more prosperous, safe and sustainable place with a dynamic and thriving economy that will allow our people and communities to flourish. This ambition is driven forward through four key themes/objectives:

- Growing our Economy – to increase sustainable economic growth as the basis for a more prosperous East Lothian
- Growing our Communities – to give people a real say in the decisions that matter most and provide communities with the housing, transport links, community facilities and environment that will allow them to flourish
- Growing our People – to give our children the best start in life and protect vulnerable and older people
- Growing the capacity of our Council – to deliver excellent services as effectively and efficiently as possible within our limited resources.

The “Growing our People” priority actions and objectives recognise the importance of getting it right for every child and how education is fundamental in shaping a child’s life. In 2015/16 there were 8,265 children in East Lothian’s primary schools and 5,640 young people in the six secondary schools. East Lothian Council continues to support children and young people with Additional Support Needs within mainstream settings and specialist facilities for those with significant additional support needs such as the new £1.4 m communications provision at Knox Academy, Haddington, opened in August 2016. One of East Lothian’s key strengths is the strong sense of community in each of its towns and villages. This sense of community is replicated within associated school cluster learning communities. The Council is committed to ensuring that services are built around people and communities. Six Area Partnerships have been allocated devolved budgets to produce community-led plans in partnership with the local area cluster schools to raise attainment and improve outcomes for children and young people. Local ward and cluster profiles provide the range of information and data to support decision-making at a local level in tackling local issues impacting on children’s and young people’s progress and achievements. Whereas the Governance Review suggests the encouragement of school clusters, East Lothian Council firmly advocates the encouragement of collaboration within communities, both the learning and wider community.

The key challenges facing East Lothian’s education service are:

- Improving attainment among pupils from deprived areas
- Closing the attainment gap between the highest and lowest attaining pupils
- Gender differences in attainment

East Lothian Council has set out its position on the place of education in improving outcomes for young people and its aspirations for its young people in its Council Plan, 2020 Vision for East Lothian and Single Outcome Agreement 2013-2023. That position and vision resonates strongly with the aspirations of the Governance Review. Therefore, any changes to governance arrangements must be able to prove without any doubt the extent to which any changes will have a greater and more positive impact on the lives and outcomes of East Lothian’s children and young people than those currently being delivered at a local level.

SPECIFIC RESPONSES TO CONSULTATION QUESTIONS

This response has been compiled based on the views expressed by children, young people, parents, Parent Councils, and education staff within the 61 responses received.

Question 1

What are the strengths of the current governance arrangements of Scottish education?

Governance arrangements

Overall, respondents feel that current governance arrangements, including legislation are embedded and understood well by most in the system. Whilst the review was welcomed, respondents feel that the considerable changes that have taken place within the education system over the past few years, including the year-on-year increased expectations, have impacted negatively on staff recruitment and retention. Further change is perceived as inevitably leading to a dip in outcomes in all parts of the system. Representations made by Parent Councils clearly question the assumption that parents want more power over school governance. Significant concerns were expressed by respondents in relation to embarking on further reform and changes to Scottish education.

Current strengths highlighted include:

- the inclusion of all members of the education community in the design and implementation of education provision;
- national professional standards and working conditions;
- the role of Local Authorities in supporting the delivery of national policy and initiatives at a local level; and
- the balance of devolved powers with reserved centralized control to enable schools to be creative and responsive to local situations whilst recognizing the need for some unified approaches.

Concerns relating to a change in governance arrangements include:

- reduction of resources available to Local Authorities leading to a drop in the level of support offered to schools;
- burden placed on Head Teachers if provided with more autonomy and budgetary powers;
- the extent of and implications to increase the role of parents in the governance of schools;
- pressures within the education system created by restrictions on resources available;
- schools could lose their negotiating power if COSLA was removed as the representative body; and
- concerns around accessibility to other Local Authority and professional, partner services if governance arrangements at a Local Authority level change.

The Role of the Local Authority

Almost all respondents were strongly in favour of retaining current governance arrangements in relation to the role of the Local Authority. Overall, respondents expressed the view that the Local Authority's role is valued and that the authority supports schools to continue to focus on delivering excellence and equity to improve outcomes for children and young people.

Current strengths highlighted include:

- Shared vision and collegiate working practices leading to improving outcomes for all;
- Overview and range of intelligence and data held centrally to inform key improvement priorities and actions;

- Targeting resources in response to local need;
- Facilitating and funding professional development opportunities to enhance the quality of learning, teaching and assessment across all establishments;
- Supporting schools to take forward national and local policy including GIRFEC, NIF and managing the pace of change and improvement;
- Professional support and challenge provided by authority officers important to the maintenance of an improving education system
- Support provided in areas such as Human Resources, Legal, Building Maintenance, Transport, Health and Safety; Outdoor Learning Service; Education Psychology Service;
- Specialist advice on Additional Support Needs
- Spectrum of services available from universal to targeted;
- Accountability sitting with the Local Authority supports and challenges schools in a positive way; and
- The support provided to all Parent Councils including a policy of encouraging parental engagement in all areas of school life.

The role of national bodies and organisations

Very few comments were received regarding the role of national bodies and organisations. The following points capture the views of those who did provide a response in relation to the GTCS, Education Scotland, SEEMiS and SQA.

GTCS

- The GTCs ensures there are clear national standards and enhance opportunities for professional development;
- Creates a level playing field;
- Regulates the code of conduct and national standards.

SQA

- The organisation ensures the involvement of practitioners in the development and delivery of national qualifications; and
- ensures consistency in setting national standards.

Education Scotland

- The role of Her Majesty's Inspectorate for Education (HMIe) in providing an overview of all educational developments and standards in schools.
- HMIe supporting the work towards excellence nationally.
- Self-evaluation frameworks developed by HMIe.
- Is Education Scotland doing enough to encourage and support collaboration/best practice?

SEEMiS (one response)

- Offers an excellent model of a responsive, representative and effective governance structure that caters to the needs of multiple education related stakeholders; it strikes an effective balance between local, regional and national control and influence.

Question 2

What are the barriers within the current governance arrangements to achieving the vision of excellence and equity for all?

In partnership with other Local Authorities in the South East Scotland City Region, the Council submitted propositions for an Edinburgh and South East Scotland City Region Deal. The Deal is a mechanism for accelerating growth by leveraging in significant government investment. By investing this funding in infrastructure, skills and innovation, economic performance will be significantly improved. Greater autonomy and decision making powers are also being sought for the City Deal Region to help deliver public services more effectively and to tackle inequality and deprivation. It will be appropriate for the Scottish Government to consider the implications of the Governance Review in relation to the current strategic plans being developed through this regional partnership to deliver public services more effectively and to tackle inequality and deprivation.

Respondents to the Governance Review provided the following points in relation to barriers to achieving the vision of excellence and equity for all:

- Current and planned funding mechanisms do not recognise fully the barriers to learning faced by our children and young people. Within East Lothian there are a few areas that fall within the most deprived SIMD deciles. However, children and young people within and across our communities experience barriers to learning which impact negatively on their progress and success. More account needs to be taken of these factors if excellence and equity is to be achieved for all. The continuing focus on SIMD ignores the complexity of the issue.
- The Governance Review does not take adequate account of the wider responsibility to addressing barriers to learning. There is a wider service agenda in terms of Health and Social Services that is beyond the control of schools.
- Current staffing levels and teaching commitments impact negatively on time available to drive forward school improvement priorities and initiatives. Staff require the right conditions within which they can focus on their roles and responsibilities. Some respondents reflected on school managers finding teacher non-contact time as inflexible and holding back development work.
- Stability versus pace of change – the pace of change has been relentless and the level of increased expectations difficult to deliver given current staff recruitment and retention issues. Insufficient time to implement and embed new guidance effectively.
- University and Initial Teacher Education – within the present system there is little or no consistency in the delivery of teacher education. There are persistent shortages of teachers across the education sectors and in several subject areas. The quality of student teachers is too variable. There is a need to explore further the range of routes into teaching and to consider the development of opportunities for other staff with an appropriate level of pedagogy knowledge and experience to work with classroom teachers.

Question 3

Should the above key principles underpin our approach to reform? Are there other principles which should be applied?

Overall, respondents broadly agree with the principles set out within the Governance Review. However, a significant number of respondents commented that these principles already underpin our current educational approach and a governance review is not required to implement these given

they are already enshrined within current East Lothian policy. The following key aspects were deemed to be missing or lacked sufficient emphasis within the principles:

- A statement on inclusion. Meeting the needs of all our young people, no matter where they live or their family circumstances. There is insufficient focus on GIRFEC and on children and young people who require additional support with their learning.
- The funding system should be transparent and seek to ensure maximum public benefit and value for money but ultimately should also be fair and equitable to ensure that other barriers to learning which are not poverty related can be addressed. The funding mechanism should take account of the need for planning and agreeing collectively between all community planning partners the outcomes sought for its children and young people for prevention and early intervention to become a reality.

Question 4

What changes to governance arrangements are required to support decisions about children's learning and school life being taken at school level?

Question 5

What services and support should be delivered by schools? What responsibilities should be devolved to teachers and Head Teachers to enable this? You may wish to provide examples of decisions currently taken by teachers or Head Teachers and decisions which cannot currently be made at school level.

Overall, there is no key desire from respondents to make any adjustments to formal governance arrangements to support decisions about children's learning and school life at school level. East Lothian Council already provides schools with a level of autonomy and responsibility for decision making at a local level within a clear framework of accountability. There are arrangements developed in specific association with Devolved School Management (DSM) covering financial arrangements. Respondents expressed the view that schools in Scotland already have significant autonomy over their own budgets, with clear benefits. A significant number of respondents commented on the need to improve the level of input and response time of other key specialist areas, such as CAMHS, in order to provide support to children and young people at the point of need. Adequate prioritisation of the support services operated by other agencies and partners is essential.

"Within East Lothian authority a great deal of responsibility has already been devolved to schools under Devolved School Management (DSM). Devolving more responsibility risks overburdening our Head Teachers and distracting them from their main function which is the education of children."

"We want schools to be run by Local Authorities. We would like HTs to have a say and control over the decision making which we feel they have already but not at the expense of Local Authorities"

A significant number of respondents expressed concern in relation to changes to governance arrangements at school level detracting from senior leaders having a clear focus on improving the quality of learning and teaching and better outcomes for children and young people. If any change in governance arrangements is to be implemented, this would require significant capacity building at different levels and well-developed frameworks and accountability mechanisms. Some concerns were raised about individual Head Teachers pursuing their own agenda leading to inconsistencies in education provision across schools. Respondents also commented on who would hold Head Teachers to account for poor decisions.

“We are unclear about what decisions could be made at a school level that don’t happen already. We would worry that total control could mean that we would have a two tier system where parents with money and contacts could drive forward their schools to the detriment of others.”

“East Lothian Council currently provide support and challenge and this is both welcomed and appreciated. This is not something the school would like to lose nor would they like to be in a position where services of support they offer comes at a cost.”

Question 6

How can children, parents, communities, employers, colleges, universities and others play a stronger role in school life? What actions should be taken to support this?

Elected members

East Lothian Council’s elected members play an important role in the life and work of schools across the county. They regularly meet parents and pupils, and attend parent council and community council meetings. They visit schools and meet Head Teachers and teachers in a variety of contexts, including the recruitment of school staff. They take a close interest in attainment, the ethos of the school within its community and other outcomes both at individual school level and across the authority. This knowledge and understanding of schools within their constituencies plays an important part in the development of key policies and budget considerations. Parents and members of the community recognise the role of elected members as a voice for their communities.

Employers

East Lothian Council is represented on the Edinburgh, Midlothian and East Lothian DYW Regional Board. The Regional Board is developing a School and Industry Partnership policy and framework which will ensure all secondary schools receive a more equitable level of employers in line with the key recommendations set out in the DYW progress report published December 2016. An online digital platform – Marketplace – has recently been launched and is being piloted across all secondary schools in East Lothian, Edinburgh and Midlothian, with the aim of improving meaningful engagement between employers and schools through matching employers with schools through skills sessions, inspiration events and career insights. Individual schools and Parent Councils have developed positive and productive partnerships with employers. A challenge faced by some communities is accessibility given the demographics of the area.

An example of good practice is the work of Musselburgh Grammar School’s Parent Council to plan and organise highly-regarded careers events for young people in the community. Through Community Benefits in Procurement, Knox Academy, Haddington, have a well-developed and successful engagement and employability relationship with CANON UK, which has created many innovative employability initiatives with pupils in the school.

Universities and Colleges

East Lothian Council benefits from productive partnership arrangements with local universities and colleges. Partnership arrangements with Edinburgh College continue to grow to the benefit of children and young people across the county. In partnership with Edinburgh College, with financial support from the Scottish Futures Trust and with strong support and engagement from employers, the Council has established a Construction and Technology Centre to help address a skills shortage in the construction sector. Further collaboration with Edinburgh College is supporting East Lothian Council’s drive to increase primary children’s knowledge and interest in STEM career pathways.

Partnership arrangements with Queen Margaret University offer young people a broader range of course options within the senior phase. However, factors such as distance and transportation costs impact on the viability of extending or sustaining such provision.

“It is doubtful whether colleges and universities have the capacity to effectively engage with all schools, indeed the recent changes to Initial Teacher Education have led to increased workloads for schools.”

“..members expressed some concern about greater engagement with universities in relation to Initial Teacher Education as the recent changes have considerably increased the workload for schools in relation to receiving student teachers.”

Children, parents and communities

East Lothian has made significant progress towards establishing effective learning communities that empower communities and work in partnership with parents. Across the county there are many excellent examples of children, parents, and communities playing a strong role in the life and work of East Lothian’s schools. Overall, respondents expressed a view that parent/carer involvement should be at a level that is comfortable for them. Responses from parents and parent groups indicated a desire to continue to focus on engaging with schools in relation to children’s learning and understand how best to support their child. Schools becoming a meaningful hub within the community with increased opening hours could increase and encourage more parents to engage with the school and wider community.

“We want to spend time working with our children rather than being forced to become experts in education and/or run our children’s schools.”

“Area Partnerships have representation from all corners of the community, including schools. This allows different areas of the community to work together and to agree on funding for projects across the community, including schools.”

Question 7

How can the governance arrangements support more community-led early learning and childcare provision particularly in remote and rural areas?

Respondents held different views in relation to the proposed increase in early learning and childcare provision. However, parents clearly expressed the view that the current entitlement to early learning and childcare and proposed increase to 1140 hours should take into consideration what is best for the child/children. The importance of strong parental- child attachments in creating well-balanced children should be valued and flexibility within provision is necessary to ensure a greater balance between home and more formal settings. In relation to ensuring equity of provision in rural areas, creativity in approach is advocated including the exploration of mobile nurseries. Respondents expressed the view that currently there are blurred lines of responsibility with regard to childcare and early learning. Opportunities to co-locate services with partners could lead to greater collaboration and enhance provision to families.

“There is a concern that we are creating a society which removes children from a home environment at an ever younger age and for longer periods of time.”

Question 8

How can effective collaboration amongst teachers and practitioners be further encouraged and incentivised?

Question 9

What services and support functions could be provided more effectively through clusters of schools working together with partners?

Cluster working is already well-established within East Lothian. Teachers and practitioners within East Lothian Council have a strong track record of collaboration with schools within their cluster, across the county and out-with the Local Authority. Cluster school collaboration has supported moderation activities, sharing of best practice, professional learning opportunities, and benchmarking. Inter-authority collaboration has also supported the implementation of CfE, for example, East Lothian and Midlothian Council secondary schools worked collaboratively to develop resources to support the delivery of new qualifications. Currently, cross-sector curriculum development groups formed by representatives from different schools across the county are taking forward the development of curriculum frameworks to improve consistency in delivery of the curriculum across all schools. East Lothian's education service provides additional funding to support cluster and curriculum development groups. Collaborative working across authorities is being encouraged through recently established inter-authority groups in key aspects such as quality improvement, early learning and childcare and assessment. Overall, respondents identify the need to provide teachers with more time to ensure collaborative activities are meaningful and lead to improved practice in learning, teaching and assessment. There is a strongly held view that teachers and Head Teachers would increase collaboration if capacity within staffing levels and time was there to do so. Funding was also identified as key to increasing levels of collaboration. The establishment of a cluster leadership role with specific resources to carry out the functions of the cluster group could strengthen further the impact of the cluster approach.

East Lothian Council's Children and Young People's Strategic Plan was developed jointly with key partners recognising the vital role wider partnership arrangements with key services, agencies and CLD play in achieving our ambition to deliver the equity agenda for children in our community. The proposal to encourage cluster schools arrangements does not take sufficient account of the other services around a child. There is a need for other agencies and services to have the time and resources to support a commitment to joint working at a cluster level. Increasing the involvement of health and social care, specialist services such as speech and language therapy and CAMHS within a cluster approach was a frequent theme within the responses received from stakeholders. However, it was also noted that cluster arrangements will require central co-ordination to ensure local contexts and the needs of children and their families are better met by not being delivered through a 'one-size fits all' approach.

"Effective collaboration does not need to be encouraged or incentivised, it needs to be enabled."

"If teachers take on responsibility for services and support functions that are currently handled by Local Authorities, the outcome is likely to result in less time for collaboration rather than more."

Question 10

What services or functions are best delivered at a regional level? This may include functions or services currently delivered at a local or a national level.

Question 11

What factors should be considered when establishing new educational regions?

East Lothian Council supports the definition of “regions” given by the Depute First Minister at the meeting with CoSLA on 01 November 2016 and at the Preston Lodge High School Learning Festival as being “collaboration” between authorities. The present position where the legal and wider accountabilities rest with Local Authorities is clearly understood by most stakeholders.

East Lothian Council is well represented and an active participant within a number of inter-authority partnerships established to achieve our ambition to grow our economy, communities and people. East Lothian Council’s education service is actively involved in establishing formal partnerships with neighbouring authorities, referred to as the Southern Alliance authorities. Plans are taking shape and have been determined through the identification of key priorities in response to an assessment of local needs. A key area identified is the scope for co-operation in additional support needs provision including educational psychology. Strategic planning for such services within the Southern Alliance area will strengthen provision for all children and young people.

Respondents indicate that there is scope to develop the following functions/services within a voluntary regional arrangement albeit this was caveated with the request to retain these at a local level:

- Additional Support Needs provision
- Local Negotiating Committee for Teachers agreements
- Business functions, HR administration
- Career Long Professional Learning
- Legal support and advice
- Quality Improvement
- Alignment of the school day/academic session
- Languages both 1+2 and Gaelic education

The establishment and development of ‘educational regions’ will require those democratically elected at a local level to be assured that such arrangements will add value to the Council’s service delivery and ensure best value is sustained. Elected members will seek to safeguard local planning, statutory responsibilities for the delivery of services and scrutiny arrangements within any move towards education regions. Continued local accountability is essential.

“Locally elected members have a key role to play in local education, supporting the needs of their electorate, ensuring accountability and supporting parents who request their help.”

Question 12

What services or support functions should be delivered at a national level?

Question 13

How should governance support teacher education and professional learning in order to build the professional capacity we need?

East Lothian Council's education service concurs with the views expressed within the ADES response to the Governance Review in relation to the functions to be delivered at a national level.

Very few responses were received from stakeholders in relation to the services or support functions to be delivered at a national level. Overall, there is consensus for aspects such as the independent scrutiny of the quality of education to be undertaken by relevant bodies such as Education Scotland. However, there is clearly a desire to reduce the burden placed on schools with nurseries to work to one quality framework and for the quality of service to be evaluated by a single scrutiny body. Stronger direction in setting out best practice and greater consistency and clarity in the guidance and advice from both the Scottish Government and Education Scotland is highlighted as an area for improvement. Respondents also commented on the need for clarity in relation to the dual role of Education Scotland in relation to inspection and the capacity to provide high-quality equitable support within current staffing arrangements.

Respondents reflected on the need for Initial Teacher Education establishments to provide an equitable experience for student teachers in relation to the content of course programmes and to have a stronger focus on aspects such as research proven approaches to the teaching of reading, input on additional support needs and inclusive teaching practices. Schools need to be a genuine partner in the design and delivery of teacher education. Increasing opportunities for teachers to teach across sectors and primary teacher subject specialization will support curriculum progression and transition, a continuing area for improvement at national and local level. The lack of career pathways is highlighted as an area to be explored in relation to attracting new recruits into the teaching profession and incentivizing existing staff.

Question 14

Should the funding formula for schools be guided by the principles that it should support excellence and equity, be fair, simple, transparent, predictable and deliver value for money? Should other principles be used to inform the design of the formula?

Question 15

What further controls over funding should be devolved to school level?

Overall, respondents were unclear as to how changes to current funding mechanisms will be in the best interests of individual schools or of all children in need. Budgets for individual schools being set locally by local authorities is regarded as beneficial given the detailed knowledge of the local areas under their responsibility and an understanding of the demographics of individual schools in a way that a postcode based funding formula could not achieve. There is significant concern that vulnerable children in schools in less deprived and/or rural areas will miss out on much needed support given the current emphasis on SIMD and FSM. There is a distinct view that directing funding to schools will result in this funding being utilised to fill the health and social services gap. Concerns were raised in relation to the capacity of senior school managers to manage a more devolved school budget given the need to focus on learning and teaching. This is particularly the case for Head Teachers in small schools and for those who hold shared headship responsibilities across more than one school.

The Governance Review does not reflect the current arrangements for devolved school management currently in place within Local Authorities. East Lothian Council continues to collaborate with its Head Teachers to review current budgetary arrangements in line with the guidelines on Devolved School Management published by the Improvement Service.¹ As articulated within the ADES

response to the Governance Review, these guidelines cover the areas presently incorporated within the Governance Review, including giving more decision making to schools and were widely welcomed as being the result of careful consideration and wide consultation. East Lothian Council and stakeholders are of the firm view that it is difficult to see where the value added comes from the inclusion of DSM matters in the present Governance Review.

Question 16

How could the accountability arrangements for education be improved?

Question 17

Is there anything else you would like to add regarding the governance of education in Scotland?

Overall, respondents commented on the value of accountability being held at a local level. There is no appetite to change current accountability arrangements and respondents are clear that there are already in place well understood systems of accountability. Respondents raised concerns about any proposed changes leading to an additional layer of bureaucracy. Section 70 of the Education (Scotland) Act 1980, as amended already provides the appropriate level of safeguards in relation to accountability. Statutory appeals mechanisms exist within which the statutory responsibilities of education authorities can be challenged.

“Any changes made to the governance of Scottish Education MUST give school leaders freedom to engage in activity which will enhance learning and teaching, not extra duties which will divert them from that core role and their professional skill-set.”

“If further inconsistency is to be avoided local authorities should retain ultimate accountability.”

“It is vital that support and challenge of schools and the non-education management is accountable locally, we do not want oversight too far from schools as this could risk making education more remote from parents and therefore much less accountable.”

Delivering excellence and equity cannot be the sole responsibility of schools. Whilst East Lothian Council shares the aim to reduce inequality and improve educational outcomes for all children and young people this cannot be achieved by separating schools from the wider children’s services. It must be recognised that the potential to achieve excellence and equity exists within the current system of Local Authority governance.

“Closing the attainment gap is a shared agenda delivered through a multi-agency approach and creating productive learning communities that work in partnership to achieve this goal.”

“To achieve equity there has to be a recognition (in policy and funding) that SIMD is not the only barrier to learning.”

The aforementioned response incorporates the views of members of the current East Lothian Council Administration, Council Officers, Teaching Staff, Parent Councils and parents/carers however their views will also have been taken account of and represented separately through their respective local/national organisations and professional bodies.

REPORT TO: East Lothian Council

MEETING DATE: 28 March 2017

BY: Depute Chief Executive (Resources and People Services)

5

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).

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DATE	13 th March 2017



EAST LOTHIAN COUNCIL
RESOURCES AND PEOPLE SERVICES
EDUCATION
CONSULTATION REPORT

**REPORT ON THE OUTCOME OF THE PROPOSED CHANGE TO PRESTON LODGE
HIGH SCHOOL CATCHMENT AREA AND THE ESTABLISHMENT OF A NEW
PRIMARY SCHOOL AT BLINDWELLS**

February 2017

This Consultation Report has been issued by East Lothian Council in accordance with the Schools (Consultation) (Scotland) Act 2010.

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EAST LoTHIAN COUNCIL

RESOURCES AND PEOPLE SERVICES

EDUCATION

This report has been prepared following consultation on the following proposal:

- A new primary school with early learning and childcare provision will be established for the Blindwells primary school catchment area;
- The new primary school will be established initially at Cockenzie Primary School through a “hosting” arrangement until the new primary school building is complete;
- The new primary school will relocate to its permanent site on the completion of the new building;
- The Preston Lodge High School catchment area will be extended to include the Blindwells new settlement and replace the Blindwells secondary catchment area established in 2010; and
- The St Gabriel’s RC Primary School catchment area will be extended to include the Blindwells new settlement in alignment with the proposed revised Preston Lodge High School catchment area.

This proposal **directly affected** the following schools:

- Preston Lodge High School
- Cockenzie Primary School
- St Gabriel’s RC Primary School

Having had regard (in particular) to:

- a) Relevant written representations received by the Council (from any person) during the consultation period
- b) Oral representations made to it (by any person) at the public meeting held on 29th November 2016
- c) Oral representations made to it at the public drop-in sessions
- d) Oral representations made to it at the pupil voice sessions
- e) Education Scotland’s report on the proposal

1. INTRODUCTION

1.1 This is a Consultation Report prepared in compliance with the Schools (Consultation) (Scotland) Act 2010 on the above proposal.

1.2 The purpose of this report is to:

- Provide a record of the total number of written responses made during the Statutory Consultation period;
- Provide a summary of the written responses;
- Provide a summary of oral representations made at the public meeting held on 29th November 2016;
- Provide a statement of the Council's response to those written and oral representations;
- Provide the full text of Education Scotland's report and a statement of the Council's response to this report;
- State how the Council reviewed the above proposal following the representations received during the Statutory Consultation period and the report from Education Scotland;
- Provide details of any omission from, or inaccuracy in, the Consultation Proposal Document and state how the Council acted upon it; and
- State how the Council has complied with Section 12 of the Schools (Consultation) (Scotland) Act 2010 when reviewing the above proposals.

2. BACKGROUND

2.1 Education Authorities have a statutory duty in terms of the Education (Scotland) Act 1980 to make adequate and efficient provision of school education across their area. This duty applies in respect of both the current school population and anticipated pattern of demand. In addition, Councils have a statutory duty to secure best value in terms of the Local Government in Scotland Act 2003. Most importantly, the Education Authority would wish to optimise the educational experience to ensure:

- East Lothian's young people are successful learners, confident individuals, effective contributors and responsible citizens;
- East Lothian's children have the best start in life and are ready to succeed;
- East Lothian's children experience equality of opportunity within an inclusive educational experience'
- East Lothian's children's care, welfare and personal and social development is central to raising their attainment and achievements; and
- In East Lothian we live healthier, more active and independent lives.

- 2.2 East Lothian Council is committed to raising educational attainment and ensuring that all children and young people have the best opportunities in life. The educational benefits that will arise from this proposal for children affected or likely to be affected are outlined in the Consultation Proposal Document.
- 2.3 The Strategic Development Plan (SDP) for South East Scotland was approved by Scottish Ministers in June 2013. The SDP with its Supplementary Guidance on Housing Land requires the Local Development Plan (LDP) to ensure sufficient housing land is available to deliver 10,050 homes during the period 2009 – 2024 with 6,250 of those homes capable of being delivered across East Lothian in the period to 2019.
- 2.4 In order to accommodate these strategic development requirements for East Lothian, East Lothian Council approved a Proposed LDP 2016 for representation on 6th September 2016. Once adopted, this plan will replace the current East Lothian Local Plan 2008. The Proposed LDP 2016 sets out East Lothian Council's proposed future spatial strategy for East Lothian. As part of this, the Blindwells new settlement (BW1) is one of the main development proposals to be retained from the current East Lothian Local Plan 2008 (Proposal H1); Blindwells is currently allocated for a mixed-use development including circa 1,600 homes. In future, the Council has a vision to expand this further east to a size of around 6,000 homes (LDP Proposal BW2, *hereinafter referred to as BW2*), however, an appropriate comprehensive solution that could deliver this vision has not yet been found and will continue to be sought during the life of the plan.
- 2.5 Significant additional education capacity at primary and secondary level will be needed to support the new housing development proposed in the Blindwells settlement, including a new primary school for the site at Blindwells (BW1). The Council must ensure provision is and can be made for the education of children in its area, and therefore wants to align the future provision of additional education capacity with its proposed development strategy for the area. This includes a review of how such capacity will be provided for the new settlement at Blindwells.
- 2.6 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. 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.
- 2.7 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.

2.8 On 24th February 2015, approval was given by East Lothian Council to undertake consultations relating to the school estate (i.e. schools, catchment areas, locations) as necessary to support the emerging 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.

2.9 The proposed change of secondary catchment area for the Blindwells primary school catchment area and the establishment of a new primary school will directly affect the following schools and was considered in the Consultation Proposal Document:

- Preston Lodge High School
- Cockenzie Primary School
- St Gabriel's RC Primary School

3. CONSIDERATIONS

3.1 The main considerations relating to the establishment of a new primary school for the current Blindwells allocation (BW1) and the proposed revisions for Preston Lodge High School and St Gabriel's RC Primary School catchment areas are fully explained in the Consultation Proposal Document and the main points are highlighted below:

- The need to address early learning & childcare, primary and secondary education provision for the Blindwells area (BW1) and create a sustainable school estate for future generations;
- The increasing pupil roll projection in the area;
- The condition and suitability of the establishments to facilitate learning and teaching processes in the 21st Century; and
- The need to develop inspirational learning environments which raise the aspirations of children and young people, staff and the wider community.

4. THE CONSULTATION PROCESS

4.1 The Council has met the minimum requirements set out in the Schools (Consultation) (Scotland) Act 2010 with regards to ensuring the views of all members of the community were listened to and their views are included in this report. The Council believes that this report accurately reflects the views of the community, which have been gathered through a range of engagement events and response mechanisms. It is for members of East Lothian Council to decide to adopt the proposal, withdraw it or seek to consult on another proposal.

- 4.2 On 24th February 2015, approval was given by East Lothian Council to undertake consultations relating to the school estate (i.e. schools, catchment areas, locations) as necessary to support the emerging 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.
- 4.3 Notification of the consultation was given to all statutory consultees prior to the commencement of the consultation.
- 4.4 The Consultation Proposal Document was published on East Lothian Council's website and paper copies distributed on 8th November 2016 to:
- Preston Lodge High School
 - Cockenzie Primary School
 - Longniddry Primary School
 - Prestonpans Primary School
 - Prestonpans Infant & Nursery School
 - St Gabriel's RC Primary School
 - Camperdown Children's Nursery, Prestonpans
 - Seahorse Nursery, Cockenzie
 - Prestonpans Community Centre
 - Port Seton Centre
 - Prestonpans Library
 - John Muir House, Haddington
- 4.5 The consultation period commenced at 12.00am on **Tuesday 8th November 2016** and lasted until 12.00am on **Wednesday 21st December 2016**, being a period of six weeks, which also included the statutory minimum 30 school days.
- 4.6 The proposals on which consultation took place were to:
- Establish a new school with primary education and early learning & childcare provision for the Blindwells primary school catchment area;
 - Establish the new primary school initially within Cockenzie Primary School and relocate to its permanent site on the completion of the new school building;
 - Alter the Preston Lodge High School catchment area to include the Blindwells primary school catchment area, as defined by Blindwells new settlement (LDP Proposal BW1, *hereinafter referred to as 'BW1'*), currently in the Blindwells secondary catchment area established in 2010; and
 - Alter the St Gabriel's RC Primary School catchment area to include the Blindwells new settlement (BW1) in alignment with the proposed revised Preston Lodge High School catchment area.

- 4.7 The requirements for consulting on a relevant proposal relating to schools are set out in the Schools (Consultation) (Scotland) Act 2010.
- 4.8 An information leaflet setting out details about the proposal and consultation meetings was issued to the consultees listed in the Consultation Proposal Document. Advice on where the complete Consultation Proposal Document could be obtained was included and was published on East Lothian Council’s Consultation Hub <https://eastlothianconsultations.co.uk/education/blindwells-catchment>
- 4.9 If requested, copies of the proposal would have been made available in alternative formats or translated for readers whose first language is not English.
- 4.10 A “Frequently Asked Questions” document was also prepared which was available at the same location on East Lothian Council’s Consultation Hub: <https://eastlothianconsultations.co.uk/education/blindwells-catchment>
- 4.11 An advertisement was placed in the local newspaper on **10th November 2016** and **1st December 2016**. A pre-announcement was also made on the Council’s website and social media posts on the **7th November 2016**. In addition, there were announcements related to the consultation process on East Lothian Council’s website, linked via a Facebook page and Twitter feeds.
- 4.12 The public meeting was held in **Prestonpans Community Centre** on **29th November 2016 at 7.30pm**.
- 4.13 In addition to specific meetings with statutory consultees, drop-in sessions were also held in respect of the proposal at the venues below, at which any members of the public and staff were welcome to attend:

Venue	Date	Time
Preston Lodge High School	15 November 2016	12:00pm – 5:00pm
Prestonpans Community Centre	29 November 2016	6.45pm – 7.30pm

- 4.14 In accordance with statutory requirements, the following persons, including those indirectly affected, were consulted:
- The Parent Councils of Preston Lodge High School, Cockenzie Primary School and St Gabriel’s RC Primary School
 - The parents of pupils at Preston Lodge High, Cockenzie Primary School and St Gabriel’s RC Primary School
 - The pupils at Preston Lodge High School, Cockenzie Primary School and St Gabriel’s RC Primary School
 - The staff at Preston Lodge High School, Cockenzie Primary School and St Gabriel’s RC Primary School

- The parents of any children expected to attend Preston Lodge High School, Cockenzie Primary School and St Gabriel's RC Primary School within two years of the publication of the proposal
- Preston Seton Gosford Area Partnership
- Cockenzie & Port Seton Community Council
- Longniddry Community Council
- Prestonpans Community Council
- Archdiocese of St. Andrews and Edinburgh

4.15 The following schools are **directly affected** by the proposal:

- Preston Lodge High School
- Cockenzie Primary School
- St Gabriel's RC Primary School

4.16 The following schools are **indirectly affected** by the proposal:

- Longniddry Primary School
- Prestonpans Infant & Nursery School
- Prestonpans Primary School

4.17 Representations were sought from statutory consultees and the wider public in the following ways:

- An online questionnaire on East Lothian Council's Consultation Hub. The questionnaire asked specific questions and enabled general comments and views to be entered. The Consultation Hub stored all relevant consultation documentation for public viewing;
- Widely distributed paper copies of the same questionnaire, at Council buildings within the Cockenzie and Prestonpans area. Sealed boxes were also located at questionnaire distribution points for their return;
- Paper and digital flyers, in addition to the press adverts and Council web and social media announcements linked to the Consultation Hub. These flyers also detailed a specific Education Consultations email inbox, to which any queries could be submitted during the consultation period;
- Flyer distribution to pupils at Cockenzie Primary School, Longniddry Primary School, Prestonpans Infant & Nursery School, Prestonpans Primary School, St Gabriel's RC Primary School and Preston Lodge High School. Head Teachers used their established methods of communication to engage/remind parents about the consultation and the Education Scotland independent evaluation visit.
- In addition to the public meeting, staff at the affected schools were also invited to attend the public drop-in sessions to discuss the proposals;

- A representative group of pupils from Cockenzie Primary School, St Gabriel's RC Primary School and Preston Lodge High School attended a workshop where they were able to express their views on the proposals;
- A joint Parent Council meeting of the Prestonpans Cluster schools was held with representatives from Cockenzie Parent Council and Preston Lodge High School Parent Council in attendance.

4.18 This Consultation Report is the Council's response to the issues raised during the consultation period on the Consultation Proposal Document.

4.19 This Consultation Report will be published for a period of three weeks before a final decision is taken by East Lothian Council on 28th March 2017.

5. THE PUBLIC MEETING

5.1 A public meeting was held in Prestonpans Community Centre on Tuesday 29th November 2016 which was attended by two members of the community. A full note of the meeting is attached at Appendix 1 which details the questions and issues raised at the meeting. The points raised are addressed within the response to Frequently Asked Questions or within this report.

5.2 Additionally, drop-in sessions were arranged during the consultation period, enabling any member of the public and staff to ask questions and discuss the proposal, the consultation process and how they could make representations. The most commonly asked questions at the drop-in session, also informed the content of the Frequently Asked Questions document to provide relevant stakeholders and members of the public with points of clarification or further information.

6. RESPONSES TO THE CONSULTATION EXERCISE

6.1 As part of the consultation process, the Council sought the views of a wide range of stakeholders. Information about the consultation was placed in a local newspaper, on the Council's website and at the affected schools, as well as all Cockenzie and Prestonpans Partnership Nurseries, libraries and other centres within the Cockenzie and Prestonpans area.

6.2 The Council provided stakeholders with a short online or paper questionnaire and also made good arrangements for receiving additional written responses. The Council received eighty-one responses to its questionnaire. 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).

- 6.3 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.
- 6.4 A summary of all questionnaire responses has been included in Appendix 2. The comments made as part of these questionnaires are also included in Appendix 3, apart from submissions which consultees did not wish East Lothian Council to share publicly. Even if a submission is not shared publicly, it has still been included in the collation of stakeholder's views and informed the response as detailed in paragraph 6.8.
- 6.5 The Council did not receive any written submissions to its consultation during the consultation period.
- 6.6 The summary of questionnaire responses to the individual elements categorised by demographic are as follows:

- **Parents of pupils currently at schools:**

A greater proportion of parents of pupils currently at school who responded, agreed with the proposals to establish a new school and "host" initially at Cockenzie than disagreed. In total, 88.6% supported the proposal for the new school (4.3% opposed) and 50.2% supported the "hosting" proposal (23.2% opposed). The greatest proportions who opposed the "hosting" were parents of pupils at Cockenzie Primary School (87.5% strongly disagreed) and Longniddry Primary School (100% strongly disagreed), although this is based on one respondent with a pupil currently at Longniddry Primary School. A greater proportion of parents of pupils currently at school disagreed with the catchment revision proposal for Preston Lodge High School than agreed. In total, 45.7% opposed this element with the greatest proportions opposing being the parents of current pupils at Longniddry (100%), Cockenzie Primary School (75%) and Prestonpans Primary (60%) while just over half of parents with pupils at Preston Lodge High School were opposed to it (52.4%). There were equal proportions of parents of current pupils at Prestonpans Infant and in the "Other School" category supporting/opposing the proposed revised catchment area for Preston Lodge (50%/50%) and a greater proportion supporting than opposing with pupils at St Gabriel's RC Primary School (49.1% supporting/35.8% opposing/15.1% no opinion). A greater proportion of parents of pupils currently at school disagreed with the catchment revision proposal for St Gabriel's RC Primary School than agreed.

- **Parents of future pupils at schools:**

A greater proportion of parents of future pupils agreed with the proposal to establish a new school at Blindwells than disagreed with the exception of Cockenzie Primary and Prestonpans Infant where there were equal proportions agreeing/disagreeing (50%/50%). In total, 87.1% supported the proposal for the new school, 9.7% were opposed and 3.2% had no opinion. Overall, a greater proportion of respondents within this demographic also supported the “hosting” element (46.7% supporting/33.3% opposing/20% no opinion). The greatest proportions who opposed the “hosting” were parents of future pupils at Cockenzie Primary School, Prestonpans Infant School and Longniddry Primary School (100% strongly disagreed), although this is based on one or two respondents. The greatest proportion in support of the “hosting” element, were parents of future pupils at St Gabriel’s RC Primary School (69.2%). A greater proportion of parents of future pupils at all schools opposed the proposed revised catchment areas for both Preston Lodge High School and St Gabriel’s RC Primary School with 64.5% in total opposing the proposed revision for the Preston Lodge High School catchment area and 61.3% opposing the proposed revision for St Gabriel’s RC catchment area.

- **Parent respondents (with stage banding of pupils):**

A greater proportion of parents of pupils in all age bandings supported the proposal for a new school at Blindwells (89.3% supporting/4.0% opposing/6.7% no opinion). A greater proportion of parents of pupils in all age bandings (50.7%) also supported the “hosting” element at Cockenzie Primary School apart from those parents of pupils “Not yet in Education” of which 12.5% supported, 37.5% opposed and 50% had no opinion. A greater proportion of parents of pupils in all age bandings overall disagreed with the proposed revised catchment areas for Preston Lodge High School (42.7% supporting/46.7% opposing/10.7% no opinion) and St Gabriel’s RC Primary School (32% supporting/52% opposing/16% no opinion), with the exception of those with pupils in pre-school education and in P1-P3, of which a greater proportion (54.5% and 48.6% respectively) supported the proposed revised catchment for Preston Lodge.

- **Pupils currently attending school:**

There were two respondents within this demographic. There were equal proportions of pupils currently attending Preston Lodge High School supporting/opposing the proposals to establish a new school for Blindwells and “host” initially at Cockenzie and the proposed revised catchment area for Preston Lodge (50%/50%). One also supported the proposed revised catchment area for St Gabriel’s RC Primary School while the other had no opinion.

- **Members of Staff:**

In total, 88.9% of staff who responded via the questionnaire agreed with the proposal to establish a new school for Blindwells. There were equal proportions of staff overall agreeing/disagreeing (44.4%/44.4%) with the “hosting element” including staff from Preston Lodge High School (50%/50%) and St Gabriel’s RC Primary School (33.3%/33.3%). In total, just over half of staff members who responded (55.6%) opposed the proposed revised catchment areas for Preston Lodge High School and St Gabriel’s High School. The greatest proportion of staff members in support of both these elements were from Preston Lodge High School (75%).

- **“Other” Respondents:**

There was one respondent within this demographic. The respondent agreed with the proposal to establish a new school for Blindwells but disagreed with the proposal for “hosting” and for the proposed revised catchment areas for Preston Lodge High School and St Gabriel’s RC Primary School.

- **Catchment of Respondent:**

A greater proportion of respondents from all catchments supported the proposal to establish a new school for Blindwells than opposed. A greater proportion of respondents from the Longniddry catchment (100%), “Other School” catchment (83.3%) and Cockenzie Primary (66.7%) opposed the “hosting” element while greater proportions in all the other catchments supported this element. 100% of respondents in the Preston Lodge catchment supported the proposed revised catchment area for Preston Lodge, with 60% and 66.7% also in support from Prestonpans Infant and Prestonpans Primary catchments respectively. There are equal proportions of respondents supporting/opposing this element, who live in either St Gabriel’s RC catchment (41.7%/41.7%) or “Other School” (50%/50%). A greater proportion of those living in the Cockenzie catchment (66.7%) and Longniddry (100%) opposed this element of the proposal. A greater proportion of those living in the Preston Lodge (44%), St Gabriel’s RC (63.9%) and Longniddry (100%) catchments opposed the proposed revised catchment area for St Gabriel’s RC Primary School. A greater proportion of those in the Prestonpans Primary catchment (66.7%) and “Other School” catchment (50%) supported this element of the proposals. There were equal proportions of those living in the Cockenzie Primary (33.3%/33.3%) and Prestonpans Infant (40%/40%) in support of this element.

6.7 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. Notes of the pupil voice sessions are included as Appendix 4.

6.8 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

7. EDUCATION AUTHORITY RESPONSE TO QUESTIONNAIRE AND ORAL REPRESENTATIONS

7.1 Concerns over level of proposed housing & impact on infrastructure

7.1.1 These issues are addressed through the Local Development Plan process. The Council is formulating its responses to representations made to the Proposed Local Development Plan and any unresolved objections in respect of spatial strategy, site allocations and infrastructure requirements will be considered at examination.

7.1.2 The Blindwells site (BW1) already has an established primary catchment area, approved by East Lothian Council on 22nd June 2010, and the current allocation of circa 1,600 houses is of sufficient size to require a new permanent non-denominational primary school with early learning and childcare provision to accommodate the projected eligible pre-school and primary-aged pupils arising from these 1,600 houses. The new school facility provided at Blindwells will have sufficient capacity for the pupils expected to arise from the planned housing developments. The new school will also will provide community facilities.

7.1.3 The Proposed LDP has established development related impacts on education capacity based on a cumulative assessment of impact and the need for mitigation. The costs for interventions needed to deliver the LDP strategy and sites are identified and apportioned in line with Scottish Government Circular 3/2012. High level costs (set out in the Proposed LDP Technical Note 14: Draft Developer Contributions Framework) of providing education capacity for a peak primary roll of 700 and early learning & childcare provision of 110 places at Blindwells is estimated to be in the region of £15.8m dependent upon the final overall size of the school. Developer contributions will be sought from the developers of relevant sites allocated in the Blindwells new settlement area (BW1) to fund the costs of this permanent provision which will be the subject of legal agreement with relevant landowners.

7.1.4 The proposed revision to the Preston Lodge High School and St Gabriel's RC Primary School catchment areas is to incorporate the current allocated Blindwells site (BW1) within the Prestonpans cluster, which is proposed for a mixed-use development including circa 1,600 homes. This will help enable the development of the current allocation for Blindwells (BW1), providing capacity until an on-site permanent secondary education facility is delivered at Blindwells 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 current the allocation of 1,600 homes at Blindwells (BW1) if an appropriate comprehensive solution cannot be found to expand the Blindwells settlement further east.

7.1.5 Investment will be required to provide an extension to Preston Lodge High School for the proposed revised Preston Lodge High School catchment area as well as to provide additional classrooms for the peak rolls. The costs for interventions needed to deliver the LDP strategy and sites are identified and apportioned in line with Scottish Government Circular 3/2012. High level costs (set out in the Proposed LDP Technical Note 14: Draft Developer Contributions Framework) of providing capacity for a peak roll of 1,500 at Preston Lodge High School is estimated to be in the region of £8.4m dependent upon the final overall size of the school. Developer contributions will be sought from the developers of relevant sites allocated in the proposed revised catchment area, including Blindwells (BW1), to ensure there is sufficient capacity and facilities to provide suitable education to all, which will be the subject of legal agreement with relevant landowners.

7.1.6 Prestonpans Infant and Prestonpans Primary schools have been extended to accommodate the pupils arising from new houses built in the Prestonpans Infant /Primary catchment area. Further expansion of Prestonpans Infant school is proposed, and additional Early Years capacity will be provided in the Red School in 2017. Additional capacity will also be provided at St Gabriel's RC Primary School for the pupils projected to arise from Blindwells development, if the proposed catchment revision is approved, and developer contributions will be sought for this.

7.1.7 The overall project cost for the provision of additional education capacity in a school catchment area is divided between the assessed sources of capacity demand in proportion with the percentage of additional impact they each generate as follows:

1. increases in capacity to accommodate projected baseline pupil populations beyond current capacity will be met by the Council;
2. further increases in capacity, beyond the baseline requirement, to accommodate additional pupils arising from committed housing developments (including proposals that have 'minded to grant' status) will be met via 'anticipated, gathered or committed' developer contributions (including that which is 'anticipated' from 'minded to grant' proposals);

3. further increases in capacity required to accommodate shortfalls in capacity or accommodation notwithstanding any committed capacity increases in association with point 2 above will be met by the Council;
4. further increases in capacity to accommodate planned housing development without planning permission (not including proposals with 'minded to grant' status) to be met by developer funding from any planned development proposal(s) that does not have planning permission and is therefore still 'eligible' to make a contribution.

7.1.8 Therefore, developer contributions will not be sought to resolve pre-existing deficiencies or shortfalls in accommodation, unrelated to the new proposed housing developments.

7.2 Consultation with the community on the proposals

7.2.1 The statutory consultation activities undertaken with regard to these proposals, as detailed in Section 4 of this report, fully met the legislative requirements of the Schools (Consultation) (Scotland) Act 2010, and were designed to encourage maximum participation. The Council actively engaged with all stakeholders, including parents and pupils, and representations were sought from statutory consultees and the wider public through a range of communication mediums during the statutory consultation period as listed in paragraph 4.17. As referred to in Section 8, stakeholders who met with HM Inspectors felt that the council had provided good opportunities for being consulted and for giving their views.

7.3 Impact on community identity

7.3.1 As part of the mixed-use development, it is proposed that a new local centre will be introduced at Blindwells (BW1). If the proposed revisions to the Preston Lodge High School and St Gabriel's RC Primary School catchment areas are approved, those moving into the proposed housing developments at Blindwells (BW1) will become part of two communities, a new community at Blindwells and the wider community of Prestonpans. The new primary school facility at Blindwells will provide a range of sports and community facilities within its locality for children, families and other users outwith core school hours and bring positive benefits to the whole community.

7.3.2 In terms of the school community, the Council will work closely with the children, young people and parents who move into the Blindwells development to establish a new sense of school community within the context of the wider Prestonpans community. Increasing the early learning & childcare and primary education provision in the Prestonpans cluster area will provide opportunities for schools to work in a new wider learning community. The temporary hosting arrangements at Cockenzie Primary School during the initial house build years, while the new primary school and early

learning and childcare facilities at Blindwells are being built, will help to develop links and integration across the existing Prestonpans cluster community.

7.4 Clarification of schools within the proposed revised Prestonpans Cluster

7.4.1 As stated in the Consultation Proposal Document, the proposed revised catchment area for Preston Lodge High School, which forms the Prestonpans Cluster, will include the existing feeder infant and primary schools (Cockenzie Primary School, Longniddry Primary School, Prestonpans Infant & Nursery School, Prestonpans Primary School and St Gabriel's RC Primary School) and the proposed new Blindwells primary school. As there are no changes to the secondary education provision for the existing feeder infant and primary schools within the Prestonpans Cluster, existing transition arrangements for these schools would not be affected by the implementation of this proposal.

7.5 Rationale for inclusion of Blindwells (BW1) in the Prestonpans Cluster

7.5.1 As stated in the Consultation Proposal Document, while the Council has safeguarded land to the east of the current Blindwells allocation (BW1) as a potential Blindwells Expansion Area (BW2), an appropriate comprehensive solution for a larger Blindwells settlement of around 6,000 homes has not yet been found. If the Blindwells settlement is unable to grow beyond its current allocation of circa 1,600 homes, while this is of sufficient size to require a permanent primary school facility on site at Blindwells, it is not feasible to provide an on-site permanent secondary facility in the medium to longer term for the projected secondary pupil numbers that will arise from these 1,600 homes. Whilst we recognise that there are some small secondary schools in Scotland, these tend to be in rural locations and the nature of these small schools reflect the particular communities they serve. By providing additional capacity at an established neighbouring secondary school, namely Preston Lodge High School in this instance, the Council is more able to offer a broad curriculum to meet the needs of its learners within the broad general education and in the senior phase, as well as ensuring equity of experience across its secondary education establishments.

7.5.2 The rationale for including Blindwells (BW1) within the Prestonpans Cluster rather than the Tranent Cluster is predicated on proximity and accessibility to the Prestonpans community and the capacity for Preston Lodge High School to be extended to accommodate the projected secondary-aged pupils arising from the current allocation of circa 1,600 houses at Blindwells (BW1). There is significant house building proposed for the Tranent Cluster within the 2016 Proposed LDP. The cumulative impact of the proposed sites in the Tranent cluster is anticipated to utilise the full expansion potential of Ross High School. Therefore, Ross High School cannot be extended further to accommodate the secondary-aged pupils projected to arise from the planned 1,600 houses in the Blindwells site (BW1). Providing additional capacity for denominational pupils from the Blindwells site at St Gabriel's RC Primary School rather than at one of the other denominational primary schools in East Lothian

will enable denominational pupils to attend a school within the same secondary cluster as their non-denominational peers.

7.6 Transport Links & Safer Routes to Schools

7.6.1 As stated in the Consultation Proposal Document, road safety will be a priority and measures needed to ensure there is sustainable travel to encourage people to walk and cycle and discourage vehicle trips during the school travel times and indiscriminate parking behaviour associated with the drop-off of children at the new school. Wider measures will also be needed to support, facilitate and encourage active travel, linked with safer routes to school. Consideration of improvements in the wider catchment area to remove barriers to cycling and walking will be considered and developed accordingly.

7.6.2 In terms of safe routes to schools during the “hosting” period, it is the Council’s intention through planning conditions to provide a bus to transport the primary-aged pupils between the Blindwells site (BW1) and Cockenzie Primary School. It is also the Council’s intention to provide better footpath and cycle links between the two sites giving further choice and reduce the dependency on the use of private vehicles.

7.6.3 The location and size of the Blindwells site (BW1) means that, depending on the final layout of the housing on the site itself, it is highly likely there will be pupils who will live within the 2 mile distance to either Preston Lodge High School and St Gabriel’s RC Primary, and pupils who will live more than 2 miles away. It is current Council policy to provide free transport to and from school for primary and secondary aged pupils who reside more than 2 miles from their catchment area school.

7.7 Impact on capacity of Preston Lodge High School

7.7.1 As stated in the Consultation Proposal Document, Preston Lodge High School will require additional phased permanent extension to accommodate the projected pupil numbers that will arise from the planned and committed housing in the proposed revised Preston Lodge High School catchment area. Preston Lodge High School has a pupil planning capacity of 1,050 pupils. The projected pupil rolls for Preston Lodge High School to 2038 as at June 2016, taking into account pupils from new housing with consent and those that will arise from the emerging LDP, including secondary-aged pupils from the current Blindwells allocation (BW1) shows that the school capacity will be breached in 2022 and that the roll is projected to rise from 1088 pupils in 2022 to 1,527 pupils by 2038.

7.7.2 As stated previously in paragraph 7.1.5, investment will be required to provide an extension to Preston Lodge High School for the proposed revised Preston Lodge High School catchment area as well as to provide additional classrooms for the peak roll of 1,500 this will include any upgrading or refurbishment that is required to do this. Some contributions have already been committed from already consented

developments, and additional developer contributions will be sought to extend Preston Lodge High School to provide sufficient capacity and suitable accommodation for the anticipated pupil numbers. Secondary education is currently satisfactorily provided in the existing facility at Preston Lodge High School and there is no requirement to replace the current school on a new site.

7.7.3 The overall size of a secondary school is based on the area required for its projected pupil roll. Secondary school capacity is calculated in accordance with School Premises (General Requirements and Standards) (Scotland) Regulations 1967 (as amended). This sets out standards in relation to the minimum requirements for school sites, playing fields and educational accommodation as well as prescribing standards for the provision of ancillary accommodation. The appropriate statutory class maxima for secondary schools will continue to apply in line with current legislation and policy. The school's revenue budget and staffing complement is set in line with the school roll in accordance with the Secondary School Devolved School Management (DSM) Policy. The Education Department closely monitors school rolls and plans staff recruitment in response to increases in school rolls. Therefore, East Lothian Council anticipates, the need to recruit additional teachers will be an incremental process reflecting the year by year increase in the school roll. All teacher vacancies follow the standard East Lothian Council recruitment process.

7.7.4 The school roll of Preston Lodge High School is projected to grow gradually over a 22 year period. Interventions will be put in place to ensure there will be no disruption to the ongoing life and work of the school as a result of the population increase. This may include adjustments to the phasing of house building or developing school approaches to pastoral care. Implementing strategies for raising attainment is a priority for Preston Lodge and will continue to be so in line with priorities set out in the National Improvement Framework, taking into consideration its rising roll.

7.7.5 The school, pupils and parents will contribute to the proposals for the expansion, to increase capacity of Preston Lodge High School.

7.8 Impact on capacity of St Gabriel's RC Primary School

7.8.1 The 1918 Education Act in Scotland guarantees the following rights to the Catholic community:

- Catholic schools (designated as denominational schools) were to be funded by the State and open to inspection by Her Majesty's Inspectors;
- as public schools, Catholic schools were to be open to all, but were expected to retain their own ethos and identity in order to serve the needs of the Catholic community;
- any teacher appointed to any post was required to be approved by the Church with respect to their "religious belief and character";

- the local education authority was to appoint, with the approval of the Church, a Supervisor for Religious Education in Catholic schools.

7.8.2 St Gabriel’s RC Primary School has a pupil planning capacity of 175 pupils. P1 catchment placing requests for St Gabriel’s RC Primary School for the last four years show that there is a growing demand for denominational provision within the Prestonpans area from baptised pupils. Over 85% of the new P1 intake over the four-year period were baptised in the Catholic faith.

7.8.3 As stated in the Consultation Proposal Document and in paragraph 7.1.6, additional capacity will be required at St Gabriel’s RC Primary School to accommodate the projected pupils in the proposed revised St Gabriel’s RC Primary School catchment area.

7.8.4 The projected pupil rolls for St Gabriel’s RC Primary School to 2038 as at June 2016, taking into account pupils from new housing with consent and those that will arise from the emerging LDP, including the current Blindwells allocation (BW1) shows that the school will require 9 classes to accommodate the peak roll of 238 pupils in 2036 and that the additional capacity will be required to be in place by 2022 to meet the increasing roll. School staff, pupils and parents will contribute to the proposals to increase capacity of St Gabriel’s RC Primary School as part of its ongoing engagement with stakeholders.

7.8.5 The appropriate statutory maximum class sizes – P1 maximum of 25, primary two and three maximum of 30 and primary four to seven maximum of 33 - will apply to the class organisation for St Gabriel’s RC Primary School in line with current legislation and policy. In line with East Lothian Council’s Pupil Placement Policy, if at any stage, the local catchment denominational school was full the children would be offered a place at their non-denominational catchment school until a place became available.

7.8.6 The school’s revenue budget and staffing complement is set in line with the school roll in accordance with the Primary School DSM Policy. The Education Department closely monitors school rolls and plans staff recruitment in response to increases in school rolls. Therefore, East Lothian Council anticipates, the need to recruit additional teachers will be an incremental process reflecting the year by year increase in the school roll. All teacher vacancies follow the standard East Lothian Council recruitment process.

7.9 **Hosting Arrangements at Cockenzie Primary School**

7.9.1 Cockenzie Primary School has been identified as the best location for the temporary “hosting arrangement” for Blindwells primary school based on its relative proximity to the proposed Blindwells site (BW1) and its available capacity based on projected school rolls. Cockenzie Primary School has a planning capacity of 460 primary-aged pupils. Based on current demographics, planned & committed housing and historical

intake trends in the Cockenzie catchment area, school roll forecasts for the next 20 years show that the school roll is not projected to exceed 390 primary-aged pupils, during the projected house build period for the committed Blindwells allocation (BW1). The number of pupils projected to arise from new housing in the committed Blindwells allocation (BW1) during the first three years of house completions is expected to grow from a single figure within the first year that houses are ready for occupation to 30 primary-aged pupils by the start of the third year of house build completions growing to circa 50 pupils by the end of the third year of house build. This would suggest that there is sufficient capacity at Cockenzie Primary School for the Blindwells pupils to be temporarily hosted during the first three years of house build at Blindwells (BW1).

7.9.2 The temporary “hosting” arrangement is predicated on Cockenzie Primary school’s capacity to accommodate the projected pupil numbers arising from the proposed Blindwells housing development (BW1) during the first three years of house build. The timing of delivery of new education provision for new housing developments needs to take account of forming a viable roll for the new school as well as considering the upfront costs of funding the new school facility for both the Council and the developer. It is therefore appropriate to consider in some cases the temporary provision of education capacity in nearby schools if capacity is or can be made available. The Education Service can and does object to planning applications where suitable provision isn't or cannot be made available. The developer will require to pay the costs of temporary and permanent education provision and the nature and cost of that provision will be as required by the Council's Education and Asset Management services. There is no reason to assume that the provision required by the Education Service would disadvantage the community or result in inferior education provision.

7.9.3 Due to legislation, the “hosting” period can only last up to a maximum of 36 months, allowing a viable pupil roll to develop while the new permanent school facility is being built. The agreed house development phasing for Blindwells (BW1) would be such that the school would be ready for the children over that period of time. It should be noted that , in terms of a hosting arrangement , a number of factors are considered, as well as classroom space, the Council will consider the impact the hosting will have on other school facilities including playground space and dining hall capacity etc. The Council will ensure that there will be no negative impact on the life and work of the school. The school’s capacity will be continually assessed (as is the case with all schools), in comparison to roll projections from the catchment area it provides for, and all new house building (of 5 units or more) which occurs within this area.

7.9.4 The appropriate statutory maximum class sizes – P1 maximum of 25, primary two and three maximum of 30 and primary four to seven maximum of 33 - will apply to the class organisation for both Cockenzie Primary School and Blindwells primary school in line with current legislation and policy. Both Cockenzie Primary School and Blindwells primary school will have its own budget and staffing complement. The school revenue

budgets and staffing complements for both schools will be set in line with the school roll in accordance with the Primary School DSM Policy. The Education Department closely monitors school rolls and plans staff recruitment in response to increases in school rolls. Therefore, East Lothian Council anticipates, the need to recruit will be an incremental process reflecting the year by year increase in the school roll. All teacher vacancies follow the standard East Lothian Council recruitment process.

- 7.9.5 The new Blindwells 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.
- 7.9.6 A key priority for officers is the development of the “hosting” arrangement at Cockenzie Primary School and a comprehensive transition programme to support the transition from Cockenzie Primary School into the new permanent Blindwells primary school facility once it is complete. We are aware of authorities elsewhere in Scotland who have hosting arrangements in place and will communicate with them and learn from their experiences.
- 7.9.7 The commencement of the “hosting” arrangement is dependent on when the first houses in the committed Blindwells (BW1) development are built and ready for occupation and families with primary-aged pupils move in. The Blindwells site (BW1) has a live planning application. The 2015 Housing Land Audit sets out an anticipated development start date for Blindwells (BW1) in 2020/21. The proposed new primary school at Blindwells, based on anticipated house build phasing in the 2015 Housing Land Audit, is projected to require the new Blindwells primary school facility to be completed in 2022 or as soon as thereafter.
- 7.9.8 Specific details on the hosting arrangements themselves will depend on the numbers, stages and ages of the children moving into the new housing developments. It is not possible to predict the exact numbers, ages and stages moving into the new housing and there will need to be a degree of flexibility in terms of the approach that is taken to be responsive to the particular needs of individual children. The Council will work with the Head Teacher, who will be the temporarily shared Head Teacher for both Cockenzie Primary School and Blindwells Primary School during the transition period, and other staff to discuss where children should be based and the composition of class groups as the individual pupils start to move into the Blindwells area. A Transitional Leadership Team will also be established and in place in the January before the move to the new Blindwells permanent facility to look at the arrangements needed in terms of staffing, class organisation etc.
- 7.9.9 For those children with Additional Support Needs there are well established procedures to identify particular learning needs and provide the required support

measures. Such work involves close liaison with parents and carers, and where relevant, Community Planning Partners. Pupil Support staff and teaching staff will work closely across both primary schools to ensure that the learning, pastoral and social needs of children are fully supported during the transition process, including enhanced arrangements for children and young people with Additional Support Needs.

7.10 Ongoing consultation with stakeholders

7.10.1 The Council will continue to consult and engage with affected stakeholders as the hosting and planned transition arrangements are developed and subsequently implemented. This will include staffing, safe routes to school, enrolment in the Cockenzie Primary School nursery and access to popular and well attended after school and school holiday programmes.

7.10.2 Timescales of the construction of the new permanent school facility at Blindwells will be closely monitored by East Lothian Council and one year's notice of the opening date will be communicated to parents and the public to assist transition preparation. This date would be the expected opening date, subject to ongoing construction timescales. The opening of the facility would not be before this date, and any amendments to this timescale would likewise be communicated as soon as possible.

8. EDUCATION SCOTLAND REPORT

8.1 In accordance with the Schools (Consultation) (Scotland) Act 2010, a report was produced by Education Scotland on the educational aspects of the proposal. A full copy of the report can be found in Appendix 5.

8.2 In preparing this report, HM Inspectors undertook the following activities:

- attendance at the public meeting held on 29th November 2016 in connection with the council's proposals;
- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others; and
- visits to the site of the proposed new school, Cockenzie Primary School, St Gabriel's RC Primary School, Prestonpans Primary School and Preston Lodge High School, including discussion with relevant consultees.

8.3 The Education Scotland consideration of the proposal is summarised as follows:

- Education Scotland stated that almost all parents, pupils and staff who met with HM Inspectors supported the proposal. Of the responses to the Council's questionnaire which provided an overall view about the council's proposal, almost all expressed

support. There were considerable differences in responses to the detailed elements in the proposal. The element relating to hosting the new school in Cockenzie Primary School was supported by just less than half of those who responded to the questionnaire. The element to extend the catchment area of Preston Lodge High School was supported by just under half of the respondents and the element to extend the catchment area of St Gabriel's Primary School was supported by just over a quarter of all respondents.

- Education Scotland stated that stakeholders who met with HM Inspectors felt that the council had provided good opportunities for being consulted and for giving their views.
- Education Scotland stated that East Lothian Council's 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.
- Education Scotland believes that 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 also provide a range of leisure and learning facilities which will potentially benefit the wider community.
- The report went on to state that 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.

8.4 In taking forward its proposal, the council should continue to work with stakeholders. During the interim 'hosting' period the council should provide both groups of children with a high quality education. The council should 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 school.

8.5 **East Lothian Council's Response to Education Scotland's Report**

East Lothian Council welcomes the report from Education Scotland and accepts its findings. The points raised by Education Scotland within the Education Scotland

Report were also key themes identified through the consultation process and are addressed in Section 7 of this report.

9. TRANSITION ARRANGEMENTS

- 9.1 As stated in the Consultation Proposal Document, at present the affected area of land at Blindwells (BW1) contains no properties. If approved, the new catchment arrangements for St Gabriel's RC Primary School and Preston Lodge High School would become operational with immediate effect.
- 9.2 Pupils currently attending St Gabriel's RC Primary School and Preston Lodge High School will not be significantly affected as the proposed catchment changes will only impact on future intakes once the Blindwells development (BW1) has planning consent and house build commences.
- 9.3 In respect of early learning & childcare and non-denominational primary school provision for the Blindwells settlement (BW1), it is intended that Blindwells primary school will be established initially at Cockenzie Primary School under a temporary "hosting" arrangement in sufficient time to accommodate primary aged pupils from the new housing developments at the Blindwells site (BW1).
- 9.4 An effective transition programme will be put in place to ensure continuity and progression in learning for those pupils attending Cockenzie Primary School as part of the "hosting" arrangement. The inclusion of children and families in the development of the new school from the outset should minimise any disruption to children's learning.
- 9.5 Parents of eligible pre-school children moving into planned housing in the affected area (BW1) would apply for early learning and childcare provision through the Council's existing Nursery Admissions processes.
- 9.6 Secondary pupils moving into planned housing in the affected area (BW1) following implementation of the proposal, if approved, will attend Preston Lodge High School. Denominational primary pupils will have the option to attend St Gabriel's RC Primary School if they wish to do so.

10. ALLEGED OMISSIONS OR INACCURACIES

- 10.1 Section (10) (3) of the Schools (Consultation) (Scotland) Act 2010 also places a requirement on the Council to provide details of any inaccuracy or omission within the Consultation Proposal Document which has either been identified by the Council or raised by consultees. This section of the 2010 Act also requires the Council to provide a statement on the action taken in respect of the inaccuracy or omission, or, if no action was taken, to state that fact and why.
- 10.2 At the start of the consultation period the Council omitted the Archdiocese of St. Andrews and Edinburgh from its list of consultees within the original Consultation

Proposal Document. The Council identified the omission two days after the start of the consultation period and contacted the Archdiocese of St. Andrews and Edinburgh immediately to notify them of the consultation. The Council publicly notified this omission in the documentation by publishing these details in the 'Omissions, Corrections & Amendments' document on the Consultation Hub.

10.3 There were no other areas identified by the Council or respondents as being inaccurate or omitted from the Consultation Proposal Document during the consultation period

11. COMPLIANCE WITH SECTION 9(1) OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010

11.1 Section 9(1) of the Schools (Consultation) (Scotland) Act 2010 states that:

After the Education Authority has received Education Scotland's report, the Authority is to review the relevant proposal having regard (in particular) to:

(i) written representations received by the Authority (from any person) during the consultation period,

(ii) oral representations made to it (by any person) at the public meeting,

(iii) Education Scotland's report.

11.2 Following receipt of eighty one questionnaire responses and consideration of oral representations made at a public meeting held during the consultation period, officers reviewed the proposal.

11.3 The feedback from the consultation was considered by relevant officers across a number of Council Services including Education, Finance, Planning, Property and Road Services. This ensured that the Council met the requirements of sections 9(1), 12 and 13(3) (b) of the 2010 Act.

11.4 Officers of the Education Authority have listened carefully to the points made at the public meeting and have considered equally carefully the written representations, including the Education Scotland report. 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).

12. LEGAL ISSUES

12.1 The Council has complied in full with the requirements of the Schools (Consultation) (Scotland) Act 2010 throughout this statutory consultation.

12.2 The Council is mindful of its duties in respect of equality and the Equality Impact Assessment did not identify that any parent, child or young person would be treated less favourably as a result of this proposal.

12.3 Under the terms of the Schools (Scotland) (Consultation) Act 2010, it is a legal requirement that the Council should not reach any formal decision without having reviewed the relevant proposal having regard, in particular, to:

- a) relevant written representations received from any person during the consultation period;
- b) oral representation made to it by any person at the public meeting held on 29th November 2016;
- c) the Education Scotland report;
- d) preparing a Consultation Report; and
- e) waiting until a period of three weeks starting on the day on which this Consultation Report is published in electronic and printed form has expired.

12.4 As it is the intention that this Consultation Report should be published, both electronically and in written form, if required, on 27th February 2017, this meets the statutory requirement to publish this report more than three weeks before consideration of the proposal by East Lothian Council.

13. PERSONNEL ISSUES

13.1 No personnel issues have been identified with regard to this proposal.

14. ENVIRONMENTAL ISSUES

14.1 The impacts of the proposals are assessed as set out above and the relevant technical and environmental information is published alongside the Proposed LDP. The interim environmental assessments, site assessments and other technical documents for the Main Issues Report and Proposed LDP are available on the Council's website.

15. CONCLUSION

15.1 The Council now has 3 options to consider, namely:

- a) adopt the proposal;
- b) 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;
- c) undertake a further consultation exercise on a new proposal.

15.2 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 planning housing developments in the Blindwells area (BW1).

15.3 Education Scotland has identified that the proposal would lead to clear educational benefits for children. This includes providing a modern, purpose built accommodation designed to meet the needs of its learners as well as providing a range of leisure and learning facilities which will potentially benefit the wider community.

15.4 If the Council adopts the proposal, it would be on the basis that the educational benefits set out in the Consultation Proposal Document would materialise. There would also be a requirement that close joint planning with parents/carers, staff and pupils, is well managed in ways which are supportive to the pupils concerned, and in their long term interests.

15.5 The key messages deriving from the consultation period are as follows:

- A clear majority of respondents to the questionnaire (88.9%) support the proposal to establish a new primary school facility with early learning and childcare for the Blindwells settlement (BW1). 3.7% of questionnaire respondents oppose this proposal and 7.4% have no opinion.
- A clear majority of respondents to the questionnaire (50.2%) support the proposal to host initially at Cockenzie Primary School before relocating until the new permanent facility is built. 25.9% oppose the “hosting” element and 23.9% have no opinion.
- A greater proportion of respondents to the questionnaire (46.9%) oppose the proposed revised catchment area for Preston Lodge High School. 43.2% support and 9.9% have no opinion.
- A greater proportion of respondents to the questionnaire (50.6%) oppose the proposed revised catchment area for St Gabriel’s RC Primary School. 33.3% support and 16.0% have no opinion.
- 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 and staff to discuss their views. Overall, pupils showed support for the proposal.

16. **RECOMMENDATIONS**

16.1 On the basis of the feedback received and taking account of the educational and social benefits of the proposal, it is concluded that the following proposal is the most suitable option and it is recommended that the Council approves the following:

- 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;

- The new primary school will be established initially at Cockenzie Primary School through a "hosting" arrangement until the new primary school building is complete;
- The new primary school will relocate to its permanent site on the completion of the new building;
- 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
- 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.

Fiona Robertson
Head of Education
February 2017

STATUTORY PUBLIC CONSULTATION MEETING

**CHANGE TO PRESTON LODGE HIGH SCHOOL CATCHMENT AREA AND ESTABLISHMENT OF
A NEW PRIMARY SCHOOL IN BLINDWELLS**

**TUESDAY 29 NOVEMBER 2016
PRESTONPANS COMMUNITY CENTRE**

PRESENT:

Fiona Robertson, Head of Education
Chris Webb, Independent Adviser, Chair of meeting
David Scott, Quality Improvement Officer
Liz Shaw, Corporate Finance Manager
Emma Taylor, Planning
Liz McLean, Property
Paul Zochowski, Planning
Rob Lewis, Senior Information Officer
Pauline Smith, Principal Officer (Information and Research)
Katy Johnstone, Graduate Intern
Councillor McKenzie
2 members of the public

Chris Webb welcomed everyone to the meeting and introduced the Council Officers present.

Chris Webb introduced himself and outlined the purpose of the meeting.
Fiona Robertson reiterated that this evening's meeting was being held to discuss the following proposal:

1. The establishment of a new school, with primary and early learning and childcare provision, for the Blindwells primary school catchment area.
2. Establishing the new primary school initially within Cockenzie Primary School and relocating to its permanent site on the completion of the new building.
3. The alteration to the Preston Lodge High School catchment area to include the Blindwells primary school catchment area, as defined by Blindwells new settlement (LDP Proposal BW1), currently in the Blindwells secondary catchment area (established in 2010).

4. The alteration to the St Gabriel's RC Primary School catchment area to include the Blindwells new settlement (BW1) in alignment with the proposed revised Preston Lodge High School catchment area.

Fiona then went on to explain the background of the consultation:

- The Strategic Development Plan for South East Scotland (SDP) was approved by Scottish Ministers in June 2013.
- The SDP with its Supplementary Guidance on Housing Land requires the Local Development Plan (LDP) to ensure sufficient housing land is available to deliver 10,050 homes during the period 2009-2024 with 6,250 of those homes capable of being delivered across East Lothian in the period to 2019.
- To accommodate these strategic development requirements, East Lothian Council approved a Proposed LDP 2016 for representation on 6th September 2016.
- On 24th February 2015, approval was given by East Lothian Council to undertake consultations relating to the school estate (schools, catchment areas, locations) as necessary to support the emerging LDP.
- As part of the LDP 2016, the Blindwells new settlement (area "A") is one of the main proposals retained from the LDP 2008.
- Blindwells settlement (area "A") is currently allocated for mixed use development and circa 1,600 homes.
- Land to east of Blindwells safeguarded to expand (to circa 6,000 homes).
- However: no comprehensive solution for the larger settlement to the east, as yet.
- The 1,600 homes in area "A" require a new primary education facility with early learning & childcare provision.
- Secondary provision for this housing development can be permanently provided by Preston Lodge High school, if housing does not expand beyond current allocation of 1,600 homes.
- If unable to grow beyond 1,600 homes, not a feasible solution to have a permanent on site secondary school at the Blindwells site, for the projected secondary pupil numbers.

Fiona outlined the catchment maps. Section A on the map shows the proposed addition to the current Preston Lodge High School and St Gabriel's RC Primary catchment areas.

Fiona then highlighted the proposal. To accommodate the projected pupil population from the current allocation (1,600 homes) the council proposes:

- Establish a permanent early learning & childcare and primary school capacity at the Blindwells site.
- Blindwells primary school established initially at Cockenzie Primary School, under a temporary “hosting” arrangement, for up to 36 months – until the permanent Blindwells primary school facility is delivered.

To accommodate the projected pupil population from the current allocation (1,600 homes) the council proposes:

- Secondary school capacity will be provided at Preston Lodge High School (via a permanent extension to the school). Preston Lodge would continue to serve the Cockenzie Primary School, Longniddry Primary School, Prestonpans Infant & Nursery/Primary Schools and St Gabriel’s RC Primary School catchment areas.
- Capacity will be provided at St Gabriel’s RC Primary School for projected denominational pupils arising from the Blindwells site (area “A”).

Fiona then went on to explain the projected population data:

- Blindwells Primary School: Projected Pupil Population for proposed 1,600 houses in area “A”, require peak school roll of 700 primary pupils (24 classes). Pre-school provision of 110 places.
- Projected pupils arising from area “A” in first 3 years (during “hosting” arrangement at Cockenzie Primary School:

August, Year 1 = 0 pupils (1 class)

August, Year 2 = 7 pupils (1 class)

August, Year 3 = 30 pupils (2 classes)

- **Preston Lodge High School:** Secondary pupils arising from housing with consent and LDP (including area “A”), in excess of 1500 (in 2036). Phased permanent extension required at school.
- **St Gabriels RC Primary School:** Projected peak roll of 238 pupils in 2036 (9 classes).

Fiona Robertson then outlined the Educational Benefits through:

- Providing a hub for learning, activities and facilities that will make a contribution to improving health and wellbeing and achievement;

- Shared flexible learning and teaching spaces in the new school will enable staff to work together in a collaborative manner and provide more opportunities for co-operative working between pupils;
- Enabling the full potential of the use of technologies to enhance learning and teaching.

Fiona went on to explain the “Hosting” and transition arrangements:

- Key priority for officers is development of “hosting” arrangement.
- Comprehensive transition programme to support transition into new school.
- Hosting arrangement will last up to 36 months – subject to acceptable start date and programming for development at Blindwells site.

Fiona summed up the project time line:

- Emerging Local Development Plan (LDP)
- Impact assessment of LDP on East Lothian School Estate
- Proposal of PLHS Catchment change & new primary at Blindwells
- Statutory Consultation
- Final Proposal Paper
- Council Approval (catchment established immediately)
- User Reference Group
- Transitional and Leadership Arrangements
- New primary school and nursery facility open

Chris Webb invited questions from the public.

Councillor McKenzie asked about the hosting at Cockenzie Primary School and sought clarification on when children come from Blindwells, will they share outside space but have a separate teacher and have their own identity.

Fiona Robertson confirmed that they will be separate and have separate teachers but will share outside space. They will have their own identity but in the interim there will be shared headship. Fiona Robertson stressed that there has to be flexibility around groupings and how best to provide the education. In terms of how the authority would look at forming classes and determining the best education provision, the authority will explore this when looking at the different stages of the children that materialise from the development as it moves on.

Andrew Crummy, Preston/Seton/Gosford Area Partnership asked when the proposed start date would be.

Paul Zochowski explained that there is no exact proposed start date as yet. Blindwells is a site that has been allocated for some time. There is a planning application in the system for Blindwells - which has not yet been approved - and from a Council's perspective, would like this to start as soon as possible. Liz McLean advised that some modelling has been done around the anticipated annual completion rates and this is what has informed the pupil role projections. The anticipated commencement date is 2021 for the housing completions to commence. There are very detailed discussions taking place at the moment with the developer and some of the technical issues around the site.

Pauline O'Brien, Chair of Preston Lodge Parent Council raised concerns about the phased extension at Preston Lodge High School and the disruption to pupils.

Fiona Robertson mentioned the expansion that is currently happening at Dunbar Grammar School. The department has supported the senior management team to provide additional management time to be released to ensure that disruption to pupils is as limited as possible.

Fiona also highlighted the opportunities that it gives the school to think about that additional provision and what will be provided in the additional provision.

Liz McLean advised that the council does have experience in expansion projects and particularly in the procurement of contractors. As much as possible there would be minimum disruption to the internal alterations, with this taking place during summer holiday period. There will be full consultation with the Education Department, School, Parent Council and Head Teacher.

Pauline O'Brien also raised concerns about the people who are living near the school as they could be living with a building site for a number of years and the residents may not be aware of this.

Liz McLean advised that this would have to be managed and would come into consideration in terms of the scale of each of the phases. David Scott mentioned the extension at Pinkie St Peter's Primary School and highlighted that there was minimal disruption in terms of the teaching and learning. Chris Webb reiterated that every step will be taken to minimise the impact on both the community and the children and young people.

Pauline O'Brien made reference to the 9 classes at St Gabriel' RC and felt that parents would automatically think about composite classes and thought that this might be one for reassurance to parents.

Fiona Robertson explained that the authority does operate composite classes across the school estate, however engagement with the community and the school around what the arrangements would be, will be important.

Pauline O'Brien asked if children will be transported to Preston Lodge High School and St Gabriels RC from Blindwells.

Fiona Robertson advised that the distance will be taken into account and the Transport Policy would be applied, however the pupils who are being hosted at Cockenzie Primary School will be transported.

The Officers were unable to provide the distance from Blindwells to Preston Lodge High School and St Gabriel's RC Primary School however Fiona Robertson agreed to provide information on this.

There will be a transport plan put in place and part of that plan would be to look at safer routes to school. Further information on the transport plan and infrastructure will be provided.

Andrew Crummy asked about the expansion to Preston Lodge High School and what that means.

Fiona Robertson explained that the expansion is to extend the number of classrooms within the building and the facilities. Liz McLean advised that the expansion will take account of the provision of pupils from the likely increase in accommodation. This will include anything from general classrooms to specialist spaces like science labs and social spaces. There will be new buildings required. There will be opportunities to improve and enhance what is already there.

Andrew Crummy then asked if there was any area of Preston Lodge that was 'lagging behind' at the moment and through this be able to upgrade.

Liz McLean advised that at the moment the school has the accommodation that it needs for the number of pupils.

Andrew Crummy then asked where the new facilities will be on the Preston Lodge site.

Liz McLean explained that the most likely area for expansion is to the east of the school and there is also some space to the west of the school.

Andrew Crummy also asked what the Preston Lodge High School roll will be when it reaches its peak.

Pauline Smith confirmed that it will increase to just over 1500, it is currently just over 1000. Pauline advised that there are a number of different housing proposals that are feeding in along with this development.

Andrew Crummy then asked if Preston Lodge would get more funding due to the increase in school roll.

Fiona Robertson advised that the funding would be in line with the increasing roll and the staffing required.

Andrew Crummy also asked what the average size of a secondary school was.

Fiona Robertson explained that the size of secondary schools vary quite considerably, however 1500 pupils would be slightly above average but it is hard to tell because school estates are changing all the time. The largest secondary school in Scotland has a school roll of 2000, which is in Glasgow.

Chris Webb highlighted that 1500 allows the school to offer a very rich curriculum for the pupils and can deliver a very good senior phase curriculum.

Andrew Crummy asked if there would be more consultation on this and how to engage more parents on this.

Fiona Robertson advised that the authority has engaged with Parent Councils, have invited Parent Council members to meetings and had drop in sessions. There has been a range of opportunities for the wider community to engage.

Councillor McKenzie suggested that it might help if this was on the agenda for each of the Parent Councils and Area Partnership meetings.

Pauline O'Brien suggested that perhaps because this has been spoken about for some time and perhaps once the community know that the building works have started, a more meaningful conversation could be had with the community.

Fiona Robertson advised that the authority does intend to engage as the development moves forward. The first stage is to move the proposal through for Council approval and there will be plans in place from that point forward in relation to the communication and engagement plan.

Chris Webb drew the meeting to a close and thanked everyone who attended the meeting.

Appendix 2:

This is a summary of each category of respondent, in relation to the extent to which they agree/disagree. Please Note: A respondent can identify as more than one category - therefore the totals in the tables below do not add up to the total number of responses received via questionnaire (81)

Q1 - To what extent do you agree or disagree with the proposal to establish a new primary school (with early learning and childcare) in the Blindwells primary school catchment area?

Table 1

All responses:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total	% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
	45	27	6		3	81	88.9%	3.7%

Table 2

Parent of Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total	% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	39	23	5		3	70	88.6%	4.3%
Preston Lodge High School	10	8	2		1	21	85.7%	4.8%
St Gabriel's RC Primary	27	21	5			53	90.6%	0.0%
Cockenzie Primary	5	1			2	8	75.0%	25.0%
Prestonpans Infant	7				1	8	87.5%	12.5%
Prestonpans Primary	4	1				5	100.0%	0.0%
Longniddry Primary		1				1	100.0%	0.0%
Other School	2					2	100.0%	0.0%

Table 3.../

Table 3

Parent of Future Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	23	4	1		3	31		87.1%	9.7%
Preston Lodge High School	14	2	1		3	20		80.0%	15.0%
St Gabriel's RC Primary	11	2				13		100.0%	0.0%
Cockenzie Primary	1				1	2		50.0%	50.0%
Prestonpans Infant	1				1	2		50.0%	50.0%
Prestonpans Primary	3				1	4		75.0%	25.0%
Longniddry Primary		1				1		100.0%	0.0%
Other School									

Table 4

Pupil Attending:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	1		1			2		50.0%	0.0%
Preston Lodge High School	1		1			2		50.0%	0.0%
St Gabriel's RC Primary									
Cockenzie Primary									
Prestonpans Infant									
Prestonpans Primary									
Longniddry Primary									
Other School									

Table 5.../

Table 5

Member of staff at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	4	4			1	9		88.9%	11.1%
Preston Lodge High School	1	2			1	4		75.0%	25.0%
St Gabriel's RC Primary	3					3		100.0%	0.0%
Cockenzie Primary									
Prestonpans Infant		1				1		100.0%	0.0%
Prestonpans Primary									
Longniddry Primary									
Other School		1				1		100.0%	0.0%

Table 6

"Other" Category	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
All "Other" Categories		1				1		100.00%	0.0%

Table 7

Parent of pupils aged:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	42	25	5		3	75		89.3%	4.0%
Not yet in Education	7	1				8		100.0%	0.0%
Pre-school Education (3-5 year old)	13	7			2	22		90.9%	9.1%
P1-P3	20	14	2		1	37		91.9%	2.7%
P4-P7	18	12	3		1	34		88.2%	2.9%
S1 - S6	10	8	2		1	21		85.7%	4.8%
No longer in school Education		1						100.0%	0.0%

Table 8

Catchment	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total	% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	45	27	6		3	81	88.9%	3.7%
Preston Lodge High School	14	10	2		1	27	88.9%	3.7%
St Gabriel's RC Primary	21	11	4			36	88.9%	0.0%
Cockenzie Primary	6	1			1	8	87.5%	12.5%
Prestonpans Infant	3	1			1	5	80.0%	20.0%
Prestonpans Primary	2	1				3	100.0%	0.0%
Longniddry Primary	1	1				2	100.0%	0.0%
Other School		2				2	100.0%	0.0%

Q2 - To what extent do you agree or disagree with the proposal to establish the new Blindwells catchment primary (and early learning and childcare) school at Cockenzie Primary School, through a hosting arrangement, until the new school building is complete?

Table 1

All responses:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total	% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
	13	28	19	6	15	81	50.2%	25.9%

Table 2

Parent of Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total	% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	11	24	18	2	14	69	50.2%	23.2%
Preston Lodge High School	1	7	7		6	21	38.1%	28.6%
St Gabriel's RC Primary	10	21	17	2	2	52	59.6%	7.7%
Cockenzie Primary		1			7	8	12.5%	87.5%
Prestonpans Infant	2	2	2		2	8	50.0%	25.0%
Prestonpans Primary	2	3				5	100.0%	0.0%
Longniddry Primary					1	1	0.0%	100.0%
Other School		1	1			2	50.0%	0.0%

Table 3

Parent of Future Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	8	6	6	2	8	30		46.7%	33.3%
Preston Lodge High School	4	3	5	1	7	20		35.0%	40.0%
St Gabriel's RC Primary	5	4	3	1		13		69.2%	7.7%
Cockenzie Primary					2	2		0.0%	100.0%
Prestonpans Infant					2	2		0.0%	100.0%
Prestonpans Primary	1	1			2	4		50.0%	50.0%
Longniddry Primary					1	1		0.0%	100.0%
Other School									

Table 4

Pupil Attending:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	1			1		2		50.0%	50.0%
Preston Lodge High School	1			1		2		50.0%	50.0%
St Gabriel's RC Primary									
Cockenzie Primary									
Prestonpans Infant									
Prestonpans Primary									
Longniddry Primary									
Other School									

Table 5.../

Table 5

Member of staff at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL		4	1	2	2	9		44.4%	44.4%
Preston Lodge High School		2		1	1	4		50.0%	50.0%
St Gabriel's RC Primary		1	1	1		3		33.3%	33.3%
Cockenzie Primary									
Prestonpans Infant		1				1		100.0%	0.0%
Prestonpans Primary									
Longniddry Primary									
Other School					1	1		0.0%	100.0%

Table 6

"Other" Category	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
All "Other" Categories					1	1		0.00%	100.0%

Table 7

Parent of pupils aged:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	12	26	19	4	14	75		50.7%	24.0%
Not yet in Education		1	4	1	2	8		12.5%	37.5%
Pre-school Education (3-5 year old)	4	8	5	1	4	22		54.6%	22.7%
P1-P3	9	15	5	1	7	37		64.9%	21.6%
P4-P7	4	12	13	2	3	34		47.1%	14.7%
S1 - S6	1	7	7		6	21		38.1%	28.6%
No longer in school Education		1				1		100.0%	0.0%

Table 8

Catchment	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total	% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	13	28	19	6	15	81	50.6%	25.9%
Preston Lodge High School	4	9	6	2	4	25	52.0%	24.0%
St Gabriel's RC Primary	7	13	12	2	2	36	55.6%	11.1%
Cockenzie Primary		1	1		4	6	16.7%	66.7%
Prestonpans Infant		3			2	5	60.0%	40.0%
Prestonpans Primary	2	1				3	100.0%	0.0%
Longniddry Primary				1	1	2	0.0%	100.0%
Other School		1		2	3	6	16.7%	83.3%

Q3 - To what extent do you agree or disagree with the proposal to extend the Preston Lodge High School catchment to include the Blindwells new settlement?

Table 1

All responses:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total	% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
	14	21	8	15	23	81	43.2%	46.9%

Table 2

Parent of Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total	% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	10	20	8	13	19	70	42.9%	45.7%
Preston Lodge High School	3	3	4	4	7	21	28.6%	52.4%
St Gabriel's RC Primary	10	16	8	12	7	53	49.1%	35.8%
Cockenzie Primary		2			6	8	25.0%	75.0%
Prestonpans Infant	1	3			4	8	50.0%	50.0%
Prestonpans Primary	1	1			3	5	40.0%	60.0%
Longniddry Primary					1	1	0.0%	100.0%
Other School		1			1	2	50.0%	50.0%

Table 3

Parent of Future Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	4	5	2	4	16	31		29.0%	64.5%
Preston Lodge High School	3	2	1	1	13	20		25.0%	70.0%
St Gabriel's RC Primary	2	3	1	3	4	13		38.5%	53.8%
Cockenzie Primary					2	2		0.0%	100.0%
Prestonpans Infant					2	2		0.0%	100.0%
Prestonpans Primary		1			3	4		25.0%	75.0%
Longniddry Primary					1	1		0.0%	100.0%
Other School									

Table 4

Pupil Attending:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	1			1		2		50.0%	50.0%
Preston Lodge High School	1			1		2		50.0%	50.0%
St Gabriel's RC Primary									
Cockenzie Primary									
Prestonpans Infant									
Prestonpans Primary									
Longniddry Primary									
Other School									

Table 5.../

Table 5

Member of staff at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	3	1		2	3	9		44.4%	55.6%
Preston Lodge High School	3				1	4		75.0%	25.0%
St Gabriel's RC Primary		1		1	1	3		33.3%	66.7%
Cockenzie Primary									
Prestonpans Infant				1		1		0.0%	100.0%
Prestonpans Primary									
Longniddry Primary									
Other School					1	1		0.0%	100.0%

Table 6

"Other" Category	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
All "Other" Categories					1	1		0.0%	100.0%

Table 7

Parent of pupils aged:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	11	21	8	14	21	75		42.7%	46.7%
Not yet in Education	1	2			5	8		37.5%	62.5%
Pre-school Education (3-5 year old)	3	9	1	3	6	22		54.5%	40.9%
P1-P3	7	11	2	9	8	37		48.6%	45.9%
P4-P7	3	11	5	5	10	34		41.2%	44.1%
S1 - S6	3	3	4	4	7	21		28.6%	52.4%
No longer in school Education									

Table 8

Catchment	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total	% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	14	21	8	15	23	81	43.2%	46.9%
Preston Lodge High School	6	5				11	100.0%	0.0%
St Gabriel's RC Primary	5	10	6	8	7	36	41.7%	41.7%
Cockenzie Primary		2			4	6	33.3%	66.7%
Prestonpans Infant		3			2	5	60.0%	40.0%
Prestonpans Primary	1	1		1		3	66.7%	33.3%
Longniddry Primary					2	2	0.0%	100.0%
Other School	2				2	4	50.0%	50.0%

Q4 - To what extent do you agree or disagree with the proposal to extend the St Gabriel's RC Primary School catchment area to include the Blindwells new settlement?

Table 1

All responses:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total	% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
	11	16	13	19	22	81	33.3%	50.6%

Table 2

Parent of Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total	% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	9	13	12	17	19	70	31.4%	51.4%
Preston Lodge High School	1	5	5	4	6	21	28.6%	47.6%
St Gabriel's RC Primary	7	11	6	16	13	53	34.0%	54.7%
Cockenzie Primary		2	5		1	8	25.0%	12.5%
Prestonpans Infant	2	1	1	3	1	8	37.5%	50.0%
Prestonpans Primary		2		1	2	5	40.0%	60.0%
Longniddry Primary					1	1	0.0%	100.0%
Other School				2		2	0.0%	100.0%

Table 3

Parent of Future Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	4	3	5	8	11	31		22.6%	61.3%
Preston Lodge High School	3	1	4	4	8	20		20.0%	60.0%
St Gabriel's RC Primary	1	2		5	5	13		23.1%	76.9%
Cockenzie Primary			2			2		0.0%	0.0%
Prestonpans Infant				1	1	2		0.0%	100.0%
Prestonpans Primary		1	1	1	1	4		25.0%	50.0%
Longniddry Primary					1	1		0.0%	100.0%
Other School									

Table 4

Pupil Attending:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	1		1			2		50.0%	0.0%
Preston Lodge High School	1		1			2		50.0%	0.0%
St Gabriel's RC Primary									
Cockenzie Primary									
Prestonpans Infant									
Prestonpans Primary									
Longniddry Primary									
Other School									

Table 5.../

Table 5

Member of staff at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	1	2	1	2	3	9		33.3%	55.6%
Preston Lodge High School	1	2	1			4		75.0%	0.0%
St Gabriel's RC Primary				1	2	3		0.0%	100.0%
Cockenzie Primary									
Prestonpans Infant				1		1		0.0%	100.0%
Prestonpans Primary									
Longniddry Primary									
Other School					1	1		0.0%	100.0%

Table 6

"Other" Category	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
All "Other" Categories					1	1		0.0%	100.0%

Table 7

Parent of pupils aged:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	9	15	12	18	21	75		32.0%	52.0%
Not yet in Education		1	1	3	3	8		12.5%	75.0%
Pre-school Education (3-5 year old)		3	6	1	5	7	22	40.9%	54.5%
P1-P3		7	8	7	8	7	37	40.5%	40.5%
P4-P7		3	8	5	9	9	34	32.4%	52.9%
S1 - S6		1	5	5	4	6	21	28.6%	47.6%
No longer in school Education			1				1	100.0%	0.0%

Table 8

Catchment	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	11	16	13	19	22	81		33.3%	50.6%
Preston Lodge High School	5	5	4	4	7	25		40.0%	44.0%
St Gabriel's RC Primary	4	5	4	12	11	36		25.0%	63.9%
Cockenzie Primary		2	2	1	1	6		33.3%	33.3%
Prestonpans Infant	1	1	1	1	1	5		40.0%	40.0%
Prestonpans Primary	1	1			1	3		66.7%	33.3%
Longniddry Primary					1	1		0.0%	100.0%
Other School		2	2			4		50.0%	0.0%

Appendix 3 - Comments from Questionnaire responses

Of the 81 questionnaire responses, 15 declined permission to publish their comments. However, their representations have been taken account of and responded to in this Consultation Report. The summary of comments below, were made from the remaining 66 responses who gave permission to share their comments.

COMMENT
I am concerned with the level of new housing and how this will impact on current services in the vicinity. I have two children who currently fall into the Prestonpans cluster therefore depending on when this change may or may not take place, could have an impact on friendship made at primary school age, if friends then end up at different schools. Clarification via primary schools is important. Will Longniddry remain in this cluster or perhaps become part of the North Berwick cluster? Many children already attend NB from Longniddry.
Surely if the amount of housing being placed in the area of blindwell site the building of a primary school should be one main priorities for developers instead of money gained from housing. Primary schools in area are all ready near capacity what will extra numbers do to class sizes. And if integration of numbers for Preston lodge does go ahead what measures are in place for these extra numbers or have kids just to be crammed in to fit.
Preston lodge is steeped in a rich history of local villages as because of this PL celebrates a strong sense of community. The diversity works and has always worked It should not be messed with. It would mean dramatic negative changes to more than just the school environment. It would see many community groups losing their identity and split from long established links with businesses and clubs. This move has more at risk here than a mere rerouting of a school bus
I feel Prestonpans catchment area is already at bursting point and to add another 4000 houses to the mix would just create more problems. The last development of houses within Prestonpans catchment was not taken into consideration with the local schools and to add further to this infrastructure would not be in the best interests of our children already attending the primary and high schools.
I am concerned preston lodge will become too large, and it will impact on my younger sons education. I worry about class sizes, and too many children which may have social issues disrupting the classes more than they are now. As it stands preston lodge is struggling, as proved by exam league tables.
Sorry forgot to mention disruption of primary years at cockenzie whist nw school us built, taking in extra children. These years are so important, the building blocks of their school journey. Where learning is done at such a fast pace. I believe any larger classes will affect this, and not give my son the best education he deserves, in the most important years of his life. ADDED to my concerns for preston lodge in later years. The school struggles to perform now, and I worry that increasing numbers so much will impact on his education.
Our schools are bursting at the seams. Preston lodge are struggling to teach the kid that are already there , never mind adding more. And good old council just like the meeting for the proposals at Cockenzie power station land you put it in one news paper and sneak everything past the community that it involves . It's about time our elected councillors started listening to the people that voted for them.
If there is significant building at Blindwells then is there not justification to ensure the builders build schooling in the Blindwells area for both primary and secondary at the start of the building process.

COMMENT

A new primary school in Blindwells is necessary to provide children with the best education possible and avoid overloading other primaries.

I think adding Blindwells to Prestonlodge High school seems to make sense however, I am concerned about the size of the school in terms of numbers of pupils. I'd be interested to know if Prestonlodge will be refurbished and expanded or if it will be a brand new building. It seems that at the moment some parts of the school have seen better days, Some parts of the grounds are grey and unwelcoming. A new building would fit an education of the 21st century.

Also have questions about keeping St Gabriel's as a Catholic school. Could it not be another non denominational school to accommodate all the new houses which have been built in Prestonpans? East Lothian does not have a Catholic high school and the nearest are St David's in Dalkeith or Holyrood in Edinburgh. It seems to me people send their children to St Gabriel's because it is a small school, near their home or saves them the journey between the Infant school and the primary school of they have several children....but not for religious reasons.

I agree with the proposal to invest in and provide good quality primary and secondary education close to where families live locally.

the class sizes at cockenzie primary school are already large - there is also issues in relation to staffing re teacher numbers. I can see this having a significant impact on the current pupils who attend this school in relation to their learning.

St Gabriel's can more concentrate on pupils if classes are not so big.

PL High School has already lots of pupils and I don't think it can cope with more

Our schools all need extended/updated.

They cannot accept another catchment.

The class sizes already exceed the SNP promise of smaller class sizes.

Teachers would be under pressure and the pupils will not receive the education they deserve.

Fed up of giant schools! East Lothian is being swamped by new housing and schools juts keep getting bigger.

Not enough information. This is first I have heard of this.

St Gabriel's needs a significant extension before it can be used to cover the area.

There are a lot of new build houses and schools are already overloaded. New school is necessary in Prestonpans area.

There is no space in St Gabriel's to do this unless an extension of the school was planned.

St Gabriel's PS already receives more applications than there are places - will St Gabriel's be extended to accommodate the increased catchment area?

What happens to catholic children who live in catchment but cannot get a place at their local catchment catholic school?

As usual Cockenzie is being disregarded by ELC - remember wind turbine development plans.

Why should pupils, teachers and parents at CPS be disadvantaged by a huge housing development being built.

COMMENT

Why do the developers who are going to make plenty profit from the development, build the school at the same time as the houses? Why should the community be disadvantaged by greed of developers and Council?

Why should we pay council tax for inferior child education?

Why is there no consultation at CPS which is going to be affected by the issue - ELC trying to railroad plans through.

If a new school is built then the catchment area should be Tranent. There are enough children already in the catchment area for St Gabriel's and Preston Lodge.

Preston Lodge High School would require significant upgrading. Potential for a new high school to be built on the old power station site perhaps?

There will need to be infrastructure investment to cope with increased numbers. St Gabriel's will need to be expanded to cope with at least two classes per year. Extra building work/new buildings needed.

Education is being stretched currently due to house building in Prestonpans, therefore new estate at Wallyford should cover the Wallyford and Musselburgh catchment

As it is, Prestonpans Primary/Infant Schools cannot cope with the intake of new families coming to the area. All of our schools cannot make provision for anymore families coming to Prestonpans. How these houses were built in the first place before a new school was even built is beyond me. Why has Wallyford and Tranent been given new schools?

Appendix 4 – Pupil Voice Interviews

The Pupil Voice Interviews were a structured workshop session with a representative group of pupils from the school. The following are summaries of the discussions and questions/answers.

PUPIL VOICE

COCKENZIE PRIMARY SCHOOL P1 –P7 PUPIL REPRESENTATIVES

15th November 2016

David Scott and Pauline Smith met with a group of about six pupils and the Head Teacher. David Scott described the proposal and then there was a group discussion around the following questions, the responses are listed below.

What do you think of having a school in Blindwells?

Could be a lot more pupils, almost same size as Cockenzie

Friendly with new pupils who move in

How could you make good relationships with new children?

Find out similarities/likes/dislikes

Play with them

Are there any issues if have different school sharing playground/lunch? Small classes/split stages?

Could do activities together - Assembly Bingo, PE

Invite them for different things we do in school, make them feel welcome

What rooms could use or should they have their own annexe?

ICT room/ class space

Own annexe/separate class rather than 1 or 2 within existing class

Blindwells class would be better in the annexe

Music room could double-up elsewhere in another class, possibly ICT etc

Any difficulties with hosting?

HT - consult in Action Teams and feedback to dept

What about textbooks etc?

May share accommodation but would have own resources for things like that

Would school lunches still be the same?

HT - Yes, in terms of same lunch times. Maybe Blindwells pupils sit with you for lunch.

PUPIL VOICE

ST GABRIEL'S RC PRIMARY SCHOOL

P1 –P7 PUPIL REPRESENTATIVES

16th November 2016

David Scott and Katy Johnstone met with a group of pupils. David Scott described the proposal and then there was a group discussion around the following questions, the responses are listed below.

Why do we need to get children into a school? (rough approximation of question)

In case they get hurt – children from houses

Children are entitled to an education

What do you think of the school?

Its good but we need more children

What's good about the school?

It's enjoyable

Everything is planned out

Good teachers

The Right to respect

Good because it believes in Jesus

The teachers get on well

The big playground area is good

There is a good quiet zone

Not every class is crammed

What could be improved?

Could do more to respect the world and nature

Would like a yearbook with things like Class clown etc

Bigger variety of books, not that much to read at a higher level

What do you think of more pupils coming into the school?

Wouldn't mind

Distract learning

Harder for teachers and pupils

Got to get used to it

Worried about space, some classes are full, some almost

Not really any spare rooms in the school

Good to have more students

More friends but probably need an extension

Overall good – more friends but issue with space

Would need a bigger kitchen

Need a bigger hall, wouldn't have enough space if more children

Depends on the amount of children that come in, may need more classes e.g. P1 and P1A

Could get rid of the PE cupboards for space – move them to the basement

How would you welcome new pupils?

Welcome in the assembly

Make friends with them

Make them feel at home

Be nice to them, hope they are comfortable

Celebration for them if a lot come in at the same time

Someone shows them around and looks after them

What would you want if you were a new pupil?

Expect people to be friendly – makes them feel at ease

Go in for half a day before you start to see what it's like

Do the small things – good first impressions

Don't try too hard, don't be too nicey nicey, be cool

Overall Feeling

No big issues with children coming in, they should be welcome

Should be able to join any school – should feel they are welcome in the same way everywhere.

PUPIL VOICE

PRESTON LODGE HIGH SCHOOL

S1 –S6 PUPIL REPRESENTATIVES

15th November 2016

David Scott and Pauline Smith met with a group of pupils. David Scott described the proposal and then there was a group discussion around the following questions, the responses are listed below.

How do you feel about more pupils coming into the school?

Would be a welcoming school but need adequate resources and facilities in place.

Look for expansion of school to accommodate them: Class sizes, Teachers

What about the Social Spaces in the school?

Currently more people go out than use social spaces – timeout from school, lunches

They're in wrong place/not big enough/boring/garden (cold)

Corridors are used more, leads to crowding

Canteen/ maths social area for senior pupils but juniors don't have own space

Social space for each year group would help – lack of spaces at the moment.

Classrooms?

Good sized and good number of pupils

Study space is an issue for senior pupils

Assembly not always appropriate – no PCs, not necessarily a quiet space and only part of space is for study

Social studies computer base is available but small room and it's also used in class time

Layout of School?

Sometimes classes are spread out in terms of scheduling

Does space lend itself for positive behaviour?

Lots of nooks and crannys.

Littering

Not that open plan, narrow corridors.

Staff room in awkward place for circulation and moving from one class to next

Sports Facilities?

Good facilities

PE classbase smaller now, staffing increase

Changing rooms are small for whole year groups and scattered around

Music practice rooms small too

How to welcome new pupils to school?

Paired up in classes

Regular meetings with guidance teacher

Signage would help, none just now for this

How could help transition in, establish relationships/friendships?

Pairing up, map of school

Courses – could be coming from different senior phases – how do you integrate into that?

Introduce them to the guidance teacher

Encourage them to join groups – find out what they like

Clubs – many in school, open to all?

Sport clubs (£30 registration fee to join each sport – Active schools)

Clubs in library – magazine club, coding club

STEM club run by CDT

Subject specific clubs

Need to be advertised better

Would a Pupil group actively engaged in inducting throughout the year help?

Yes but takes responsibility off others in class

General Feeling?

Okay with the proposal

Appendix 5: Education Scotland Report

Report by Education Scotland addressing educational aspects of the proposal by East Lothian Council to establish a new primary school for Blindwells and alter the catchment area of Preston Lodge High School to include the Blindwells new settlement.

1. Introduction

This report from Education Scotland has been prepared by HM Inspectors in accordance with the terms of the *Schools (Consultation) (Scotland) Act 2010* and the amendments contained in the *Children and Young People (Scotland) Act 2014*. The purpose of the report is to provide an independent and impartial consideration of East Lothian Council's proposal to establish a new primary school for Blindwells and alter the catchment area of Preston Lodge High School to include the Blindwells new settlement. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal. Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include a copy of this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision. Where a council is proposing to close a school, it needs to follow all legislative obligations set out in the 2010 Act, including notifying Ministers within six working days of making its final decision and explaining to consultees the opportunity they have to make representations to Ministers.

1.1 HM Inspectors considered:

- the likely effects of the proposal for children and young people of neighbouring schools; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and young people in the council area;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

1.2 In preparing this report, HM Inspectors undertook the following activities:

- attendance at the public meeting held on 29 November 2016 in connection with the council's proposals;

- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related
- consultation documents, written and oral submissions from parents and others; and
- visits to the site of the proposed new school, Cockenzie Primary School, St Gabriel's RC Primary School, Prestonpans Primary School and Preston Lodge High School, including discussion with relevant consultees.

2. Consultation Process

2.1 East Lothian Council undertook the consultation on its proposal(s) with reference to the *Schools (Consultation) (Scotland) Act 2010* and the amendments in the *Children and Young People (Scotland) Act 2014*.

2.2 The council consulted on the overarching proposal and also on the following associated elements:

- a new primary school with early learning and childcare provision will be established for the Blindwells primary school catchment area;
- the new primary school will be established initially at Cockenzie Primary School through a 'hosting' arrangement until the new primary school building is complete when the new school will transfer to its final site;
- the Preston Lodge High School catchment area will be extended to include the Blindwells new settlement and replace the Blindwells secondary catchment area established in 2010; and
- the St Gabriel's RC Primary School catchment area will be extended to include the Blindwells new settlement in alignment with the proposed revised Preston Lodge High School catchment area.

2.3 The consultation process ran from 8 November 2016 to 20 December 2016. During this period the council held a public meeting at Prestonpans Community Centre which was attended by two parents or other members of the public. Statutory consultees, including Parent Councils of the schools directly involved and the three Community Councils of Longniddry, Cockenzie and Port Seton and Prestonpans, were informed of the consultation in writing. Consultation documentation was published on the East Lothian Council website and copies were available for public consultation at several venues during the consultation period, including the schools concerned. A proforma questionnaire and an email address were made available for responses. The council received 81 responses. Of the responses which provided an overall view about the council's proposal, almost all expressed support. There were considerable differences in responses to the detailed elements in the proposal. The element relating to hosting the new school in Cockenzie Primary School was supported by just less than half of those who responded. The element to extend the catchment area of

Preston Lodge High School was supported by just under half of the respondents. The element to extend the catchment area of St Gabriel's RC Primary School was supported by just over a quarter of all respondents. Stakeholders who met with HM Inspectors felt that the council had provided good opportunities for being consulted and for giving their views.

3. Educational Aspects of Proposal

3.1 This proposal involves a change to the existing St Gabriel's RC Primary School catchment area, Preston Lodge High School catchment area and Blindwells secondary catchment area. A new primary school will also be established for the Blindwells area. This school has still to be built but will serve planned new housing developments in the Blindwells area on the edge of Prestonpans. The affected area of land currently contains no residential properties. The new primary school will be established initially at Cockenzie Primary School through a 'hosting' arrangement for up to 36 months until the new Blindwells primary school building is complete. Upon completion, the new primary school will relocate to its permanent site.

3.2 The planned new Blindwells primary school will accommodate the projected school roll arising from the proposal. It has the potential to provide children who will attend the new school with a purpose-built learning environment well-suited to their learning needs. East Lothian Council has successfully developed new schools in a number of its communities.

3.3 Almost all parents, pupils and staff who met with HM Inspectors support the proposal. Given that the new housing development has not yet commenced, there were many areas relating to the practicalities of hosting the new Blindwells primary pupils within Cockenzie Primary School and the pressure on the capacity of St Gabriel's RC Primary School to meet an increase in requests to attend a denominational school that were unclear at this time. There is still further detail to be supplied on the timeline for extensions to both Preston Lodge High School and St Gabriel's RC Primary School as the proposal shows that both schools will be significantly over capacity as a result of the proposed extension of their catchment areas. East Lothian Council should continue to liaise and communicate with staff, parents, young people and other stakeholders.

3.4 In taking forward its proposal, the council should continue to work with stakeholders and the Headteachers, Parent and Pupil Councils of the Preston Lodge High School cluster and the Prestonpans, Port Seton and Gosford Area Partnership. The council should ensure that interim transition arrangements apply to children living in the new Blindwells housing development who will be initially 'hosted' at Cockenzie Primary School and children who attend Cockenzie Primary School. During the interim 'hosting' period the council should provide both groups of children with a high quality education. These transition arrangements relate to class arrangements and use of existing classroom space as the first groups of children from the new Blindwells catchment begin to attend Cockenzie Primary School. Parents, children and staff from all schools visited by HM Inspectors also wished to continue to be consulted about staffing, safe routes to school, enrolment in the Cockenzie Primary School nursery and access to popular and well attended after school and school holiday programmes. East Lothian Council should continue to do this. The council should

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 school.

4. Summary

East Lothian Council's 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. 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.

Almost all stakeholders who met with HM Inspectors support the proposal. In taking its proposal forward, the council should continue to engage with all stakeholders.

**HM Inspectors
Education Scotland
January 2017**

REPORT TO: East Lothian Council

MEETING DATE: 28 March 2017

BY: Depute Chief Executive (Resources and People Services)

6

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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DATE	13 th March 2017



EAST LOTHIAN COUNCIL
RESOURCES AND PEOPLE SERVICES
EDUCATION
CONSULTATION REPORT

**REPORT ON THE OUTCOME OF THE CONSULTATION ON THE PROPOSED
CHANGE TO THE LETHAM MAINS PRIMARY SCHOOL CATCHMENT AREA**

February 2017

This Consultation Report has been issued by East Lothian Council in accordance with the Schools (Consultation) (Scotland) Act 2010.

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EAST LoTHIAN COUNCIL

RESOURCES AND PEOPLE SERVICES

EDUCATION

This report has been prepared following consultation on the following proposal:

- The Letham Mains Primary School catchment area will be extended 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.

This proposal **directly affected** the following schools:

- Haddington Infant School
- King's Meadow Primary School

Having had regard (in particular) to:

- a) Relevant written representations received by the Council (from any person) during the consultation period
- b) Oral representations made to it (by any person) at the public meeting held on 1st December 2016
- c) Oral representations made to it at the public drop-in session
- d) Oral representations made to it at the pupil voice sessions
- e) Education Scotland's report on the proposal

1. INTRODUCTION

1.1 This is a Consultation Report prepared in compliance with the Schools (Consultation) (Scotland) Act 2010 on the above proposal.

1.2 The purpose of this report is to:

- Provide a record of the total number of written responses made during the Statutory Consultation period;
- Provide a summary of the written responses;
- Provide a summary of oral representations made at the public meeting held on 1st December 2016;
- Provide a statement of the Council's response to those written and oral representations;
- Provide the full text of Education Scotland's report and a statement of the Council's response to this report;
- State how the Council reviewed the above proposal following the representations received during the Statutory Consultation period and the report from Education Scotland;
- Provide details of any omission from, or inaccuracy in, the Consultation Proposal Document and state how the Council acted upon it; and
- State how the Council has complied with Section 12 of the Schools (Consultation) (Scotland) Act 2010 when reviewing the above proposal.

2. BACKGROUND

2.1 Education Authorities have a statutory duty in terms of the Education (Scotland) Act 1980 to make adequate and efficient provision of school education across their area. This duty applies in respect of both the current school population and anticipated pattern of demand. In addition, Councils have a statutory duty to secure best value in terms of the Local Government in Scotland Act 2003. Most importantly, the Education Authority would wish to optimise the educational experience to ensure:

- East Lothian's young people are successful learners, confident individuals, effective contributors and responsible citizens;
- East Lothian's children have the best start in life and are ready to succeed;
- East Lothian's children experience equality of opportunity within an inclusive educational experience'
- East Lothian's children's care, welfare and personal and social development is central to raising their attainment and achievements; and
- In East Lothian we live healthier, more active and independent lives.

- 2.2 East Lothian Council is committed to raising educational attainment and ensuring that all children and young people have the best opportunities in life. The educational benefits that will arise from this proposal for children affected or likely to be affected are outlined in the Consultation Proposal Document.
- 2.3 The Strategic Development Plan (SDP) for South East Scotland was approved by Scottish Ministers in June 2013. The SDP with its Supplementary Guidance on Housing Land requires the Local Development Plan (LDP) to ensure sufficient housing land is available to deliver 10,050 homes during the period 2009 – 2024 with 6,250 of those homes capable of being delivered across East Lothian in the period to 2019.
- 2.4 In order to accommodate these strategic development requirements for East Lothian, East Lothian Council approved a Proposed LDP 2016 for representation on 6th September 2016. The Proposed LDP sets out East Lothian Council's proposed spatial strategy for East Lothian. As part of this, the Land at Letham Mains Expansion, Haddington (HN2) is one of the main development proposals in the Haddington Cluster which is proposed to be allocated for a development of circa 275 homes.
- 2.5 The Letham Mains Expansion (HN2) will form an extension of the original Letham Mains allocation (LDP Proposal HN1, *hereinafter referred to as 'HN1'*), which is proposed to be allocated for a mixed use development for circa 800 homes plus education and community facilities
- 2.6 Significant additional education capacity at primary and secondary level will be needed to support the new housing development proposed in the Haddington cluster including a planned new primary school for the original strategic housing site allocation at Letham Mains (HN1). The Council must ensure provision is and can be made for the education of children in its area, and therefore wants to align the future provision of additional education capacity with its proposed development strategy for the area.
- 2.7 In Haddington there is significant constraint in primary education capacity. Haddington Infant School and King's Meadow Primary School have significant capacity constraints beyond that needed to accommodate the proposed sites.
- 2.8 Whilst a new primary school is planned at Letham Mains (HN1) and a catchment area is associated with the new primary school, approved at Council Committee for Education on 15th March 2011, the school has not yet been delivered and will be required to enable the development of the site at Letham Mains.
- 2.9 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. 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.

2.10 The Letham Mains Primary School will also need to be further extended to accommodate the proposed expansion of the Letham Mains allocation (HN2).

2.11 On 24th February 2015, approval was given by East Lothian Council to undertake consultations relating to the school estate (i.e. schools, catchment areas, locations) as necessary to support the emerging 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.

2.12 The proposed revised catchment area for Letham Mains Primary School will directly affect the following schools and was considered in the Consultation Proposal Document:

- Haddington Infant School
- King's Meadow Primary School

3. CONSIDERATIONS

3.1 The main considerations relating to the alterations to the Letham Mains Primary School, Haddington Infant School and King's Meadow Primary School catchment areas are fully explained in the Consultation Proposal Document and the main points are highlighted below:

- The need to address early learning & childcare and primary education provision for the Letham Mains Expansion area (HN2) and create a sustainable school estate for future generations;
- The increasing pupil roll projection in the area;
- The condition and suitability of the establishments to facilitate learning and teaching processes in the 21st Century; and
- The need to develop inspirational learning environments which raise the aspirations of children and young people, staff and the wider community.

4. THE CONSULTATION PROCESS

4.1 The Council has met the minimum requirements set out in the Schools (Consultation) (Scotland) Act 2010 with regards to ensuring the views of all members of the community were listened to and their views are included in this report. The Council believes that this report accurately reflects the views of the community, which have been gathered through a range of engagement events and response mechanisms. It is

for members of East Lothian Council to decide to adopt the proposal, withdraw it or seek to consult on another proposal.

- 4.2 On 24th February 2015, approval was given by East Lothian Council to undertake consultations relating to the school estate (i.e. schools, catchment areas, locations) as necessary to support the emerging 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.
- 4.3 Notification of the consultation was given to all statutory consultees prior to the commencement of the consultation.
- 4.4 The Consultation Proposal Document was published on East Lothian Council's website and paper copies distributed on 8th November 2016 to:
- Haddington Infant School
 - King's Meadow Primary School
 - St Mary's RC Primary School
 - Knox Academy
 - Compass School, Haddington
 - Pear Tree Nursery, Haddington
 - Pumpkin Patch Nursery, Haddington
 - John Gray Centre, Haddington
 - John Muir House, Haddington
- 4.5 The consultation period commenced at 12.00am on **Tuesday 8th November 2016** and lasted until 12.00am on **Wednesday 21st December 2016**, being a period of six weeks, which also included the statutory minimum 30 school days.
- 4.6 The proposal on which consultation took place was to:
- Extend Letham Mains Primary School catchment area to include the land at Letham Mains 'South West Field', referred to as Letham Mains Expansion (HN2), and remove this area of land from the Haddington Infant School and King's Meadow Primary School catchment areas.
- 4.7 The requirements for consulting on a relevant proposal relating to schools are set out in the Schools (Consultation) (Scotland) Act 2010.
- 4.8 An information leaflet setting out details about the proposal and consultation meetings was issued to the consultees listed in the Consultation Proposal Document. Advice on where the complete Consultation Proposal Document could be obtained was included and was published on East Lothian Council's Consultation Hub <https://eastlothianconsultations.co.uk/education/lethammains-catchment>

4.9 If requested, copies of the proposal would have been made available in alternative formats or translated for readers whose first language is not English.

4.10 A “Frequently Asked Questions” document was also prepared which was available at the same location on East Lothian Council’s Consultation Hub: <https://eastlothianconsultations.co.uk/education/lethammains-catchment>

4.11 An advertisement was placed in the local newspaper on **10th November 2016** and **1st December 2016**. A pre-announcement was also made on the Council’s website and social media posts on the **7th November 2016**. In addition, there were announcements related to the consultation process on East Lothian Council’s website, linked via a Facebook page and Twitter feeds.

4.12 The public meeting was held in **Haddington Town House** on **1st December 2016 at 7.00pm**.

4.13 In addition to specific meetings with statutory consultees, a drop-in session was held in respect of the proposal at the venue below, at which any members of the public were welcome to attend:

Venue	Date	Time
King’s Meadow Primary School	22 November 2016	12:00pm – 5:00pm

4.14 In accordance with statutory requirements, the following persons, including those indirectly affected, were consulted:

- The Parent Councils of Haddington Infant School and King’s Meadow Primary School;
- The parents of pupils at Haddington Infant School and King’s Meadow Primary School;
- The parents of any children expected to attend Haddington Infant School and King’s Meadow Primary School within two years of the date of publication of the proposal paper;
- The pupils at Haddington Infant School and King’s Meadow Primary School;
- The staff at Haddington Infant School and King’s Meadow Primary School;
- Haddington & Lammermuir Area Partnership;
- Haddington Community Council.

4.15 The following schools are **directly affected** by the proposal:

- Haddington Infant School
- King’s Meadow Primary School

4.16 The following schools are **indirectly affected** by the proposal:

- Knox Academy
- St Mary’s RC Primary School

4.17 Representations were sought from statutory consultees and the wider public in the following ways:

- An online questionnaire on East Lothian Council's Consultation Hub. The questionnaire asked specific questions and enabled general comments and views to be entered. The Consultation Hub stored all relevant consultation documentation for public viewing;
- Widely distributed paper copies of the same questionnaire, at Council buildings in Haddington. Sealed boxes were also located at questionnaire distribution points for their return;
- Paper and digital flyers, in addition to the press adverts and Council web and social media announcements linked to the Consultation Hub. These flyers also detailed a specific Education Consultations email inbox, to which any queries could be submitted during the consultation period;
- Flyer distribution to pupils at Haddington Infant School, King's Meadow Primary School, St Mary's RC Primary School and Knox Academy. Head Teachers used their established methods of communication to engage/remind parents about the consultation and the Education Scotland independent evaluation visit.
- In addition to the public meeting, staff at the affected schools were also invited to attend the public drop-in session to discuss the proposal;
- A representative group of pupils from both current catchment schools attended a workshop where they were able to express their views on the proposal;
- All Parent Councils in the Haddington Cluster were invited to attend a joint meeting to discuss the proposal.

4.18 This Consultation Report is the Council's response to the issues raised during the consultation period on the Consultation Proposal Document.

4.19 This Consultation Report will be published for a period of three weeks before a final decision is taken by East Lothian Council on 28th March 2017.

5. THE PUBLIC MEETING

5.1 A public meeting was held in Haddington Town House on Thursday 1st December 2016 which was attended by four members of the public. A full note of the meeting is attached at Appendix 1 which details the questions and issues raised at the meeting. The points raised are addressed within the response to Frequently Asked Questions or within this report.

5.2 Additionally, a drop-in session was arranged during the consultation period, enabling any member of the public to ask questions and discuss the proposal, the consultation process and how they could make representations. The most commonly asked questions at this drop-in session, also informed the content of the Frequently Asked

Questions document to provide relevant stakeholders and members of the public with points of clarification or further information.

6. RESPONSES TO THE CONSULTATION EXERCISE

6.1 As part of the consultation process, the Council sought the views of a wide range of stakeholders. Information about the consultation was placed in a local newspaper, on the Council's website and at all Haddington schools, as well as all Haddington Partnership Nurseries, John Gray Centre and John Muir House in Haddington.

6.2 The Council provided stakeholders with a short online or paper questionnaire and also made good arrangements for receiving additional written responses. The Council received twenty six responses to its questionnaire. A majority of respondents to the questionnaire (46.2%) support the proposal. 38.5% of questionnaire respondents oppose the proposal while 15.4% had no opinion.

6.3 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.

6.4 A summary of all questionnaire responses has been included in Appendix 2. The comments made as part of these questionnaires are also included in Appendix 3, apart from submissions which consultees did not wish East Lothian Council to share publicly. Even if a submission is not shared publicly, it has still been included in the collation of stakeholder's views and informed the response as detailed in paragraph 6.8.

6.5 The Council did not receive any written submissions to its consultation during the consultation period.

6.6 The summary of questionnaire responses categorised by demographic are as follows:

- **Parents of pupils currently at schools:**

Overall, a greater proportion of parents of pupils currently at school, agreed with the proposal than disagreed. In total, 47.6% supported the proposal, 38.0% opposed the proposal and 14.4% of respondents had no opinion. The greatest proportion who supported the proposal was parents of pupils at Haddington Infant School (53.3% agreed/strongly agreed) and in the category of 'Other School' (80% agreed/strongly agreed). The greatest proportion who opposed the proposal were parents of pupils at King's Meadow Primary School (54.6% disagreed/strongly disagreed).

- **Parents of future pupils at schools:**

Overall, a greater proportion of parents of future pupils at schools agreed with the proposal than disagreed. In total, 40.0% supported the proposal, 33.3% opposed the proposal and 26.7% of respondents had no opinion. There were equal

proportions of respondents supporting/opposing the proposal from parents of future pupils at Haddington Infant (33.3%/33.3%) and King's Meadow Primary (40%/40%). The greatest proportion who opposed the proposal were parents of future pupils in the 'Other School' category (80% disagreed/strongly disagreed).

- **Parent respondents (with stage banding of pupils):**

A greater proportion of parents of pupils in pre-school education (50%), P1-P3 (53.3%) and S1-S6 (60%) supported the proposal. Those parents of pupils who are no longer in education (100%), in P4-P7 (50%) or are not yet in Education (71.4%) opposed the proposal.

- **Pupils currently attending school:**

No responses within this demographic.

- **Members of Staff:**

Only one respondent identified themselves within this demographic. The respondent opposed the proposal.

- **“Other” Respondents:**

These respondents included other local residents, members of the public. There were equal proportions of 'other' respondents supporting/opposing the proposal from this demographic (50%/50%).

- **Catchment of Respondent:**

A greater proportion of respondents from both Haddington Infant and King's Meadow Primary catchment areas supported (44.4%) the proposal than opposed (38.9%). There were equal proportions of respondents supporting/opposing the proposal within the 'Other School' catchment category (50%/50%).

6.7 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. Notes of the pupil voice sessions are included as Appendix 4.

6.8 A number of common themes emerged from the written 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

7. EDUCATION AUTHORITY RESPONSE TO QUESTIONNAIRE AND ORAL REPRESENTATIONS

7.1 Concerns over the proposed revised catchment area for Letham Mains

7.1.1 As stated in the Consultation Proposal Document, the proposed revised catchment area for Letham Mains Primary School is defined by the site boundaries of the committed and planned developments at Letham Mains (HN1 and HN2) and the planned primary school at Letham Mains will serve the proposed revised Letham Mains catchment only. The existing properties to the South and west of the proposed revised catchment area and the new developments to the north and south of Letham Mains (LDP Proposals: Dovecot HN3, Gateside East HN4 and Gateside West HN5) of the committed and planned developments at Letham Mains would remain within the Haddington Infant and King's Meadow Primary schools catchment area, and no change is proposed to this arrangement.

7.1.2 The original Letham Mains development (HN1) is of sufficient size to require a new primary school and the planned new primary school and associated catchment area for this development was approved by Council on 15th March 2011 following a statutory school consultation. The planned new permanent primary school facility at Letham Mains, which received planning permission on 5th June 2015, has a planned capacity to accommodate the projected pupils arising from the committed Letham Mains development (HN1), the boundary of which defines its current associated catchment area. The land that has already been allocated for the planned new primary school facility is sufficient to allow a permanent extension to the school to accommodate the projected pupils arising from the proposed Letham Mains Expansion area (HN2) in addition to the projected pupils from the original Letham Mains allocation (HN1). However, the agreed school campus site is not of a sufficient size to include a larger catchment revised beyond the boundary of the two Letham Mains developments (HN1 and HN2).

7.1.3 The new housing developments to the north and south of Letham Mains (HN3, HN4 and HN5) came at a time when the area for the school site had already been established. The Letham site was sized and established for the allocation HN1 in the 2008 LDP, with some provision for expansion of Letham, now HN2. Dovecot (HN3) was granted consent under appeal in the interim and the Gateside allocations, HN4 and 5 were allocated for employment in the 2008 LDP when the Letham site was established. The masterplan for Letham (HN1) is minded to be granted subject to a S.75 agreement in place. Any change to the planned Letham campus for HN1 and HN2 would trigger a need for land and a bigger school, both of which would mean significant additional capital cost to the Council and would not represent best value when capacity can be provided with contributions sought from developers, at

Haddington Infant School and King's Meadow Primary School to accommodate the pupils arising from sites HN3, HN4 and HN5.

7.1.4 The land at West Letham, subject to Proposal of Application Notice 16/00020/PAN', is not proposed to be allocated in the Council's Proposed Local Development Plan and is not as yet subject of a planning application. Any application for this would be contrary to the existing and proposed plans and, if over 300 units, could not be supported under the Council's Housing Land Supply: Interim Guidance.

7.2 Concerns over building a separate primary school for Letham Mains & Community Division

7.2.1 The campus sites of Haddington Infant School and King's Meadow Primary School are constrained and there is no potential to extend either school site to provide the scale of accommodation required to accommodate all the projected pupils from both of the Letham Mains Housing sites (HN1 and HN2) in addition to the other planned and committed housing set out in the Proposed LDP 2016 at Dovecot (HN3), Gateside East (HN4), Gateside West (HN5) and Alderston (HN7), within the Haddington Infant & King's Meadow Primary school catchment areas.

7.2.2 While a new local centre will be introduced at Letham Mains (HN1) as part of the mixed-use development, those moving into the new committed and planned housing developments at Letham Mains (HN1 and HN2) will be part of two communities, a new community at Letham Mains and the wider community of Haddington. Increasing the early learning & childcare and primary education provision in the Haddington cluster area will provide opportunities for schools to work in a new wider learning community. The Council will work closely with the children, young people and parents who move into the developments to establish a new sense of school community within the context of the wider Haddington community.

7.2.3 It will be the responsibility of all schools within the Haddington Cluster and the community to cooperate closely, as is current practice across our schools. This is in line with national expectations as set out within Education Scotland's 'How good is our school? Self-evaluation Framework Quality Indicator 2.7 Partnerships' which provides an illustration of effective partnership practice. Schools recognise that Curriculum for Excellence cannot be delivered in isolation. They particularly need to work with their associated primary and secondary partners. This will also involve working with other partners including Community Learning and Development, the Community Council and Police.

7.2.4 The temporary hosting arrangements during the initial house build years at King's Meadow Primary School, while the new primary school facilities at Letham Mains are being built, will help to develop links and integration with the existing Haddington community. While it is important the pupils from Letham Mains have their own school

identity it is equally important that they integrate well with the children from King's Meadow Primary School and the other schools across the Haddington Cluster.

7.3 SIMD Profile & Diversity

7.3.1 The Scottish Index of Multiple Deprivation (SIMD) identifies concentrations of deprivation across Scotland by dividing the country into datazones. These datazones are then ranked against key measures of deprivation – income, education, crime, health, employment, geographic access and housing – as well as by overall deprivation. There are 11 datazones in the town of Haddington itself. Based on 2016 SIMD data, none of these 11 datazones fall within the 20% most deprived areas in Scotland (Quintile 1). 2 of these datazones are ranked within the 20% least deprived (Quintile 5). Of the remaining 9 datazones, 5 are ranked within Quintile 3 and 1 is ranked within Quintile 4. Of the 8,831 population living within the town of Haddington itself, 28.4% live within Quintile 2, 44.7% live within Quintile 3, 8.9% live within Quintile 4 and 17.9% live within Quintile 5.

7.3.2 The SIMD profile and social demographic in the Haddington area will change as new houses are built and new families move in to the area. This has already happened within the town of Haddington itself with the proportions living within each Quintile having changed as follows between the 2012 SIMD update and the 2016 SIMD update: Quintile 2 (0.3% less than 2012), Quintile 3 (9.6% more than 2012), Quintile 4 (0.3% more than 2012) and Quintile 5 (9.5% less than 2012). This change over time is also reflected in the change of the SIMD Profiles of the existing schools in Haddington.

7.3.3 The Council's Affordable Housing Policy states that development proposals of five or more dwellings must make provision for affordable housing as part of the proposal. A wide range of housing tenures can be affordable including homes for social and mid-market rent, shared ownership and shared equity models, and subsidised and unsubsidised low cost housing for market sale and self-build plots. 17% of the homes committed to be built at Letham Mains (HN1) and 25% of the homes committed to be built at Dovecot (HN3), Gateside East (HN4) and Gateside West (HN5) are affordable homes. Additional affordable homes will also be delivered as part of the Letham Mains Expansion area (HN2). This helps to establish a wider demographic in new developments.

7.4 Capacity for "Hosting" Arrangements at King's Meadow Primary School

7.4.1 The temporary "hosting" arrangement at King's Meadow Primary School is predicated on the school's capacity to accommodate the projected pupil numbers arising from the committed Letham Mains housing development (HN1) during the first two to three years of house build. King's Meadow Primary School has a planning capacity of 504 pupils. Based on current demographics and both planned and committed housing developments in the Haddington area (as set out in the Proposed LDP 2016), the school is not projected to be at capacity until 2027/28. Current roll projections for

King's Meadow Primary School, which take into account new housing with consent, shows that there is a period of time up to 2019 where there is capacity at the school for the Letham Mains pupils to be temporarily hosted. Due to legislation, the "hosting" period can only last up to a maximum of 36 months, allowing a viable pupil roll to develop while the new permanent school facility is being built. The housing development phasing is such that the school would be ready for the children over that period of time.

- 7.4.2 The commencement of the "hosting" arrangement is dependent on when the first houses in the committed Letham Mains (HN1) development are built and ready for occupation and families with primary-aged pupils move in. The 2015 Housing Land Audit sets out a projected development start date for Letham Mains (HN1) in 2016/17. The planned new primary school at Letham Mains, based on current house build phasing in the 2015 Housing Land Audit, is projected to require the new Letham Mains Primary School facility to be completed in 2019 or as soon as thereafter. The number of pupils projected to arise from new housing in the committed Letham Mains allocation (HN1) during the first three years of house completions is expected to grow from a single figure within the first year that houses are ready for occupation to 48 pupils by the third year of house build completions.
- 7.4.3 The school's capacity will be continually assessed (as is the case with all schools), in comparison to roll projections from the catchment area it provides for, and all new house building (of 5 units or more) which occurs within this area.
- 7.4.4 A key priority for officers is the development of the "hosting" arrangement at King's Meadow Primary School and a comprehensive transition programme to support the transition from King's Meadow Primary School into the new permanent Letham Mains Primary School facility once it is complete. We are aware of authorities elsewhere in Scotland who have hosting arrangements in place and will communicate with them and learn from their experiences.
- 7.4.5 Staff and pupils at King's Meadow Primary School will continue to have appropriate access to areas of the school building, including the dining area, gym facilities and outdoor areas. The proposed shared campus arrangement during the "hosting" period will build on current best practice within East Lothian and other local authorities leading to the delivery of high-quality education within this arrangement and will be part of discussions with the design team and affected stakeholders. The Council is aware of the issues with acoustics at Kings Meadow Primary School, and is committed to resolving these. It is planned that these works will be completed during the Summer Holidays 2017.
- 7.4.6 Specific details on the hosting arrangements themselves will depend on the numbers, stages and ages of the children moving into the new housing developments. It is not possible to predict the exact numbers, ages and stages moving into the new housing and there will need to be a degree of flexibility in terms of the approach that is taken

to be responsive to the particular needs of individual children. The Council will work with the Head Teacher, who will be the temporarily shared Head Teacher for both Letham Mains Primary School and King's Meadow Primary School during the transition period, and other staff to discuss where children should be based and the composition of class groups as the individual pupils start to move into the Letham Mains area. The appropriate statutory maximum class size – P1 maximum of 25, primary two and three maximum of 30 and primary four to seven maximum of 33 - will apply to the class organisation for both schools in line with current legislation and policy. A Transitional Leadership Team will also be established and in place in the January before the move to the new Letham Mains permanent facility to look at the arrangements needed in terms of staffing, class organisation etc.

7.4.7 For those children with Additional Support Needs there are well established procedures to identify particular learning needs and provide the required support measures. Such work involves close liaison with parents and carers, and where relevant, Community Planning Partners. Pupil Support staff and teaching staff will work closely across both primary schools to ensure that the learning, pastoral and social needs of children are fully supported during the transition process, including enhanced arrangements for children and young people with Additional Support Needs.

7.5 Consultation with Staff & Pupils

7.5.1 The Council will continue to consult and engage with affected stakeholders as the hosting and planned transition arrangements are developed and subsequently implemented.

7.5.2 Timescales of the construction of the new permanent school facility at Letham Mains will be closely monitored by East Lothian Council and one year's notice of the opening date will be communicated to parents and the public to assist transition preparation. This date would be the expected opening date, subject to ongoing construction timescales. The opening of the facility would not be before this date, and any amendments to this timescale would likewise be communicated as soon as possible.

7.5.3 The school, pupils and parents will also contribute to the proposals for the expansion, to increase capacity of Knox Academy.

7.6 Staff Retention

7.6.1 The new 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.

7.7 Housing Developments not supported by the Community

7.7.1 These issues are addressed through the Local Development Plan process. The Council is formulating its responses to representations made to the Proposed Local Development Plan and any unresolved objections in respect of spatial strategy, site allocations and infrastructure requirements will be considered at examination.

8. EDUCATION SCOTLAND REPORT

8.1 In accordance with the Schools (Consultation) (Scotland) Act 2010, a report was produced by Education Scotland on the educational aspects of the proposal. A full copy of the report can be found in Appendix 5.

8.2 In preparing this report, HM Inspectors undertook the following activities:

- attendance at the public meeting held on 1st December 2016 in connection with the Council's proposals;
- consideration of all relevant documentation provided by the Council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others; and
- visits to the sites of Haddington Infant School and King's Meadow Primary School, including discussion with relevant consultees.

8.3 The Education Scotland consideration of the proposal is summarised as follows:

- Education Scotland stated that almost all parents, pupils and staff who met with HM Inspectors supported the proposal.
- Education Scotland stated that stakeholders who met with HM Inspectors felt that the council had provided good opportunities for consultation and for giving their views.
- Education Scotland stated that the change to the zone boundary of Letham Mains Primary School and the extension to the planned new school has the potential to provide children who will attend the new school with a purpose-built learning environment well-suited to their learning needs while reducing the possibility of overcrowding at both Haddington Infant School and King's Meadow Primary School.

8.4 Education Scotland concluded that the Council's 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. Projected increases in the school rolls for Haddington Infant School and King's Meadow Primary School as a result of significant housing developments in the area would result in both schools becoming overcrowded and, eventually, over capacity. If the proposal is implemented, 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 these schools. In taking its proposal forward, the Council should continue to engage with stakeholders over its planned transition arrangements for children who will attend Letham Mains Primary School. In its final consultation report, the Council will need to set out the actions it has taken to address any alleged inaccuracies and omissions notified to it.

8.5 East Lothian Council's Response to Education Scotland's Report

East Lothian Council welcomes the report from Education Scotland and accepts its findings. The points raised by Education Scotland within the Education Scotland Report were also key themes identified through the consultation process and are addressed in Section 7 of this report.

9. TRANSITION ARRANGEMENTS

9.1 As stated in the Consultation Proposal Document, at present the affected area of Land at Letham Mains Expansion, Haddington (HN2) contains no properties. If approved, the new catchment arrangements for Letham Mains Primary School, Haddington Infant School and King's Meadow Primary School would become operational with immediate effect.

9.2 Pupils currently attending Haddington Infant School and King's Meadow Primary School will not be significantly affected as the proposed catchment changes will only impact on future intakes once house build commences.

9.3 Parents of eligible pre-school children moving into planned housing in the affected area (HN2) would apply for early learning and childcare provision through the Council's existing Nursery Admissions processes.

9.4 Primary pupils moving into the affected area (HN2) following implementation of the proposal will attend Letham Mains Primary School.

9.5 Denominational primary pupils moving into the affected area (HN2) will continue to be served by St Mary's RC Primary School and secondary pupils will continue to be served by Knox Academy as per the existing Letham Mains Primary School catchment arrangements.

9.6 Parents of eligible pre-school children moving into planned housing in the affected area (HN2) would apply for early learning and childcare provision through the Council's existing Nursery Admissions processes.

10. ALLEGED OMISSIONS OR INACCURACIES

10.1 Section (10) (3) of the Schools (Consultation) (Scotland) Act 2010 also places a requirement on the Council to provide details of any inaccuracy or omission within the

Consultation Proposal Document which has either been identified by the Council or raised by consultees. This section of the 2010 Act also requires the Council to provide a statement on the action taken in respect of the inaccuracy or omission, or, if no action was taken, to state that fact and why.

10.2 During the consultation period the Council identified that it had incorrectly stated the planning application reference for the planned new primary school at Letham Mains within the Consultation Proposal Document. The Council publicly notified this inaccuracy in the documentation by publishing the details along with the correct planning application reference in the 'Omissions, Corrections & Amendments' document on the Consultation Hub.

10.3 There were no other areas identified by the Council or respondents as being inaccurate or omitted from the Consultation Proposal Document during the consultation period.

11. COMPLIANCE WITH SECTION 9(1) OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010

11.1 Section 9(1) of the Schools (Consultation) (Scotland) Act 2010 states that:

After the Education Authority has received Education Scotland's report, the Authority is to review the relevant proposal having regard (in particular) to:

(i) written representations received by the Authority (from any person) during the consultation period,

(ii) oral representations made to it (by any person) at the public meeting,

(iii) Education Scotland's report.

11.2 Following receipt of twenty six questionnaire responses and consideration of oral representations made at a public meeting held during the consultation period, officers reviewed the proposal.

11.3 The feedback from the consultation was considered by relevant officers across a number of Council Services including Education, Planning, Property and Road Services. This ensured that the Council met the requirements of sections 9(1), 12 and 13(3) (b) of the 2010 Act.

11.4 Officers of the Education Authority have listened carefully to the points made at the public meeting and have considered equally carefully the written representations, including the Education Scotland report. 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).

12. LEGAL ISSUES

12.1 The Council has complied in full with the requirements of the Schools (Consultation) (Scotland) Act 2010 throughout this statutory consultation.

12.2 The Council is mindful of its duties in respect of equality and the Equality Impact Assessment did not identify that any parent, child or young person would be treated less favourably as a result of this proposal.

12.3 Under the terms of the Schools (Scotland) (Consultation) Act 2010, it is a legal requirement that the Council should not reach any formal decision without having reviewed the relevant proposal having regard, in particular, to:

- a) relevant written representations received from any person during the consultation period;
- b) oral representation made to it by any person at the public meeting held on 1st December 2016;
- c) the Education Scotland report;
- d) preparing a Consultation Report; and
- e) waiting until a period of three weeks starting on the day on which this Consultation Report is published in electronic and printed form has expired.

12.4 As it is the intention that this Consultation Report should be published, both electronically and in written form, if required, on 27th February 2017, this meets the statutory requirement to publish this report more than three weeks before consideration of the proposal by East Lothian Council.

13. PERSONNEL ISSUES

13.1 No personnel issues have been identified with regard to this proposal.

14. ENVIRONMENTAL ISSUES

14.1 The impacts of the proposals are assessed as set out above and the relevant technical and environmental information is published alongside the Proposed LDP. The interim environmental assessments, site assessments and other technical documents for the Main Issues Report and Proposed LDP are available on the Council's website.

15. CONCLUSION

15.1 The Council now has 3 options to consider, namely:

- a) adopt the proposal;
- b) withdraw the proposal and make no alteration to the Letham Mains Primary School, Haddington Infant School and King's Meadow Primary School catchment areas;
- c) undertake a further consultation exercise on a new proposal.

15.2 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.

15.3 Education Scotland has identified that the proposal would lead to clear educational benefits for children. This includes providing a modern purpose-built learning environment which is designed to deliver a 21st century education in line with the principles of Curriculum for Excellence, offering greater flexibility for all school activities as well as benefit the wider community.

15.4 If the Council adopts the proposal, it would be on the basis that the educational benefits set out in the Consultation Proposal Document would materialise. There would also be a requirement that close joint planning with parents/carers, staff and pupils for the interim transition arrangements, is well managed in ways which are supportive to the pupils concerned, and in their long term interests.

15.5 The key messages deriving from the consultation period are as follows:

- A clear majority of respondents to the questionnaire (46.2%) support the proposal. 38.5% of questionnaire respondents oppose the proposal.
- During the consultation period, Council officers visited Haddington Infant School and King's Meadow Primary School, providing good opportunities for pupils and staff to discuss their views. Overall, pupils showed support for the proposal.

16. **RECOMMENDATIONS**

16.1 On the basis of the feedback received and taking account of the educational and social benefits of the proposal, it is concluded that the following proposal is the most suitable option and it is recommended that the Council approves the following:

- To extend Letham Mains Primary School catchment area to include the Letham Mains Expansion Area (LDP Proposal HN2, *hereinafter referred to as 'HN2'*) and remove this area of land from the Haddington Infant School and King's Meadow Primary School catchment areas.
- 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.

Fiona Robertson
Head of Education
February 2017

Appendix 1: Note of Public Meeting, 1st December 2016

STATUTORY PUBLIC CONSULTATION MEETING

PROPOSED CHANGE TO THE LETHAM MAINS PRIMARY SCHOOL CATCHMENT AREA

**THURSDAY 1 DECEMBER 2016
TOWN HOUSE, HADDINGTON**

PRESENT:

Fiona Robertson, Head of Education
Chris Webb, Independent Adviser, Chair of Meeting
Eddie Reid, Team Manager, Property
Marshall Greenshields, Transportation Planning Officer
Andy Stewart, Principal Planner (Policy & Projects)
Sinead Moloney, Planner (Policy & Projects)
Richard Parker, Education Service Manager
Fiona Brown, Principal Officer, Education Business Unit
Pauline Smith, Principal Officer (Information and Research)
Karen Haspolat, Quality Improvement Officer
Rob Lewis, Senior Information Officer
David Gilmour, Web Officer
Anna Bennett, Business Support Officer
Katy Johnstone, Graduate Intern
Phil Denning, Education Scotland
Four parents/members of the public were in attendance:
Al Bryce, Jane Hobbs, Claire Young, Andrew Wilson

Chris Webb welcomed everyone to the meeting and introduced himself and the Council Officers present.

He informed the attendees that the meeting was being recorded to allow the Council to have an accurate transcript of the meeting, any questions raised and views recorded to allow them to form part of the consultation exercise. It also allows any issues arising that are unable to be dealt with tonight to be answered at a later time.

A Google link is provided to allow questions to be raised that you may not wish discussed at the public meeting, this will feed into the Council and someone will respond.

He also gave a brief outline of the legislative framework within which the Council must work.

The Schools (Consultation) (Scotland) Act came into force in 2010 and was amended in 2015. The Act, as amended, has established an open and transparent system for consulting changes to the school estate as proposed by councils. Once a council has taken the decision to consult in a proposal the Act requires all councils to follow the same basis sequence:

- The Council had to prepare a proposal paper, including any educational benefits. The Council had produced this.

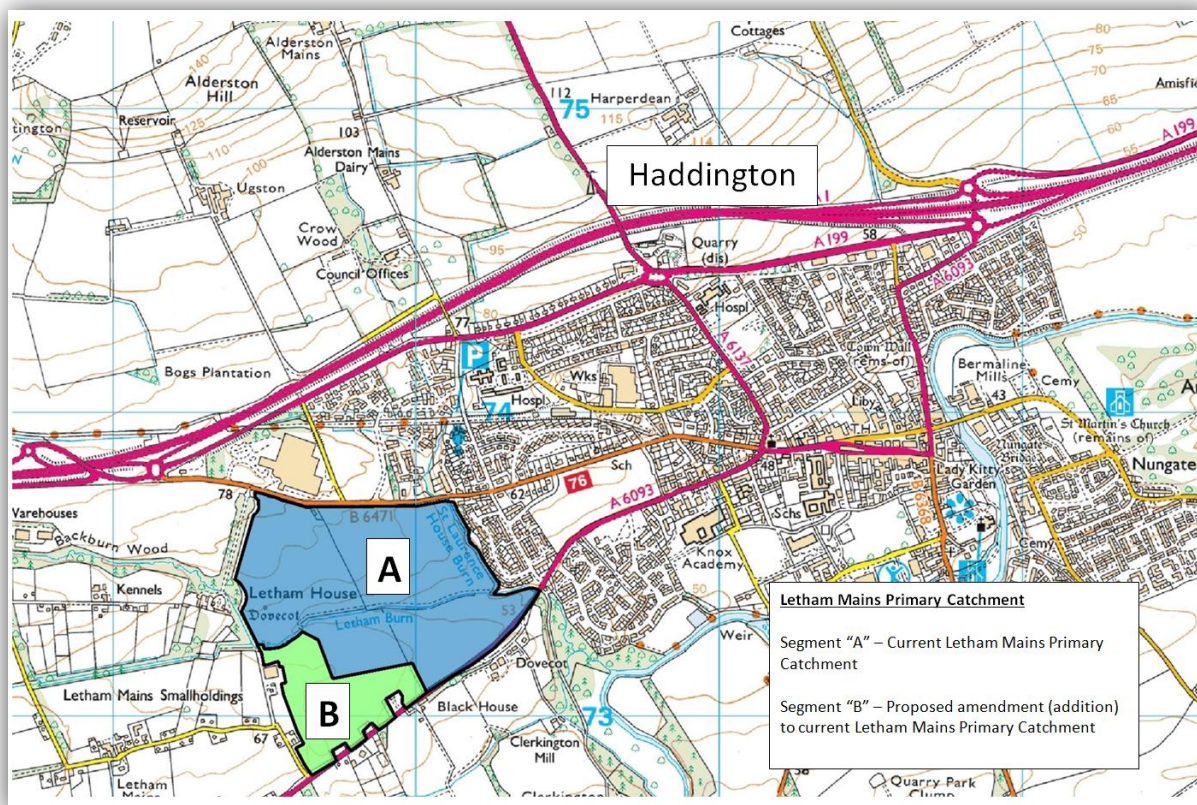
- The Council then had to publish the proposal paper, advertise the fact and notify the mandatory consultees and Education Scotland.
- The consultation had to run for at least 30 school days and include a public meeting.
- Once the consultation period is over, the Council must send relevant papers to Education Scotland. Once these have been received HM Inspectors have three weeks to prepare a report on the proposal and send it to the Council.
- Once the Council has received the report from the HM Inspectors, it has to review the proposal and take account of the report by HM Inspectors and any representations you might make during the consultation period.
- The Council must then prepare and publish a final consultation report three weeks before the Council takes its final decision.

Purpose to give members of the public the opportunity to hear more about the proposal, ask questions about the proposal and have their views recorded as part of the consultation process.

Fiona Robertson then went on to explain the background to the consultation with regard to the proposal for the extension of the Letham Mains Primary School catchment area, to include the Letham Mains Expansion area (area “B”), currently in Haddington Infant School and King’s Meadow Primary School catchment areas.

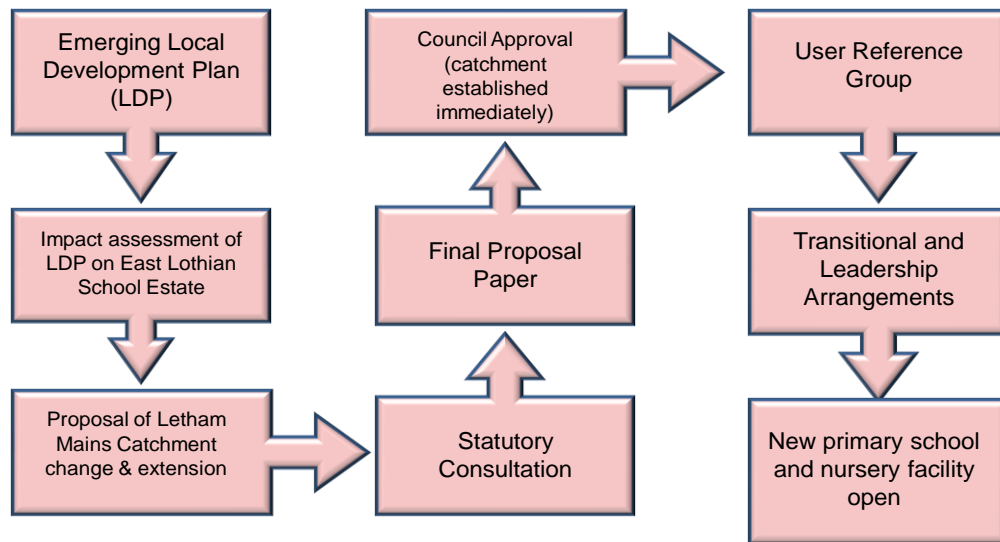
- The Strategic Development Plan for South East Scotland (SDP) was approved by Scottish Ministers in June 2013.
- The SDP with its Supplementary Guidance on Housing Land requires the Local Development Plan (LDP) to ensure sufficient housing land is available to deliver 10,050 homes during the period 2009-2024 with 6,250 of those homes capable of being delivered across East Lothian in the period to 2019.
- To accommodate these strategic development requirements, East Lothian Council approved a Proposed LDP 2016 for representation on 6th September 2016.
- On 24th February 2015, approval was given by East Lothian Council to undertake consultations relating to the school estate (schools, catchment areas, locations) as necessary to support the emerging LDP.
- As part of the Proposed LDP 2016, the land at Letham Mains Expansion (area “B”) is one of the main development proposals in the Haddington Cluster – with a proposed allocation for development of circa 275 homes.
- The Letham Mains Expansion will form an extension of the original Letham Mains allocation (area “A”) – which is proposed to be allocated for a mixed use development, including circa 800 homes.
- The original Letham Mains Primary School catchment area (as defined by area “A”) was approved at Council Committee for Education on 15 March 2011.
- The proposed housing development at Letham Mains Expansion (area “B”), identified in the Proposed LDP 2016 will require the revision to the Letham Mains catchment area, to be delivered.
- The Letham Mains Primary School will also need to be further extended to accommodate the proposed expansion.

Map of proposed catchment area



- To accommodate the projected pupil population from the proposed allocations (areas "A" and "B") the Council proposes to provide education capacity as follows:
- Expansion to the planned new permanent early learning & childcare and primary school capacity at the Letham Mains site.
- The Letham Mains Primary School will be established initially at King's Meadow Primary School under a temporary "hosting" arrangement, until the permanent Letham Mains Primary School facility is delivered.
- Additional secondary school capacity will be provided at Knox Academy.
- The Letham Mains Primary School: The LDP projected pupil population for the original Letham Mains allocation (area "A") and the Letham Mains expansion area (area "B") requires a peak roll of 488 primary pupils (17 classes) and pre-school provision of 70 places.
- The school extension and catchment change will have educational benefits through: The alteration to the catchment areas will ensure that primary aged children from both the Letham Mains sites will be able to attend the school providing opportunity for those children to develop and sustain strong relationships both at school and at home.
- The removal of area "B" from Haddington Infant/King's Meadow catchment area will relieve pressure at these schools where there would be significant capacity constraints.

Project Timeline



Fiona Robertson asked if there were any questions.

Al Bryce – 2 pre-school children, soon to move to Gateside estate asked why these houses are not included in the catchment area for Letham.

Fiona Robertson replied with a prepared clarification:

When Letham Mains Catchment was originally established and agreed at Council in 2011, the land north of Letham Mains, at Gateside was at that point, allocated for Business and Industry use and was not included as part of the catchment establishment consultation. Since then, planning consent has been granted for mixed use including housing.

The school campus site at Letham Mains is not of a sufficient size to include a larger catchment.

To increase the size of the school site would require the Council to purchase more land, which would in turn reduce the number of houses that could be built.

There would be significant costs to Council to purchase more land to increase the school site and to enlarge the size of the school facility to accommodate pupils from out-with the Letham Mains development, as these would not be funded by the developer.

Al Bryce also asked if the Council is ignoring the educational benefit for children who will be living in Gateside who would form friendships with children from Letham catchment.

Fiona Robertson replied that children from Gateside would form relationships with children within the community and catchment area that they are part of.

He then commented that his children would effectively be walking past Letham Mains School to go to a school further away. He asked about the possibility of transport being provided for children from Gateside.

Marshal Greenshields replied that there is no provision for transport and there would be encouragement for children to walk and cycle to school.

Al Bryce asked how long it should take primary school children to walk to school.

Marshal Greenshields replied that the catchments are set and were agreed prior to Gateside being built. As the new Letham school is not built yet children from Gateside will be travelling to their catchment school.

Al Bryce then asked if there was any point in the consultation if no changes can be made.

Fiona Robertson replied that the intention is to change the catchment and in order to have an effective local development plan there must be an education solution in place in order to bring that local development plan forward.

Chris Webb replied that from a national prospective the Council is bound by law to deliver best value in delivery of services so that means there are constraints on what the Council can do sometimes because of that requirement and if a cost neutral situation would then become not cost neutral.

Al Bryce asked if timing was an issue regarding the consultation – running the consultation before there are people living in Gateside who may wish to have a say on the consultation.

Fiona Robertson replied that the consultation is in line with the Local Development Plan, but members of the public could then put forward their comments on the issues which must then be included in the consultation process and taken back to Council.

Chris Webb confirmed that the public have the right to comment on the proposal or submit alternates which the Council must then give due consideration to and reply to why this would not be viable if that is what they decide. Council has a duty in the final report to state why the decision they make is the most reasonable and viable option that provides the best Education options and best value. They must demonstrate that any counter proposal is not viable or reasonable.

Parent of child attending Haddington Infants but works at King's Meadow commented on the interim accommodation at King's Meadow is bursting at the seams and asked how children will be accommodated during the hosting period?

Fiona Robertson responded that there is capacity at the school within the hosting timeframe to accommodate the Letham Mains pupils and this will not be breached during the hosting period. She then introduced Pauline Smith who confirmed that King's Meadow Primary

School has a planning capacity of 504 pupils. The roll projections for King's Meadow, which take into account new housing with consent, shows that there is a period of time up to about 2020 where there is capacity at the school for the Letham Mains pupils to be temporarily hosted. Pauline also clarified that when new housing sites are built out, pupils don't appear all at once en masse, they appear in stages over time. The pupil roll for Letham Mains in the first year of house build may have no pupils at the start of the academic session in August then over the following months, may have one or two pupils arising from the development with that pupil number growing from there over time as the development is built out.

The parent stated that she had experienced a transition herself which was awful with huge classes; the school was bursting at the seams and did not allow for pupils who may have been struggling to cope due to crowds.

Fiona Robertson reiterated that it was very important for the Transition Leadership Group to be in place before the build is completed to deal with managing the situation and also enable the children to be involved with the design and build of areas before moving into the new school. If the school was due to move in August then there would be a longer lead in time for the new staff to enable everything to be in place.

Parent of 2 boys commented that one child had experienced St Mary's transition and found it difficult, capacity within the school was an issue and the constraints on the dining room proved difficult, with children having to eat in classrooms, children also had to move to undertake certain activities as no room within the normal areas. King's Meadow is an open plan school and this has an impact on noise levels. This is not acceptable or conducive to Education.

Eddie Reid commented that he was aware of some acoustic issues but plans are in place for this to be dealt with but he was not aware of pressure on the dining room.

Parent replied to say that children had to eat in classrooms and her son had to move to another facility to access PE sessions.

Eddie Reid replied to state that this would be taken up with the Head Teacher to address use of space.

Fiona added that she had spent two full days in King's Meadow and reiterated that there is capacity within the school but acknowledged that it is really important to manage the transition and consider PE facilities and any impact the hosting may have. This will be discussed with the design team, to discuss where children will be based, along with ages of children which will also need to be considered and how this is managed in determining the make-up of class groups as the pupils start to move into the area.

The parent then asked if Knox Academy would be prepared to accommodate all the additional children expected.

Fiona Robertson replied that there is a plan for Knox Academy to be extended to accommodate the rising number of children and that all facilities would be taken into

consideration, not just classrooms, including science labs, PE facilities in light of all housing developments taking place currently and proposed.

A Parent living in Letham Mains Small Holdings with child at King's Meadow – currently out of catchment asked if they will still be out of catchment for the new school.

Pauline Smith confirmed that the houses at Letham Mains Small Holdings would be out-with the Letham Mains catchment area and would remain within the Haddington Infant and King's Meadow Primary school catchment areas.

Parent stated that they received a letter a few years ago stating that their children would go to the Letham Mains school, this will mean that they are crossing over the catchment area for Letham and walking 1.5 miles to King's Meadow. Is there an opportunity to change the catchment for their children?

Pauline Smith confirmed that only one existing property, Gateside Cottage, that falls within part of the original Letham Mains allocation and catchment boundary and no other existing properties fall within the proposed revised Letham Mains catchment area. Chris Webb emphasised his previous point regarding putting forward alternative proposals and that the consultation process allows you to put these forward for consideration.

Parent stated it made sense for these children to be able to attend the closest school rather than walking to one some distance away.

Chris Webb replied that an idea can be put to the consultation before it is finalised, if this turns out to be an anomaly that can be fixed it might be, but he was unable to say that it would be. It would have to be included in the final consultation document and the Council would be duty bound to explain why it chose not to then implement that in its final consultation.

Parent stated that they are currently far enough away from King's Meadow to be able to request transportation but they choose not to so it would appear to make sense that they go to the new school.

Andrew Wilson resident at Letham Mains Small Holdings asked 2 questions:

- 1. Why for the purposes of this consultation have the Council chosen as designations area A/B when the local development plan identifies these as HN1 and HN2 as it makes it much more difficult to follow.**

Fiona Robertson replied that for the purposes of this consultation Area A is the existing catchment area and B is the proposed expanded area. It was just for the purposes of this proposal to make it easy to understand rather than having to read through the whole Local Development Plan.

Pauline Smith added that HN1 and HN2 are referenced in the proposal paper and equate it to area A and area B on the maps of the catchment areas.

He replied that this tends to exclude discussion of other areas such as Gateside, which also has an HN designation, it focuses on the areas which are already part of the proposal and the purpose of the consultation is to consider some minor alternatives to that and focusing on area A and are B only focuses on the agenda the Council has. He would ask that HN1 and HN2 are used.

Fiona Robertson stated that for the purposes of this evening and the proposal exercise 'A' and 'B' are used. She also stated that the Council must consult on a relevant proposal and this is the proposal, and that the public can reply to the proposal with their views and they are entitled to respond on this matter which the Council must then respond to. When the final report is produced you will be able to see that the Council has responded to any comments. Chris Webb mentioned best value and Fiona Robertson explained that the Council understands that altering or extending the proposal would result in the purchase of further land, the change is sizes of schools and these are the implications as to best value and keeping a viable school roll at King's Meadow Primary, Haddington Infant and Letham Mains Primary.

2. Significance of the hosting arrangements and the disruption – time period is critical and can someone confirm the expected start day, month and year of the hosting arrangement and the expected end day, month and year of the arrangement

Fiona Robertson explained that the hosting would start as families moved into the phased housing developments and the hosting arrangement can only last a period of up to 36 months.

He asked if that was a maximum figure.

Fiona replied that it tends to be up to 36 months to allow a viable school roll. The housing development phasing is such that the school would be ready for the children over that period of time.

Parent of child at King's Meadow asked who would be the Head Teacher of the new school and when would they come into post.

Fiona Robertson explained that the Head Teacher post would be shared by King's Meadow during the transition period but the Transition Leadership Team would be in place the January before the move was to take place and this would be based on the number of children from the new development. The Head Teacher and staff would be in post prior to the opening of the new school.

Chris Webb drew the meeting to a close and reiterated the purpose of the consultation is for consultees to suggest alternatives or amendments, once these have been suggested the Council is duty bound in its final report to explain why it is not a reasonable or viable alternative for the Council to adopt. This will allow the councillors to see that alternatives or amendments have been put forward. He informed the attendees that they should not just rely on the meeting to make their points, and that they could put their points in writing to the Council to allow them to be given due consideration, councillors can ask officers for information on any alternate proposals and why these were not included in the original proposal.

He informed the meeting that Phil Denning was in attendance as an observer who will be responsible for providing the report on the consultation process and the recommendations; this will then be in the public domain for three weeks to allow for a fair, open and transparent process. This report will be published along with the Council's final consultation report. It is then the Elected Members who will make a decision. He thanked the members of the public for coming along and also commented that the number of officers present from the Council showed the commitment to the process.

Appendix 2:

This is a summary of each category of respondent, in relation to the extent to which they agree/disagree. Please Note: A respondent can identify as more than one category - therefore the totals in the tables below do not add up to the total number of responses received via questionnaire (26)

Q - Do you agree or disagree with the proposal to extend the Letham Mains catchment area to include the area referenced in the consultation document?

Table 1

All responses:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
	4	8	4		10	26		46.2%	38.5%

Table 2

Parent of Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	3	7	3		8	21		47.6%	38.0%
Haddington Infant	2	6	1		6	15		53.3%	40.0%
King's Meadow Primary	2	1	2		6	11		27.3%	54.6%
Other School	1	3			1	5		80.0%	20.0%

Table 3

Parent of Future Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	2	4	4		5	15		40.0%	33.3%
Haddington Infant	1	2	3		3	9		33.3%	33.3%
King's Meadow Primary	1	3	2		4	10		40.0%	40.0%
Other School			1		4	5		0.0%	80.0%

Table 4.../

Table 4

Member of Staff at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL					1	1		0.0%	100.0%
Haddington Infant									
King's Meadow Primary									
Other School					1	1		0.0%	100.0%

Table 5

"Other" Category	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
All "Other" Categories		2			2	4		50.0%	50.0%

Table 6

Parent of Pupil Aged:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	4	7	4		10	25		44.0%	40.0%
Not yet in Education		1	1		5	7		14.3%	71.4%
Pre-school Education (3-5 year old)	1	1	2			4		50.0%	
P1 - P3	2	6	1		6	15		53.3%	40.0%
P4 - P7	2	2	2		6	12		33.3%	50.0%
S1 - S6	1	2	1		1	5		60.0%	20.0%
No longer in school Education					1	1		0.0%	100.0%

Table 7.../

Table 7

Catchment	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	4	6	4		10	24		41.6%	41.6%
Haddington Infant	3	5	3		7	18		44.4%	38.9%
King's Meadow Primary	3	5	3		7	18		44.4%	38.9%
Other School		1			1	2		50.0%	50.0%

Appendix 3 Comments from Questionnaire responses

Of the 26 questionnaire responses, 8 declined permission to publish their comments. However, their representations have been taken account of and responded to in this Consultation Report. The summary of comments below, were made from the remaining 18 responses who gave permission to share their comments.

COMMENT
<p>I find it hard to believe that the catchment doesn't include other nearby houses and not just the proposed new development. Myself and my family live opposite the new development site, on West Road. We will be able to see the school from our house, have put up with years of building works on our doorstep, our children will presumably make friends with the children living in the new development, but will not be able to benefit from them attending the new school. Our children will have to continue walking to the Primary schools in the centre of Haddington, 1 mile away, when there will be a primary School on their doorstep.</p> <p>Not including current nearby residents in the catchment area is bringing absolutely nothing to our community. Letham Mains itself is not even included in the catchment area!! This seems ridiculous.</p>
<p>1. The existing Letham Mains catchment already excludes children in the lower income parts of town. This extension to mainly private housing will increase the differences in social profile of the Kings Meadow and Letham Mains catchments. This will increase inequality as Kings Meadow/Haddington infants will contain a greater proportion of disadvantaged children. Children at Letham Mains are likely to learn in classes which have less disruption and less teacher effort put into children coming from a lower starting point educationally, and so add to the advantage they already have from their home environment.</p> <p>2. Excluding the existing houses on the north of the Pencaitland Road (and arguably further up Letham Mains holdings) seems to make no sense in any terms other than the Council avoiding paying for the school extension. They should be included in the catchment. If some of those further out were included the Council might be able to save on school transport.</p>
<p>Shortly going to be moving into the new housing development at Gateside and find it very odd that we will have to walk past the new primary school at Letham Mains to go to Haddington Infant / King's Meadow.</p> <p>It's approximately a 22 minute (adult pace) walk from our new house at Gateside to Haddington Infant school. Ignoring the fact that 1.2 miles is substantial for a 5 year old, for the parent who needs to drop off and collect, you are looking at 2 x return journeys totalling nearly one and a half hours and nearly 5 miles per day. When there will be a alternative primary school, literally over the road, it seems crazy that the catchment area doesn't include Gateside.</p> <p>In addition to this, we're going to be in a situation where pupils living on the A6093 side of Letham Mains are going to be further from their school than they will be from Haddington Infant School. Surely the catchment boundary could be amended to make more practical sense for both Gateside residents and Letham Mains residents.</p>

COMMENT

I think what is happening to East Lothian is dreadful. The new buildings at North Berwick and in Haddington and elsewhere are going to put terrific strain on the meagre resources of these small towns. The buildings are all faceless new builds that are still too expensive for most people who need family homes and they are crammed in doing nothing for the environment or surrounds. East Lothian is special in its character and these horrible developments are ruining it. What about building new infrastructure first. A new school a new doctors surgery. Upgrade the sewage system. Make sure there is enough green space for new residents and so that the current residents don't feel like they are being urbanised. Or are there not enough developer backhanders in that?

The whole project is too much too quickly and smells of money grabbing [individuals].

These developments are too big!!

I feel that the decision to build a separate primary school for the Letham Development is the wrong one. In other East Lothian communities a single primary school has been the preferred option, for example Dunbar Primary school which is on two sites, the planned new Wallyford Primary school which is being built in the new development and the recently announced significant extension to Law Primary school in North Berwick. It is my opinion that Haddington is being treated differently to the other East Lothian communities in proposing a separate primary school purely for the Letham Development. The new families in Dovecot will have to use the existing schools which are considerably further away, and the new families at Saxon Field and Moncrieff Meadows will have to walk past the Letham school to get to KMPS and HIS - this just seems very shortsighted to me. Also the proposed catchment means that families living in Letham Mains currently (and other communities to the west of the town) will have to do likewise. I am aware that due to the current split between HIS and KMPS it would be more challenging to have a single school (or even single infant and single 4-7 solution) but I don't think this is an insurmountable problem. I would urge the council to reconsider this decision as I think it will lead to significant division between the existing community and new residents in Dovecot, Saxon Field and Moncrieff Meadows on the one hand and Letham on the other.

The proposed campus at Letham should have an open catchment for all the children of Haddington.

It is unfortunate that a new school is being built in Haddington, this in my opinion will divide the community. Improvements should have been made to the existing schools in Haddington (particularly Kings Meadow). The fact this was not considered when the new Infant and St Marys Campus was built is incredibly short sighted.

The new school should serve a wider catchment area than just the new development. The school will not be integrated into Haddington community if it only accommodates new families. Also, if the new houses have a school and facilities locally, it will form a separate town within Haddington and will not benefit local business. It is also likely that the new houses will be used by people who commute into Edinburgh for work. This will further disconnect them from the Haddington community. The catchment areas should include a mixture of current families and new families.

COMMENT

The proposed catchment area for the new school (A and/or B) is a poorly conceived idea that will only emphasise the inevitable feeling of isolation the new development will have with respect to the rest of the town. It seems utterly bizarre that children from surrounding houses including the new developments at Clerkington Mill, will pass by the new school to go to an already pressurised Infant School and Kings Meadow. If the intention of the boundary scheme is to ensure the new development remains an unintegrated ghetto then this plan will be a success - whether this is good for the town is unlikely. I suspect, however, this is maybe a way for the developers to minimise the cost of the new school by limiting the area it needs to serve.

If this proposal is given consent then a new primary school is vital to cope with projected pupil increases in the area/town

Attended public meeting on 1 December 2016. I strongly disagree with proposed extension Area B for the following reasons:

- Parent from Gateside asked about their development and why not in catchment area.

Answer: not the capacity

- no plans to extend Knox for a number of years which would have a huge impact on children's education (mention of management and planning group at 1 Dec but at no point in the meeting did I feel pupils, support staff and importantly, teachers views/affects were considered)

- Classes at host school (Kings Meadow) could become too large (cutbacks happening so how would teachers and pupils be supported). Staff sickness and retention could become an issue which would have a huge impact on all children's education (could become exclusive if some parents can afford extra tuition to make up for disruption and could lead to lower attainment leading to more child poverty in the future. We have a fairly inclusive education system but if classes become too large or too many then I believe this could be hugely detrimental to many pupils.

The teachers are currently doing a fantastic job but are not miracle workers so they should be able to be consulted fully - not just through management groups

Appendix 4 – Pupil Voice Interviews

The Pupil Voice Interviews were a structured workshop session with a representative group of pupils from the school. The following are summaries of the discussions and questions/answers.

PUPIL VOICE

HADDINGTON INFANT SCHOOL

(P1-P3 Pupil Representatives)

22nd November 2016

Karen Haspolat and Pauline Smith met with a group of pupils. Karen Haspolat described the proposal and then there was a group discussion around the following questions, the responses are listed below.

How do you feel about new school?

Excited

New friends

More jobs

Positives?

More space for new pupils because can't always fit into existing schools

Haddington schools would be less crowded

More houses for people moving here from other countries and Scotland

There would be more teachers

More houses for people in Haddington as well

Negatives?

Might lose friends if they choose the new school

Might be nervous if moving into new school

Could be hard making new friends

If more houses are built on fields there could be less plants

How could you help with them being nervous, making new friends?

Make them feel welcome

PUPIL VOICE

KING'S MEADOW PRIMARY SCHOOL

(P4-P7 Pupil Representatives)

22nd November 2016

Karen Haspolat, Katy Johnstone and Pauline Smith met with a group of pupils. Karen Haspolat described the proposal and then there was a group discussion around the following questions, the responses are listed below.

What do you think about building a new school?

Good because there will be more people to meet and become friends with at Knox

Would be good because it would make sure that this school is not overcrowded

It's good because the p7 year is overcrowded

What worries you about the new school?

Families maybe being split, younger siblings would go to another school and wouldn't know the new school

What do you think about hosting children here?

Fine with me, making new friends, I would like that

Good idea that they're coming here

It would be hard to make good friends and then have them move away

Could get around this by keeping in contact with them to maintain links

How would you treat the new children?

Good to include them in activities in the school

Make them welcome and let them try things

Problems with hosting?

People feeling squashed

Don't think we have enough resources to support more people, how would we do this?

Appendix 5: Education Scotland Report

Report by Education Scotland addressing educational aspects of the proposal by East Lothian Council to alter the catchment area for Letham Mains Primary School.

1. Introduction

1.1 This report from Education Scotland has been prepared by HM Inspectors in accordance with the terms of the *Schools (Consultation) (Scotland) Act 2010* and the amendments contained in the *Children and Young People (Scotland) Act 2014*. The purpose of the report is to provide an independent and impartial consideration of East Lothian Council's proposal to alter the catchment area for Letham Mains Primary School. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal. Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include a copy of this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision. Where a council is proposing to close a school, it needs to follow all legislative obligations set out in the 2010 Act, including notifying Ministers within six working days of making its final decision and explaining to consultees the opportunity they have to make representations to Ministers.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children and young people of neighbouring schools; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and young people in the council area;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

1.3 In preparing this report, HM Inspectors undertook the following activities:

- attendance at the public meeting held on 1 December 2016 in connection with the council's proposals;

- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others; and
- visits to the site of Haddington Infant School and King's Meadow Primary School, including discussion with relevant consultees.

2. Consultation Process

2.1 East Lothian Council undertook the consultation on its proposal(s) with reference to the *Schools (Consultation) (Scotland) Act 2010* and the amendments in the *Children and Young People (Scotland) Act 2014*.

2.2 The consultation process ran from 8 November 2016 to 20 December 2016. During this period the council held a public meeting at Haddington Town House which was attended by four parents or other members of the public. Statutory consultees, including Parent Councils of the schools directly involved and Haddington Community Council, were informed of the consultation in writing. Consultation documentation was published on the East Lothian Council website and copies were available for public consultation at several venues during the consultation period, including the schools concerned. A proforma questionnaire and an email address were made available for responses. The council received 26 responses. Of the responses which provided an overall view about the council's proposal, a majority expressed support. Stakeholders who met with HM Inspectors felt that the council had provided good opportunities for being consulted and for giving their views.

3. Educational Aspects of Proposal

3.1 This proposal involves a change to the zone boundary of Letham Mains Primary School. This school has still to be built but will serve planned housing developments in the Letham Mains area of the town of Haddington. The proposal involves extending the original planned catchment area for Letham Mains Primary School with a consequent small reduction in the catchment areas of both Haddington Infant School and King's Meadow Primary School. The affected area of land currently contains no residential properties.

3.2 The planned new Letham Mains Primary School will be extended to accommodate the increased school roll arising from the proposal. It has the potential to provide children who will attend the new school with a purpose-built learning environment well-suited to their learning needs. At the same time, the proposal will reduce the possibility of overcrowding at both Haddington Infant School and King's Meadow Primary School. As a result, the proposal offers clear educational benefits to children in each of the three schools.

3.3 Almost all parents, pupils and staff who met with HM Inspectors support the proposal. There is a clear understanding that the rolls of both Haddington Infant School and King's Meadow Primary School would outstrip capacity in coming years as a result of the significant housing developments in the area.

3.4 In taking forward its proposal, the council should continue to work with stakeholders to ensure that interim transition arrangements, whereby children living in the new Letham Mains housing development will be initially 'hosted' at King's Meadow Primary School, are well planned to meet these children's needs.

3.5 During the consultation period the council identified a minor inaccuracy in its proposal paper. In its final consultation report, the council should ensure that this inaccuracy is corrected.

4. Summary

East Lothian Council's proposal to extend the catchment area of the planned Letham Mains Primary School has clear educational benefits. The proposal has the potential to provide children who will reside in the Letham Mains housing developments 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. The proposal will also reduce the possibility of overcrowding at Haddington Infant School and King's Meadow Primary School. Almost all stakeholders who met with HM Inspectors support the proposal. In taking its proposal forward, the council should continue to engage with stakeholders over its planned transition arrangements for children who will attend the new school.

**HM Inspectors
Education Scotland
January 2017**

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 Pinkie St Peter's and Wallyford Primary Schools Catchment Areas

7

1 PURPOSE

- 1.1 To approve the recommendations set out within the Consultation Report (Appendix 1) to alter the Pinkie St Peter's Primary School catchment area to include the whole of the land at Levenhall (LDP Proposal MH8, *hereinafter referred to as 'MH8'*) which currently falls across both the Pinkie St Peter's Primary School and Wallyford 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. the Pinkie St Peter's Primary School catchment area will be altered to include the whole of the land at Levenhall site (MH8) and remove the area of land affected from the revised Wallyford Primary School catchment area, approved by Council on 25 October 2016.
 - b. the new catchment and admission arrangements for Pinkie St Peter's Primary School and Wallyford Primary School will become operational with immediate effect

- ii. withdraw the proposal and make no alteration to the Pinkie St Peter's Primary School and Wallyford Primary School catchment areas; in withdrawing the proposal, primary-aged children who come to live in the planned housing development at Levenhall (MH8) would not be able to attend the same 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 Levenhall (MH8) identified in the 2016 Proposed LDP currently falls across both the Pinkie St Peter's Primary School and Wallyford Primary School catchment areas and will require the proposed revision to the catchment areas in order for such development to be delivered.
- 3.5 The statutory consultation regarding the alteration to Pinkie St Peter's Primary School and Wallyford Primary School catchment areas 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 around the Musselburgh area.
- 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 27 February 2017. This was made publicly available for a period of three weeks, in line with the *Schools (Consultation) (Scotland) Act 2010*.

Summary

- 3.10 The Council received 5 responses to the questionnaire during the consultation period. No written responses were received during the consultation period.
- 3.11 Of the 5 questionnaire responses, a clear majority of respondents (80%) support the proposal. 20% of the questionnaire respondents oppose the proposal. A summary of responses by demographic is provided in the Consultation Report (Appendix 1).
- 3.12 A number of common themes emerged from the questionnaire and oral responses, and can be grouped as follows:
- School capacity and Building Condition
 - Funding for further expansion of Pinkie St Peter's Primary School
 - Additional Teachers & Financial Support
 - Safe Routes to School

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

3.13 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, 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). Education Scotland reported that the proposal to extend the catchment area of Pinkie St Peter's Primary School has clear educational benefits as follows:

- It will allow all children who come to live in the planned housing development at Levenhall (MH8) to attend the same school. This will help to promote a greater sense of community in the new development and will encourage children to develop and maintain friendships with their neighbours.
- The proposal has the potential for encouraging children to walk to school and to reduce possible traffic congestion in the area.

3.14 Education Scotland reported that almost all parents, children and staff who met HM Inspectors support the proposal.

3.15 Education Scotland noted that East Lothian Council needs to continue to engage with stakeholders as it makes plans for a further extension to Pinkie St Peter's Primary School.

3.16 Following receipt of a total of 5 questionnaire responses, and consideration of oral representations made at a public meeting held during the consultation period, a range of officers from a number of Council Services including 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 the written representations, including the Education Scotland report.

3.17 On the basis of the feedback received and taking account of the educational and social benefits of the proposal, it is concluded that the following proposal is the most suitable option and it is recommended that the Council approves the following:

- To alter Pinkie St Peter's Primary School catchment area to include the whole of the land at Levenhall site (MH8) and remove the area of land

affected from the revised Wallyford Primary School catchment area, approved by Council on 25th October 2016.

- The new catchment and admission arrangements for Pinkie St Peter's Primary School and Wallyford Primary School would become operational with immediate effect.

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 proposed revised Pinkie St Peter's Primary School catchment area to fund the increase in education capacity required as a result of these housing developments. Developer contributions 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 required increase in education capacity, 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. Any increase to the staffing complement required at Pinkie St. Peter's Primary School as a result of increased rolls from planned and committed housing in the catchment area will be staffed in line with current East Lothian Council recruitment procedures. The Education Service anticipates the need to recruit will be an incremental process reflecting the year by year increase in the school roll.

6.3 Other – None

7 BACKGROUND PAPERS

7.1 Consultation Report on the outcome of the consultation on the proposed change to the Pinkie St Peter's and Wallyford Primary Schools catchment areas (Appendix 1).

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DATE	13 th March 2017



EAST LOTHIAN COUNCIL
RESOURCES AND PEOPLE SERVICES
EDUCATION
CONSULTATION REPORT

**REPORT ON THE OUTCOME OF THE CONSULTATION ON THE PROPOSED
CHANGE TO THE PINKIE ST PETER'S AND WALLYFORD PRIMARY SCHOOLS
CATCHMENT AREAS**

February 2017

This Consultation Report has been issued by East Lothian Council in accordance with the Schools (Consultation) (Scotland) Act 2010.

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EAST LOTHIAN COUNCIL

RESOURCES AND PEOPLE SERVICES

EDUCATION

This report has been prepared following consultation on the following proposal:

- The Pinkie St Peter's Primary School catchment area will be altered to include the whole of the land at Levenhall (LDP Proposal MH8, *hereinafter referred to as 'MH8'*) which currently falls across both the Pinkie St Peter's Primary School and Wallyford Primary School catchment areas.

This proposal **directly affected** the following schools:

- Pinkie St Peter's Primary School
- Wallyford Primary School

Having had regard (in particular) to:

- a) Relevant written representations received by the Council (from any person) during the consultation period
- b) Oral representations made to it (by any person) at the public meeting held on 7th December 2016
- c) Oral representations made to it at the public drop-in session
- d) Oral representations made to it at the pupil voice sessions
- e) Education Scotland's report on the proposal

1. INTRODUCTION

1.1 This is a Consultation Report prepared in compliance with the Schools (Consultation) (Scotland) Act 2010 on the above proposal.

1.2 The purpose of this report is to:

- Provide a record of the total number of written responses made during the Statutory Consultation period;
- Provide a summary of the written responses;
- Provide a summary of oral representations made at the public meeting held on 7th December 2016;
- Provide a statement of the Council's response to those written and oral representations;
- Provide the full text of Education Scotland's report and a statement of the Council's response to this report;
- State how the Council reviewed the above proposal following the representations received during the Statutory Consultation period and the report from Education Scotland;
- Provide details of any omission from, or inaccuracy in, the Consultation Proposal Document and state how the Council acted upon it; and
- State how the Council has complied with Section 12 of the Schools (Consultation) (Scotland) Act 2010 when reviewing the above proposal.

2. BACKGROUND

2.1 Education Authorities have a statutory duty in terms of the Education (Scotland) Act 1980 to make adequate and efficient provision of school education across their area. This duty applies in respect of both the current school population and anticipated pattern of demand. In addition, Councils have a statutory duty to secure best value in terms of the Local Government in Scotland Act 2003. Most importantly, the Education Authority would wish to optimise the educational experience to ensure:

- East Lothian's young people are successful learners, confident individuals, effective contributors and responsible citizens;
- East Lothian's children have the best start in life and are ready to succeed;
- East Lothian's children experience equality of opportunity within an inclusive educational experience'
- East Lothian's children's care, welfare and personal and social development is central to raising their attainment and achievements; and
- In East Lothian we live healthier, more active and independent lives.

- 2.2 East Lothian Council is committed to raising educational attainment and ensuring that all children and young people have the best opportunities in life. The educational benefits that will arise from this proposal for children affected or likely to be affected are outlined in the Consultation Proposal Document.
- 2.3 The Strategic Development Plan (SDP) for South East Scotland was approved by Scottish Ministers in June 2013. The SDP with its Supplementary Guidance on Housing Land requires the Local Development Plan (LDP) to ensure sufficient housing land is available to deliver 10,050 homes during the period 2009 – 2024 with 6,250 of those homes capable of being delivered across East Lothian in the period to 2019.
- 2.4 In order to accommodate these strategic development requirements for East Lothian, East Lothian Council approved a Proposed LDP 2016 for representation on 6th September 2016. The Proposed LDP sets out East Lothian Council's proposed spatial strategy for East Lothian. As part of this, the land at Levenhall (MH8) is one of the main development proposals in the Musselburgh Cluster which is proposed to be allocated for a housing development of circa 65 homes.
- 2.5 Significant additional education capacity at primary and secondary level will be needed to support all of the new housing development proposed in the Musselburgh cluster. The Council must ensure provision is and can be made for the education of children in its area, and therefore wants to align the future provision of additional education capacity with its proposed development strategy for the area.
- 2.6 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. 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 Levenhall (MH8) identified in the 2016 Proposed LDP currently falls across both the Pinkie St Peter's Primary School and Wallyford Primary School catchment areas and will require the proposed revision to the catchment areas in order for such development to be delivered.
- 2.7 On 24th February 2015, approval was given by East Lothian Council to undertake consultations relating to the school estate (i.e. schools, catchment areas, locations) as necessary to support the emerging 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.
- 2.8 The proposed revised catchment area for Pinkie St Peter's Primary School will directly affect the following schools and was considered in the Consultation Proposal Document:

- Pinkie St Peter's Primary School
- Wallyford Primary School

3. CONSIDERATIONS

3.1 The main considerations relating to the alteration to Pinkie St Peter's Primary School and Wallyford Primary School catchment areas are fully explained in the Consultation Proposal Document and the main points are highlighted below:

- The need to address early learning & childcare and primary education provision for the Levenhall area (MH8) and create a sustainable school estate for future generations; and
- The increasing pupil populations in the Pinkie St Peter's Primary School and Wallyford Primary School catchment areas.

4. THE CONSULTATION PROCESS

4.1 The Council has met the minimum requirements set out in the Schools (Consultation) (Scotland) Act 2010 with regards to ensuring the views of all members of the community were listened to and their views are included in this report. The Council believes that this report accurately reflects the views of the community, which have been gathered through a range of engagement events and response mechanisms. It is for members of East Lothian Council to decide to adopt the proposal, withdraw it or seek to consult on another proposal.

4.2 On 24th February 2015, approval was given by East Lothian Council to undertake consultations relating to the school estate (i.e. schools, catchment areas, locations) as necessary to support the emerging 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.

4.3 Notification of the consultation was given to all statutory consultees prior to the commencement of the consultation.

4.4 The Consultation Proposal Document was published on East Lothian Council's website and paper copies distributed on 8th November 2016 to:

- Pinkie St Peter's Primary School
- Wallyford Primary School
- Wallyford Community Centre
- Wallyford Library
- Musselburgh East Community Learning Centre
- Musselburgh Library
- Brunton Hall, Musselburgh

- Almond Park Nursery
 - First Step Community Nursery
 - Fisherrow Community Nursery
 - Honest Toun Nursery
 - Links Nursery
 - Loretto Private Nursery
 - Musselburgh Private Nursery
 - Olivebank Child and Family Centre, and
 - John Muir House, Haddington
- 4.5 The consultation period commenced at 12.00am on **Tuesday 8th November 2016** and lasted until 12.00am on **Wednesday 21st December 2016**, being a period of six weeks, which also included the statutory minimum 30 school days.
- 4.6 The proposal on which consultation took place was to:
- Alter Pinkie St Peter’s Primary School catchment area to include the whole of the land at Levenhall site (MH8) and remove the area of land affected from the revised Wallyford Primary School catchment area, approved by Council on 25th October 2016.
- 4.7 The requirements for consulting on a relevant proposal relating to schools are set out in the Schools (Consultation) (Scotland) Act 2010.
- 4.8 An information leaflet setting out details about the proposal and consultation meetings was issued to the consultees listed in the Consultation Proposal Document. Advice on where the complete Consultation Proposal Document could be obtained was included and was published on East Lothian Council’s Consultation Hub <https://eastlothianconsultations.co.uk/education/pinkiewallyford-catchment>
- 4.9 If requested, copies of the proposal would have been made available in alternative formats or translated for readers whose first language is not English.
- 4.10 A “Frequently Asked Questions” document was also prepared which was available at the same location on East Lothian Council’s Consultation Hub: <https://eastlothianconsultations.co.uk/education/pinkiewallyford-catchment>
- 4.11 An advertisement was placed in the local newspaper on **10th November 2016** and **1st December 2016**. A pre-announcement was also made on the Council’s website and social media posts on the **7th November 2016**. In addition, there were announcements related to the consultation process on East Lothian Council’s website, linked via a Facebook page and Twitter feeds.
- 4.12 The public meeting was held in **Brunton Hall, Musselburgh** on **7th December 2016 at 7.00pm**.

4.13 In addition to specific meetings with statutory consultees, a drop-in session was held in respect of the proposal at the venue below, at which any members of the public and staff were welcome to attend:

Venue	Date	Time
Pinkie St Peter's Primary School	17 November 2016	12:00pm – 5:00pm

4.14 In accordance with statutory requirements, the following persons, including those indirectly affected, were consulted:

- The Parent Councils of Pinkie St Peter's Primary School and Wallyford Primary School;
- The parents of pupils at Pinkie St Peter's Primary School and Wallyford Primary School;
- The parents of any children expected to attend Pinkie St Peter's Primary School and Wallyford Primary School within two years of the date of publication of the proposal paper;
- The pupils at Pinkie St Peter's Primary School and Wallyford Primary School;
- The staff at Pinkie St Peter's Primary School and Wallyford Primary School;
- Musselburgh Area Partnership;
- Musselburgh & Inveresk Community Council;
- Wallyford Community Council.

4.15 The following schools are **directly affected** by the proposal:

- Pinkie St Peter's Primary School
- Wallyford Primary School

4.16 Representations were sought from statutory consultees and the wider public in the following ways:

- An online questionnaire on East Lothian Council's Consultation Hub. The questionnaire asked specific questions and enabled general comments and views to be entered. The Consultation Hub stored all relevant consultation documentation for public viewing;
- Widely distributed paper copies of the same questionnaire, at Council buildings around the Wallyford and Musselburgh area. Sealed boxes were also located at questionnaire distribution points for their return;
- Paper and digital flyers, in addition to the press adverts and Council web and social media announcements linked to the Consultation Hub. These flyers also detailed a specific Education Consultations email inbox, to which any queries could be submitted during the consultation period;
- Flyer distribution to pupils at Pinkie St Peter's Primary School, Levenhall Nursery School and Wallyford Primary and Nursery School. Head Teachers used their

established methods of communication to engage/remind parents about the consultation and the Education Scotland independent evaluation visit.

- In addition to the public meeting, staff at the affected schools were also invited to attend the public drop-in session to discuss the proposal;
- A representative group of pupils from both current catchment schools attended a workshop where they were able to express their views on the proposal;
- All Parent Councils in the Musselburgh Cluster were invited to attend a joint meeting to discuss the proposal.

4.17 This Consultation Report is the Council's response to the issues raised during the consultation period on the Consultation Proposal Document.

4.18 This Consultation Report will be published for a period of three weeks before a final decision is taken by East Lothian Council on 28th March 2017.

5. THE PUBLIC MEETING

5.1 A public meeting was held in Brunton Hall on Wednesday 7th December 2016 which was attended by one member of the community. A full note of the meeting is attached at Appendix 1 which details the questions and issues raised at the meeting. The points raised are addressed within the response to Frequently Asked Questions or within this report.

5.2 Additionally, a drop-in session was arranged during the consultation period, enabling any member of the public and staff to ask questions and discuss the proposal, the consultation process and how they could make representations.

6. RESPONSES TO THE CONSULTATION EXERCISE

6.1 As part of the consultation process, the Council sought the views of a wide range of stakeholders. Information about the consultation was placed in a local newspaper, on the Council's website and at the affected schools, as well as all Musselburgh Partnership Nurseries, libraries and other centres within Wallyford and the Musselburgh area.

6.2 The Council provided stakeholders with a short online or paper questionnaire and also made good arrangements for receiving additional written responses. The Council received five responses to its questionnaire. A clear majority of respondents to the questionnaire (80%) support the proposal. 20% of questionnaire respondents oppose the proposal.

6.3 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.

6.4 A summary of all questionnaire responses has been included in Appendix 2. The comments made as part of these questionnaires are also included in Appendix 3, apart from submissions which consultees did not wish East Lothian Council to share publicly. Even if a submission is not shared publicly, it has still been included in the collation of stakeholder's views and informed the response as detailed in paragraph 6.8.

6.5 The Council did not receive any written submissions to its consultation during the consultation period.

6.6 The summary of questionnaire responses categorised by demographic are as follows:

- **Parents of pupils currently at schools:**

Three of the respondents identified themselves as parents of pupils currently at school. A greater proportion agreed with the proposal than disagreed overall with 66.7% supporting the proposal and 33.3% opposing the proposal. There were equal proportions of respondents supporting/opposing the proposal with pupils currently at Pinkie St Peter's Primary School.

- **Parents of future pupils at schools:**

Three of the respondents identified themselves as parents of future pupils. A greater proportion agreed with the proposal than disagreed overall with 66.7% supporting the proposal and 33.3% opposing the proposal. 100% of parents of future pupils at Pinkie St Peter's Primary and Wallyford Primary supported the proposal.

- **Parent respondents (with stage banding of pupils):**

A greater proportion of parents of pupils in pre-school education supported the proposal (75.0%) while there were equal proportions of respondents with pupils in S1-S6 supporting/opposing the proposal (50%/50%). Those parents of pupils who are no longer in education (100%) or are not yet in Education (71.4%) opposed the proposal.

- **Pupils currently attending school:**

There were no respondents within this demographic.

- **Members of Staff:**

There were no respondents within this demographic.

- **"Other" Respondents:**

Only one respondent identified themselves within this demographic. The respondent was in support of the proposal.

- **Catchment of Respondent:**

A greater proportion of respondents from all of the catchment areas supported the proposal than opposed: Pinkie St Peter's Primary (66.7%) and Wallyford Primary (100%) and 'Other School' (100%).

6.7 During the consultation period, Council officers visited Pinkie St Peter's Primary School and Wallyford Primary School providing good opportunities for pupils to discuss their views. Overall, pupils showed support for the proposal. Notes of the pupil voice sessions are included as Appendix 4.

6.8 A number of common themes emerged from the written and oral responses and can be grouped as follows:

- School capacity and Building Condition
- Funding for further expansion of Pinkie St Peter's Primary School
- Additional Teachers & Financial Support
- Safe Routes to School

7. EDUCATION AUTHORITY RESPONSE TO QUESTIONNAIRE AND ORAL REPRESENTATIONS

7.1 School Capacity and Building Condition

7.1.1 Pinkie St Peter's Primary School's pupil planning capacity of 595, based on both planned and committed housing developments in the Pinkie St Peter's Primary School catchment area (as set out in the Proposed LDP 2016), is not projected to be breached until session 2023/24. Pinkie St Peter's Primary School and Levenhall Nursery School facilities and sites will require to be extended to accommodate the projected eligible pre-school and primary-aged pupils that will arise from the planned and committed housing in the proposed revised Pinkie St Peter's Primary School catchment area and the school has potential for some further expansion to accommodate these projected pupils.

7.1.2 The school's capacity will be continually assessed (as is the case with all schools), in comparison to roll projections from the catchment area it provides for, and all new building which occurs within this area. Any requirements to expand capacity are identified in advance, to enable sufficient planning and extension as required. The Council also has control over the rate of house building to ensure all facilities are adequate to meet the needs of the growing population – and expanded to meet these needs if required. Timescales for any expansion will be closely monitored by the Council. If further housing development is approved, it will be subject to the school's capacity to accommodate the projected pupil numbers arising from the proposed housing.

7.1.3 Before the recent extension and refurbishment works at Pinkie St Peter's Primary School, its overall Condition rating was category 'C'. It has been now reassessed as overall category 'B', with some parts, including the new extension, in category 'A'. The Council has no specific policy to raise any school from a category 'B' to 'A' at this point in time, and capital investment is currently prioritised to retain schools within a category 'B' condition. The latest published information within the Summary Statistics for Schools in Scotland, No: 7-2016 states that 84% of schools in Scotland were in 'A' good or 'B' satisfactory condition as reported in April 2016. The proportion of schools across Scotland reported within each individual condition category is as follows: 26% of schools recorded in category 'A', 58% recorded in category 'B' and 16% recorded in 'C'. The proportion of schools across East Lothian reported within each category as at April 2016 is as follows: 24% in category 'A', 71% in category 'B' and 5% in category 'C'.

7.2 Funding for further expansion of Pinkie St Peter's Primary School

7.2.1 As stated in the Consultation Proposal Document, investment will be required to provide an extension to the early learning & childcare facilities at Levenhall Nursery School and primary school facilities at Pinkie St Peter's Primary School for the proposed revised Pinkie St Peter's Primary School catchment area. Developer contributions will be sought from the developers of relevant sites allocated in the proposed revised Pinkie St Peter's Primary School catchment area to ensure there is sufficient capacity and facilities to provide suitable education to all, which will be the subject of legal agreement with relevant landowners.

7.2.2 The Proposed LDP has established development related impacts on education capacity based on a cumulative assessment of impact and the need for mitigation. The costs for interventions needed to deliver the LDP strategy and sites are identified and apportioned in line with Scottish Government Circular 3/2012.

7.2.3 High level costs (set out in the Proposed LDP Technical Note 14: Draft Developer Contributions Framework) of providing the extension to the planned education capacity for a peak primary roll of 669 and early learning & childcare provision of 90 places at Levenhall Nursery School is estimated to be in the region of £3.3m dependent upon the final overall size of the school.

7.2.4 The overall project cost for the provision of additional education capacity in a school catchment area is divided between the assessed sources of capacity demand in proportion with the percentage of additional impact they each generate as follows:

1. increases in capacity to accommodate projected baseline pupil populations beyond current capacity will be met by the Council;
2. further increases in capacity, beyond the baseline requirement, to accommodate additional pupils arising from committed housing developments (including proposals that have 'minded to grant' status) will be met via

- 'anticipated, gathered or committed' developer contributions (including that which is 'anticipated' from 'minded to grant' proposals);
3. further increases in capacity required to accommodate shortfalls in capacity or accommodation not withstanding any committed capacity increases in association with point 2 above will be met by the Council;
 4. further increases in capacity to accommodate planned housing development without planning permission (not including proposals with 'minded to grant' status) to be met by developer funding from any planned development proposal(s) that does not have planning permission and is therefore still 'eligible' to make a contribution.

Therefore, developer contributions will not be sought to resolve pre-existing deficiencies or shortfalls in accommodation, unrelated to the new proposed housing developments.

7.2.5 School staff and parents will contribute to the proposals to increase capacity of Pinkie St Peter's Primary School as part of its ongoing engagement with stakeholders.

7.3 Additional Teachers & Financial Support

7.3.1 School revenue budgets and staffing complements are set in line with the school roll in accordance with the Devolved School Management (DSM) Policy. The Education Department closely monitors school rolls and plans staff recruitment in response to increases in school rolls. Therefore, East Lothian Council anticipates, the need to recruit will be an incremental process reflecting the year by year increase in the school roll. All teacher vacancies follow the standard East Lothian Council recruitment process.

7.4 Safe Routes to Schools

7.4.1 The proposed housing in the Levenhall site (MH8) is within two miles of Pinkie St Peter's Primary School and its associated secondary school, therefore all primary and secondary aged pupils will be able to walk to school. Officers from Road Services will review the routes to Pinkie St Peter's Primary School from the Levenhall site (MH8) and put in road safety interventions, if appropriate. The Council is currently looking to put in a signalised pedestrian crossing over the A199 for pupils and other improvement works as part of the current Taylor Wimpey development, and hope to obtain a developer contribution for this. It is expected pupils will walk along the path going through the current playing field to Macbeth Moir Road, which will lead to the Taylor Wimpey development.

7.4.2 In the context of the new secondary school and the Proposed LDP 2016, East Lothian Council is undertaking a Transport Appraisal to examine the effect of the cumulative impacts from the housing and economic land allocations in East Lothian on the local and strategic road networks and evaluate the effectiveness of interventions. A range

of measures would be put in place to reduce the risks involved in children and young people travelling to and from school. As part of this, Road Services Officers at East Lothian Council will also be working closely with staff, pupils and the community to establish how best to put in the necessary interventions to ensure there are safer routes to school for the approved new secondary school at Wallyford.

8. EDUCATION SCOTLAND REPORT

8.1 In accordance with the Schools (Consultation) (Scotland) Act 2010, a report was produced by Education Scotland on the educational aspects of the proposal. A full copy of the report can be found in Appendix 5.

8.2 In preparing this report, HM Inspectors undertook the following activities:

- attendance at the public meeting held on 7th December 2016 in connection with the Council's proposals;
- consideration of all relevant documentation provided by the Council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others; and
- visits to the sites of Pinkie St Peter's Primary School and Wallyford Primary School, including discussion with relevant consultees.

8.3 The Education Scotland consideration of the proposal is summarised as follows:

- Education Scotland stated that almost all parents, pupils and staff who met with HM Inspectors or responded to the Council's questionnaire supported the proposal.
- Education Scotland stated that stakeholders who met with HM Inspectors, including pupils attending the two affected schools, felt that the council had provided good opportunities for consultation and had listened to their views.
- Education Scotland stated that the proposal offers educational and social benefits allowing all primary-aged children who come to live in the Levenhall housing development to attend the same school and has the potential to reduce traffic congestion in the area and encourage more children to walk to school.
- Education Scotland also stated that the Council should continue to engage with stakeholders in planning the additional phased permanent extension at Pinkie St Peter's Primary School.

8.4 Education Scotland concluded that the Council's proposal to extend the catchment area of Pinkie St Peter's Primary School has clear educational benefits for the young people within this area allowing children who come to live in the planned housing development to attend the same school and develop and sustain friendships. In taking

its proposal forward, the Council should continue to engage with stakeholders as it makes plans for a further extension to Pinkie St Peter's Primary School.

8.5 East Lothian Council's Response to Education Scotland's Report

East Lothian Council welcomes the report from Education Scotland and accepts its findings. The points raised by Education Scotland within the Education Scotland Report were also key themes identified through the consultation process and are addressed in Section 7 of this report.

9. TRANSITION ARRANGEMENTS

9.1 As stated in the Consultation Proposal Document, at present the affected area of land at Levenhall (MH8) contains no properties. If approved, the new catchment and admission arrangements for Pinkie St Peter's Primary School and Wallyford Primary School would become operational with immediate effect.

9.2 Pupils currently attending the Pinkie St Peter's Primary School and Wallyford Primary School will not be significantly affected as the proposed catchment changes will only impact on future intakes once house build commences.

9.3 Parents of eligible pre-school children moving into planned housing in the affected area (MH8) following implementation of the proposal would apply for early learning and childcare provision through the Council's existing Nursery Admissions processes.

9.4 Primary and secondary aged pupils moving into the affected area following implementation will attend Pinkie St Peter's Primary School and its associated secondary school.

10. ALLEGED OMISSIONS OR INACCURACIES

10.1 Section (10) (3) of the Schools (Consultation) (Scotland) Act 2010 also places a requirement on the Council to provide details of any inaccuracy or omission within the Consultation Proposal Document which has either been identified by the Council or raised by consultees. This section of the 2010 Act also requires the Council to provide a statement on the action taken in respect of the inaccuracy or omission, or, if no action was taken, to state that fact and why.

10.2 There were no inaccuracies or omissions within the Consultation Proposal Document either identified by the Council or raised by consultees during the consultation period.

11. COMPLIANCE WITH SECTION 9(1) OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010

11.1 Section 9(1) of the Schools (Consultation) (Scotland) Act 2010 states that:

After the Education Authority has received Education Scotland's report, the Authority is to review the relevant proposal having regard (in particular) to:

- (i) written representations received by the Authority (from any person) during the consultation period,*
- (ii) oral representations made to it (by any person) at the public meeting,*
- (iii) Education Scotland's report.*

11.2 Following receipt of five questionnaire responses and consideration of oral representations made at a public meeting held during the consultation period, officers reviewed the proposal.

11.3 The feedback from the consultation was considered by relevant officers across a number of Council Services including Education, Finance, Planning, Property and Road Services. This ensured that the Council met the requirements of sections 9(1), 12 and 13(3) (b) of the 2010 Act.

11.4 Officers of the Education Authority have listened carefully to the points made at the public meeting and have considered equally carefully the written representations, including the Education Scotland report. 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 Levenhall area (MH8).

12. LEGAL ISSUES

12.1 The Council has complied in full with the requirements of the Schools (Consultation) (Scotland) Act 2010 throughout this statutory consultation.

12.2 The Council is mindful of its duties in respect of equality and the Equality Impact Assessment did not identify that any parent, child or young person would be treated less favourably as a result of this proposal.

12.3 Under the terms of the Schools (Scotland) (Consultation) Act 2010, it is a legal requirement that the Council should not reach any formal decision without having reviewed the relevant proposal having regard, in particular, to:

- a) relevant written representations received from any person during the consultation period;
- b) oral representation made to it by any person at the public meeting held on 7th December 2016;
- c) the Education Scotland report;
- d) preparing a Consultation Report; and
- e) waiting until a period of three weeks starting on the day on which this Consultation Report is published in electronic and printed form has expired.

12.4 As it is the intention that this Consultation Report should be published, both electronically and in written form, if required, on 27th February 2017, this meets the

statutory requirement to publish this report more than three weeks before consideration of the proposal by East Lothian Council.

13. PERSONNEL ISSUES

13.1 No personnel issues have been identified with regard to this proposal.

14. ENVIRONMENTAL ISSUES

14.1 The impacts of the proposals are assessed as set out above and the relevant technical and environmental information is published alongside the Proposed LDP. The interim environmental assessments, site assessments and other technical documents for the Main Issues Report and Proposed LDP are available on the Council's website.

15. CONCLUSION

15.1 The Council now has 3 options to consider, namely:

- a) adopt the proposal;
- b) withdraw the proposal and make no alteration to the Pinkie St Peter's Primary School and Wallyford Primary School catchment areas;
- c) undertake a further consultation exercise on a new proposal.

15.2 In withdrawing the proposal, primary-aged children who come to live in the planned housing development at Levenhall would not be able to attend the same school.

15.3 Education Scotland has identified that the proposal would lead to clear educational benefits for children. This includes helping to promote a greater sense of community in the new development, encouraging children to develop and maintain friendships both in school and at home, as well as encouraging children to walk to school.

15.4 If the Council adopts the proposal, it would be on the basis that the educational benefits set out in the Consultation Proposal Document would materialise.

15.5 The key messages deriving from the consultation period are as follows:

- A clear majority of respondents to the questionnaire (80%) support the proposal. 20% of questionnaire respondents oppose the proposal.
- During the consultation period, Council officers visited Pinkie St Peter's Primary School and Wallyford Primary School, providing good opportunities for pupils to discuss their views. Overall, pupils showed support for the proposal.

16. RECOMMENDATIONS

16.1 On the basis of the feedback received and taking account of the educational and social benefits of the proposal, it is concluded that the following proposal is the most suitable option and it is recommended that the Council approves the following:

- To alter Pinkie St Peter's Primary School catchment area to include the whole of the land at Levenhall site (MH8) and remove the area of land affected from the revised Wallyford Primary School catchment area, approved by Council on 25th October 2016.
- The new catchment and admission arrangements for Pinkie St Peter's Primary School and Wallyford Primary School would become operational with immediate effect.

Fiona Robertson
Head of Education
February 2017

STATUTORY PUBLIC CONSULTATION MEETING

**PROPOSED CHANGE TO THE PINKIE ST PETER'S PRIMARY AND WALLYFORD PRIMARY
SCHOOL CATCHMENT AREAS**

**WEDNESDAY 7th DECEMBER 2016
BRUNTON HALL, MUSSELBURGH**

PRESENT:

Chris Webb, Independent Adviser - Chair of Meeting
Fiona Robertson, Head of Education
Richard Parker, Business Manager
David Gilmour, Web Officer
David Scott, Quality Improvement Officer
Rob Lewis, Senior Information Officer
Pauline Smith, Principal Officer (Information and Research)
Katy Johnstone, Graduate Intern
Andy Stewart, Principal Planner (Policy & Projects)
Grant Talac, Transportation Planning Officer
Alistair Brown, Education Scotland
One member of the public

Chris Webb introduced himself and outlined the purpose of this evening's meeting.

Fiona Robertson informed the member of the public of the Council officers present and confirmed they would be able to answer any questions. She also reiterated that this evening's meeting was being held to discuss the following proposal:

- To alter Pinkie St Peter's Primary School catchment area to include the whole of the land at Levenhall site (MH8, circa 65 homes) and remove the area of land affected from the revised Wallyford Primary School catchment area, approved by Council on 25th October 2016.

Fiona then went on to explain the background of the consultation:

- The Strategic Development Plan for South East Scotland (SDP) was approved by Scottish Ministers in June 2013.
- The SDP with its Supplementary Guidance on Housing Land requires the Local Development Plan (LDP) to ensure sufficient housing land is available to deliver 10,050 homes during the period 2009-2024 with 6,250 of those homes capable of being delivered across East Lothian in the period to 2019.
- To accommodate these strategic development requirements, East Lothian Council approved a Proposed LDP 2016 for representation on 6th September 2016.
- On 24th February 2015, approval was given by East Lothian Council to undertake consultations relating to the school estate (schools, catchment areas, locations) as necessary to support the emerging LDP.

- A greater proportion of the proposed Levenhall site (MH8, a total of circa 65 homes) sits within the existing Pinkie St Peter's Primary School catchment area than within the Wallyford Primary School catchment area.
- It is proposed to alter the catchment area of Pinkie St Peter's Primary School around the whole of the site boundary of the proposed Levenhall allocation (MH8)
- The affected area currently contains no residential properties.

Fiona outlined the catchment school map:

- Section A refers to Pinkie St Peter's current catchment area
- Section B refers to Wallyford Primary School's current catchment area
- Section C refers the area proposing to move to Wallyford's catchment.

Fiona then explained the Education Provision required for the new development.

To accommodate the projected pupil population from the whole of the Levenhall site (MH8, circa 65 homes), the Council proposes to provide education capacity as follows:

- Additional eligible pre-school and primary school capacity will be provided at Pinkie St Peter's Primary School and Levenhall Nursery, in accordance with the Council's proposed strategy for the delivery of additional pre-school and primary school education capacity in the Musselburgh area.
- Additional secondary school capacity will be provided at the proposed new secondary education provision, in accordance with the Council's proposed strategy for the delivery of additional secondary school education capacity in the Musselburgh area.

Fiona discussed the projected population at Pinkie St Peter's Primary School as a result of the house build and catchment change:

- Taking into account the projected pupils from new housing with consent and those that will arise from the proposed 2016 LDP (including site MH8 at Levenhall), the projected peak roll = 669.
- Pinkie St Peter's Primary School will require additional phased permanent extension to accommodate this projected peak roll.

Fiona explained the proposed change to the Pinkie St Peter's and Wallyford Primary catchment areas will have educational benefits through:

Ensuring all primary aged children from the Levenhall site (MH8) will be able to attend the same school (Pinkie St Peter's). This will provide the opportunity for those children to develop and sustain strong relationships both at school and at home.

Fiona reiterated she wants to see new communities develop with current communities and not in isolation, as part of the wider community of Musselburgh.

Fiona explained the timeline for the proposal.

1. After this formal consultation, Education Scotland will submit their report on the catchment change proposal.
2. East Lothian Council will then complete their final report, which will be available for public view via ELC website for 3 weeks.
3. After the 3 weeks, the report will then be submitted for full Council approval.
4. If approved, catchment boundaries will be changed with immediate effect.

Chris Webb invited questions from the member of the public present:

The member of public present asked for a date with regard to the projected timetable.

Fiona R reiterated, based on the outcome of the consultation, if approved, the catchment area will change with immediate effect. This would be roughly March 2017.

After looking at papers regarding recent developments at Pinkie St Peter's Primary School are there plans to improve Pinkie St Peter's Primary School from a Category B building to Category A?

Fiona R informed the member of public Category A and B buildings are able to provide an education provision to meet the needs of the children in the school. However, she will request a colleague from Property provides a full response to this question through the Consultation Report.

David Scott spoke about upgrading in the current building as part of the recent expansion. The current condition rating is taken from the April 2016 School Estates Survey, but reflects the position for the previous academic session. There have been a number of upgrades in the school since the 2015-2016 rating was submitted to the Scottish Government.

When will the work take place? Latest development to Pinkie St Peter's Primary School was delayed, or impression to parents, of work not being completed in time.

David Scott confirmed that there is capacity within the school until 2022 and that education would not be compromised for any children. In terms of build spec and design, obviously we want to make sure that it's the specification that we've requested. So delays may well be, but at no point will it impact the children's education.

After the recent work, Fiona Robertson visited Pinkie St Peter's to see the school and make sure provision was appropriate for the children. The same protocol will be held for future developments.

What impact will there be regarding a safe walking route to school.

Grant Talac confirmed ELC are currently looking to put in a signalised pedestrian crossing for pupils and other improvement works as part of the Taylor Wimpey development, and hope to obtain a developers contribution for this. It is expected pupils will walk along the path going through the current playing field to Macbeth Moir Road, which will lead to the Taylor Wimpey development.

Would this be the main contribution, or would the developers contribute to school as well?

Grant Talac explained the Section 75 agreement, which allows ELC to put in a crossing, or request the developer puts a crossing in over A199.

Fiona R confirmed a contribution would be sought from developers for any additional new classes required to accommodate new pupils arising from the housing developments.

Andy Stewart confirmed a full impact assessment would be carried out on this and all other developments within the Proposed LDP not only for Education but also in relation to transportation, roads, community facilities and other relevant infrastructure and recommendations made to the developers for any additional infrastructure, new facilities or other interventions required in association with the development of new housing sites. Developer contributions will be required for the delivery of key interventions identified on a proportionate and pro rata basis as appropriate.

Chris Webb brought the meeting to a close and thanked member of public for attending.

He acknowledged the huge effort from staff over 4 consultations and how ELC staff have shown their dedication to provide the best Education possible for all children. Huge thank you to all involved.

Appendix 2:

This is a summary of each category of respondent, in relation to the extent to which they agree/disagree. Please Note: A respondent can identify as more than one category - therefore the totals in the tables below do not add up to the total number of responses received via questionnaire (5)

Q - To what extent do you agree or disagree with the proposal to alter the catchment boundaries of the Pinkie St Peter's and Wallyford Primary school catchment areas?

Table 1

All responses:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
	2	2			1	5		80.0%	20.0%

Table 2

Parent of Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	1	1			1	3		66.7%	33.3%
Pinkie St Peter's Primary		1			1	2		50.0%	50.0%
Wallyford Primary									
Other School	1					1		100.0%	0.0%

Table 3

Parent of Future Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	1	1			1	3		66.70%	33.30%
Pinkie St Peter's Primary	1	1				2		100.00%	0.00%
Wallyford Primary		1				1		100.00%	0.00%
Other School					1	1		0.00%	100.00%

Table 4/

Table 4

"Other" Category	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
All "Other" Categories	1					1		100.0%	0.0%

Table 5

Parent of Pupil Aged:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	2	2			1	5		80.0%	20.0%
Not yet in Education					1	1		0.0%	100.0%
Pre-school Education (3-5 year old)	1	2			1	4		75.0%	25.0%
P1 - P3									
P4 - P7									
S1 - S6	1				1	2		50.0%	50.0%
No longer in school Education					1	1		0.0%	100.0%

Table 6

Catchment	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	2	2			1	5		80.00%	20.00%
Pinkie St Peter's Primary	1	1			1	3		66.70%	33.30%
Wallyford Primary		1				1		100.00%	0.00%
Other School	1					1		100.00%	0.00%

Appendix 3 Comments from Questionnaire responses

Of the 5 questionnaire responses, 1 declined permission to publish their comments. However, their representations have been taken account of and responded to in this Consultation Report. The summary of comments below, were made from the remaining 4 responses who gave permission to share their comments.

COMMENT
Children have to go to school somewhere and as long as the school is given financial support, extra teachers etc to take on another catchment area then there should be no issue and as long as the school is big enough for the amount of children that is predicted to attend when the houses are built. Hopefully this has been well thought out so in a few years nobody is regretting the decision if the schools grades and attainment drop.
With the current build at Pinkie Farm, there are limited places at Pinkie St Peters as it is, even with the addition of the new classrooms. Will the council be allocating more funds for what will be necessary further expansion of the primary school?
I agree the boundaries need to be extended but only if there is space in existing schools or plans to extend

Appendix 4 – Pupil Voice Interviews

The Pupil Voice Interviews were a structured workshop session with a representative group of pupils from the school. The following are summaries of the discussions and questions/answers.

PUPIL VOICE

PINKIE ST PETER'S PRIMARY SCHOOL

P1 –P7 PUPIL REPRESENTATIVES

17th November 2016

David Scott and Katy Johnstone met with a group of pupils. David Scott described the proposal and then there was a group discussion around the following questions, the responses are listed below.

Why do you think we're changing the catchment?

Wallyford Primary is getting too full

No friends to play with if only one person on a street goes to a different school than everyone else

Wallyford's school is going to be a big school

What do you think of children coming to your school?

We would meet more friends and have more people to play with

People in Wallyford should go to Wallyford should go to that school, keep friends together

How would you welcome new pupils?

Make them feel they don't have to worry

Have good people around them

Make friends

Make them feel welcome

Play with new friends

Support people – in the playground have people there to help them

Tell your friends to include anyone they see feeling down – would be mean to leave someone on their own

Opportunities for new friends

Make sure that boys speak to girls and vice versa, don't ignore someone because you're a boy and they're a girl, everyone should speak to everyone

Any issues?

If there are loads of people coming, what if there is no space

Overall

No problems with new children coming in, would make new friends

PUPIL VOICE

WALLYFORD PRIMARY SCHOOL P1 –P7 PUPIL REPRESENTATIVES

22nd November 2016

David Scott and Katy Johnstone met with a group of pupils. David Scott described the proposal and then there was a group discussion around the following questions, the responses are listed below.

What do you think of the idea?

Good plan. Don't want to have two friends split between schools

If you leave it the way it is, there could be friendship separations

If you were at Pinkie, how would you welcome the new children?

Welcome them to your friendship groups

Talk to them

Include them as be their friends

Talk to them; make them come out their shell

Include them for class opinions

Appendix 5: Education Scotland Report

Report by Education Scotland addressing educational aspects of the proposal by East Lothian Council to alter the catchment areas of Pinkie St Peter's Primary School and Wallyford Primary School.

1. Introduction

1.1 This report from Education Scotland has been prepared by HM Inspectors in accordance with the terms of the *Schools (Consultation) (Scotland) Act 2010* and the amendments contained in the *Children and Young People (Scotland) Act 2014*. The purpose of the report is to provide an independent and impartial consideration of East Lothian Council's proposal to alter the catchment areas of Pinkie St Peter's Primary School and Wallyford Primary School. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal. Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include a copy of this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision. Where a council is proposing to close a school, it needs to follow all legislative obligations set out in the 2010 Act, including notifying Ministers within six working days of making its final decision and explaining to consultees the opportunity they have to make representations to Ministers.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children and young people of the schools; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and young people in the council area;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

1.3 In preparing this report, HM Inspectors undertook the following activities:

- attendance at the public meeting held on 7 December 2016 in connection with the council's proposals;

- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others; and
- visits to the site of Pinkie St Peter's Primary School and Wallyford Primary School, including discussion with relevant consultees.

2. Consultation Process

2.1 East Lothian Council undertook the consultation on its proposal(s) with reference to the *Schools (Consultation) (Scotland) Act 2010* and the amendments in the *Children and Young People (Scotland) Act 2014*.

2.2 The consultation process ran from 8 November 2016 to 20 December 2016. During this period the council held a public meeting at Brunton Hall, Musselburgh which was attended by one parent. Statutory consultees, including Parent Councils of the schools directly involved and Wallyford and Musselburgh and Inveresk Community Councils, were informed of the consultation in writing. Consultation documentation was published on East Lothian Council's website and copies were available for public consultation at several venues during the consultation period, including the schools concerned. A proforma questionnaire and an email address were made available for responses. The council received five responses. Four of these responses indicated support for the proposal. Stakeholders who met with HM Inspectors, including pupils attending the two affected schools, felt that the council had provided good opportunities for consultation and had listened to their views.

3. Educational Aspects of Proposal

3.1 East Lothian Council's proposal to extend the catchment area of Pinkie St Peter's Primary School to include the whole of the planned Levenhall housing development offers educational and social benefits to the children who will come to reside in that area. The site of the housing development currently has no residential properties. The proposal will allow all primary-aged children who will come to live in the Levenhall housing development to attend the same school and this will help them to develop and sustain friendships both in school and at home.

3.2 The Levenhall site is located closer to Pinkie St Peter's Primary School than to Wallyford Primary School and the proposal has the potential to reduce traffic congestion in the area and to encourage more children to walk to school.

3.3 The council acknowledges that it will need to provide an additional phased permanent extension at Pinkie St Peter's Primary School to accommodate the increased roll resulting from its proposal. In taking the proposal forward, the council should continue to engage with all stakeholders in planning this extension.

3.4 Almost all parents, pupils and staff who met with HM Inspectors or responded to the council's questionnaire support the proposal.

4. Summary

East Lothian Council's proposal to extend the catchment area of Pinkie St Peter's Primary School has clear educational benefits. It will allow all children who come to live in the planned housing development at Levenhall to attend the same school. This will help to promote a greater sense of community in the new development and will encourage children to develop and maintain friendships with their neighbours. The proposal has the potential for encouraging children to walk to school and to reduce possible traffic congestion in the area. The council should continue to engage with stakeholders as it makes plans for a further extension to Pinkie St Peter's Primary School.

**HM Inspectors
Education Scotland
January 2017**

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 Establishment of a New Primary School and Its Associated Catchment Area within the Land at Craighall, Musselburgh

8

1 PURPOSE

- 1.1 To approve the recommendations set out within the Consultation Report (Appendix 1) to establish a new primary school and its associated catchment area within the land at Craighall, Musselburgh.

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, subject to the adoption of the emerging LDP in a format that would require these new education catchment arrangements and facilities to be delivered:
 - a. a new primary school catchment area will be established for the Craighall area (LDP Proposal MH1, *hereinafter referred to as 'MH1'*), currently in the Campie Primary School catchment area;
 - b. a new primary school with early learning and childcare provision will be established for the proposed Craighall primary school catchment area;
 - c. the new primary school will be established initially at Stoneyhill Primary School through a "hosting" arrangement until the new primary school building is complete; and

- d. the new primary school will relocate to its permanent site on the completion of the new building.
- ii. withdraw the proposal and make no additional provision for pre-school and primary education for the land at Craighall (MH1). In withdrawing the proposal, the Council would not be able to accommodate the educational requirements of eligible pre-school and primary-aged children arising from planned housing developments in the Craighall area (MH1).
- 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 Craighall (MH1) identified in the 2016 Proposed LDP will require a new primary education facility with early learning & childcare provision to be established in order for such development to be delivered.
- 3.5 The statutory consultation regarding the establishment of a new primary school and its associated catchment area within the land at Craighall (MH1) 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 around the Musselburgh area.
- 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 6 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 27 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 25 responses to the questionnaire during the consultation period.
- 3.11 Of the 25 questionnaire responses, which provided an overall view about the council's proposal, almost all expressed support. In terms of the three individual elements of the proposal, a clear majority of respondents to the questionnaire (88% support the proposal to establish a new school (8% oppose /4% have no opinion) and its associated catchment area (72% support/ 20% oppose/ 8% have no opinion). A greater proportion of respondents overall oppose the element to host initially at Stoneyhill Primary School before relocating until the new permanent facility is built (72% oppose/ 20% support/ 8% have 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 Musselburgh community. A summary of responses by demographic is provided in the Consultation Report (Appendix 1).

3.13 One written submission was made after the consultation period had ended by Stoneyhill Primary School Parent Council in support of the proposal to establish a primary school within the Craighall area, the realignment of the catchment areas accordingly and the “hosting” element.

3.14 During the consultation period, Council officers visited Campie Primary School and Stoneyhill Primary 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 written and oral responses, and can be grouped as follows:

- Concerns about the level of new housing proposed for Musselburgh and preservation of heritage and community identity
- Transport Links & Safe Routes to Schools for Craighall area
- Concerns that pupils currently living in the proposed new catchment area will need to move school
- Concerns over increased traffic in Stoneyhill area during "hosting arrangements"
- Capacity at Stoneyhill Primary School for "hosting arrangements"
- Staff retention at Stoneyhill Primary School
- Consider a catchment area review for all Musselburgh schools

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 6 of the Consultation Report (Appendix 1).

3.17 Education Scotland reported that the proposal to establish a new catchment area for the planned Craighall Primary School has clear educational benefits as follows:

- the proposal has the potential to provide children who will reside in the Craighall 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;

- in the medium term, the proposal will also reduce the possibility of overcrowding at both Stoneyhill and Campie primary schools.
- 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:
- interim transition arrangements apply to both children living in the new Craighall housing development who will be initially ‘hosted’ at Stoneyhill Primary School and children who attend Stoneyhill Primary School. During the interim ‘hosting’ period the Council should provide both groups of children with a high quality education; and
 - continue to engage with stakeholders over its planned transition arrangements for children who will attend the new school and those children who attend Stoneyhill Primary School.
- 3.20 Following receipt of a total of 25 questionnaire responses during the consultation period, one written submission received after the consultation period had ended, 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 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 and primary education provision for the Craighall area (MH1).

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 Land at Craighall area (MH1) to fund the costs of this permanent provision 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 new early learning & childcare and primary school provision at Craighall (MH1).
- 6.2 Personnel - The Education Service closely monitors school rolls and plans staff recruitment in response to increases in rolls. The new provision 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 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 the proposed establishment of a new primary school and its associated catchment area within the land at Craighall, Musselburgh (Appendix 1).

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DATE	13 th March 2017



EAST LOTHIAN COUNCIL
RESOURCES AND PEOPLE SERVICES
EDUCATION
CONSULTATION REPORT

**REPORT ON THE OUTCOME OF THE CONSULTATION ON THE PROPOSED
ESTABLISHMENT OF A NEW PRIMARY SCHOOL AND ITS ASSOCIATED
CATCHMENT AREA WITHIN THE LAND AT CRAIGHALL, MUSSELBURGH**

February 2017

This Consultation Report has been issued by East Lothian Council in accordance with the Schools (Consultation) (Scotland) Act 2010.

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EAST LoTHIAN COUNCIL

RESOURCES AND PEOPLE SERVICES

EDUCATION

This report has been prepared following consultation on the following proposal:

- A new primary school catchment area will be established for the Craighall area (LDP Proposal MH1, *hereinafter referred to as 'MH1'*), currently in the Campie Primary School catchment area;
- A new primary school with early learning and childcare provision will be established for the proposed Craighall primary school catchment area;
- The new primary school will be established initially at Stoneyhill Primary School through a “hosting” arrangement until the new primary school building is complete; and
- The new primary school will relocate to its permanent site on the completion of the new building.

This proposal **directly affected** the following schools:

- Campie Primary School
- Stoneyhill Primary School

Having had regard (in particular) to:

- a) Relevant written representations received by the Council (from any person) during the consultation period
- b) Oral representations made to it (by any person) at the public meeting held on 6th December 2016
- c) Oral representations made to it at the public drop-in sessions
- d) Oral representations made to it at the pupil voice sessions
- e) Education Scotland’s report on the proposal

1. INTRODUCTION

1.1 This is a Consultation Report prepared in compliance with the Schools (Consultation) (Scotland) Act 2010 on the above proposal.

1.2 The purpose of this report is to:

- Provide a record of the total number of written responses made during the Statutory Consultation period;
- Provide a summary of the written responses;
- Provide a summary of oral representations made at the public meeting held on 6th December 2016;
- Provide a statement of the Council's response to those written and oral representations;
- Provide the full text of Education Scotland's report and a statement of the Council's response to this report;
- State how the Council reviewed the above proposal following the representations received during the Statutory Consultation period and the report from Education Scotland;
- Provide details of any omission from, or inaccuracy in, the Consultation Proposal Document and state how the Council acted upon it; and
- State how the Council has complied with Section 12 of the Schools (Consultation) (Scotland) Act 2010 when reviewing the above proposals.

2. BACKGROUND

2.1 Education Authorities have a statutory duty in terms of the Education (Scotland) Act 1980 to make adequate and efficient provision of school education across their area. This duty applies in respect of both the current school population and anticipated pattern of demand. In addition, Councils have a statutory duty to secure best value in terms of the Local Government in Scotland Act 2003. Most importantly, the Education Authority would wish to optimise the educational experience to ensure:

- East Lothian's young people are successful learners, confident individuals, effective contributors and responsible citizens;
- East Lothian's children have the best start in life and are ready to succeed;
- East Lothian's children experience equality of opportunity within an inclusive educational experience'
- East Lothian's children's care, welfare and personal and social development is central to raising their attainment and achievements; and
- In East Lothian we live healthier, more active and independent lives.

- 2.2 East Lothian Council is committed to raising educational attainment and ensuring that all children and young people have the best opportunities in life. The educational benefits that will arise from this proposal for children affected or likely to be affected are outlined in the Consultation Proposal Document.
- 2.3 The Strategic Development Plan (SDP) for South East Scotland was approved by Scottish Ministers in June 2013. The SDP with its Supplementary Guidance on Housing Land requires the Local Development Plan (LDP) to ensure sufficient housing land is available to deliver 10,050 homes during the period 2009 – 2024 with 6,250 of those homes capable of being delivered across East Lothian in the period to 2019.
- 2.4 In order to accommodate these strategic development requirements for East Lothian, East Lothian Council approved a Proposed LDP 2016 for representation on 6th September 2016. The Proposed LDP sets out East Lothian Council's proposed spatial strategy for East Lothian. As part of this, the Land at Craighall, Musselburgh (MH1) is one of the main development proposals in the Musselburgh Cluster which is proposed to be allocated for a mixed use development including 1,500 homes.
- 2.5 Significant additional education capacity at primary and secondary level will be needed to support the new housing development proposed in the Musselburgh cluster, including a new primary school for the site at Craighall (MH1). The Council must ensure provision is and can be made for the education of children in its area, and therefore wants to align the future provision of additional education capacity with its proposed development strategy for the area.
- 2.6 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. 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 Craighall (MH1) identified in the 2016 Proposed LDP will require a new primary education facility with early learning & childcare provision to be established in order for such development to be delivered.
- 2.7 On 24th February 2015, approval was given by East Lothian Council to undertake consultations relating to the school estate (i.e. schools, catchment areas, locations) as necessary to support the emerging 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.
- 2.8 The proposed catchment area for the proposed Craighall primary school is currently within the Campie Primary School Catchment area and will directly affect the following schools and was considered in the Consultation Proposal Document:

- Campie Primary School
- Stoneyhill Primary School

3. CONSIDERATIONS

3.1 The main considerations relating to the establishment of a new primary school and its associated catchment area for the land at Craighall (MH1) are fully explained in the Consultation Proposal Document and the main points are highlighted below:

- The need to address early learning & childcare and primary education provision for the Craighall area (MH1) and create a sustainable school estate for future generations;
- The increasing pupil roll projection in the area;
- The condition and suitability of the establishments to facilitate learning and teaching processes in the 21st Century; and
- The need to develop inspirational learning environments which raise the aspirations of children and young people, staff and the wider community.

4. THE CONSULTATION PROCESS

4.1 The Council has met the minimum requirements set out in the Schools (Consultation) (Scotland) Act 2010 with regards to ensuring the views of all members of the community were listened to and their views are included in this report. The Council believes that this report accurately reflects the views of the community, which have been gathered through a range of engagement events and response mechanisms. It is for members of East Lothian Council to decide to adopt the proposal, withdraw it or seek to consult on another proposal.

4.2 On 24th February 2015, approval was given by East Lothian Council to undertake consultations relating to the school estate (i.e. schools, catchment areas, locations) as necessary to support the emerging 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.

4.3 Notification of the consultation was given to all statutory consultees prior to the commencement of the consultation.

4.4 The Consultation Proposal Document was published on East Lothian Council's website and paper copies distributed on 8th November 2016 to:

- Campie Primary School
- Loretto RC Primary School
- Stoneyhill Primary School
- Musselburgh Grammar School

- Brunton Hall, Musselburgh
 - Musselburgh Library
 - Almond Park Nursery
 - First Step Community Nursery
 - Fisherrow Community Nursery
 - Honest Toun Nursery
 - Links Nursery
 - Loretto Private Nursery
 - Musselburgh Private Nursery
 - Olivebank Child and Family Centre
 - John Muir House, Haddington
- 4.5 The consultation period commenced at 12.00am on **Tuesday 8th November 2016** and lasted until 12.00am on **Wednesday 21st December 2016**, being a period of six weeks, which also included the statutory minimum 30 school days.
- 4.6 The proposal on which consultation took place was to:
- Establish a new primary school catchment area for the Craighall area (MH1) and the removal of this area of land from the Campie Primary School catchment area;
 - Establish a new primary school with early learning and childcare provision for the proposed Craighall primary school catchment area; and
 - Establish the new primary school initially within Stoneyhill Primary School and relocate to its permanent site on the completion of the new building.
- 4.7 The requirements for consulting on a relevant proposal relating to schools are set out in the Schools (Consultation) (Scotland) Act 2010.
- 4.8 An information leaflet setting out details about the proposal and consultation meetings was issued to the consultees listed in the Consultation Proposal Document. Advice on where the complete Consultation Proposal Document could be obtained was included and was published on East Lothian Council's Consultation Hub <https://eastlothianconsultations.co.uk/education/craighall-catchment>
- 4.9 If requested, copies of the proposal would have been made available in alternative formats or translated for readers whose first language is not English.
- 4.10 A "Frequently Asked Questions" document was also prepared which was available at the same location on East Lothian Council's Consultation Hub: <https://eastlothianconsultations.co.uk/education/craighall-catchment>
- 4.11 An advertisement was placed in the local newspaper on **10th November 2016** and **1st December 2016**. A pre-announcement was also made on the Council's website and social media posts on the **7th November 2016**. In addition, there were announcements

related to the consultation process on East Lothian Council's website, linked via a Facebook page and Twitter feeds.

4.12 The public meeting was held in **Brunton Hall, Musselburgh** on **6th December 2016 at 7.00pm**.

4.13 In addition to specific meetings with statutory consultees, drop-in sessions were also held in respect of the proposal at the venues below, at which any members of the public and staff were welcome to attend:

Venue	Date	Time
Campie Primary School	21 November 2016	12:00pm – 5:00pm
Brunton Hall, Musselburgh	6 December 2016	6.15pm – 7.00pm

4.14 In accordance with statutory requirements, the following persons, including those indirectly affected, were consulted:

- The Parent Councils of Campie Primary School and Stoneyhill Primary School;
- The parents of pupils at Campie Primary School and Stoneyhill Primary School;
- The parents of any children expected to attend Campie Primary School and Stoneyhill Primary School within two years of the date of publication of the proposal paper;
- The pupils at Campie Primary School and Stoneyhill Primary School;
- The staff at Campie Primary School and Stoneyhill Primary School;
- Musselburgh Area Partnership;
- Musselburgh & Inveresk Community Council.

4.15 The following schools are **directly affected** by the proposal:

- Campie Primary School
- Stoneyhill Primary School

4.16 The following schools are **indirectly affected** by the proposal:

- Loretto RC Primary School
- Musselburgh Grammar School

4.17 Representations were sought from statutory consultees and the wider public in the following ways:

- An online questionnaire on East Lothian Council's Consultation Hub. The questionnaire asked specific questions and enabled general comments and views to be entered. The Consultation Hub stored all relevant consultation documentation for public viewing;

- Widely distributed paper copies of the same questionnaire, at Council buildings within the Musselburgh area. Sealed boxes were also located at questionnaire distribution points for their return;
- Paper and digital flyers, in addition to the press adverts and Council web and social media announcements linked to the Consultation Hub. These flyers also detailed a specific Education Consultations email inbox, to which any queries could be submitted during the consultation period;
- Flyer distribution to pupils at Campie Primary School, Stoneyhill Primary School, Loretto RC Primary School and Musselburgh Grammar School. Head Teachers used their established methods of communication to engage/remind parents about the consultation and the Education Scotland independent evaluation visit.
- In addition to the public meeting, staff at the affected schools were also invited to attend the public drop-in sessions to discuss the proposals;
- A representative group of pupils from Campie Primary School and Stoneyhill Primary School attended a workshop where they were able to express their views on the proposals;
- A joint Parent Council meeting held with representatives from Campie Parent Council and Stoneyhill Parent Council.

4.18 This Consultation Report is the Council's response to the issues raised during the consultation period on the Consultation Proposal Document.

4.19 This Consultation Report will be published for a period of three weeks before a final decision is taken by East Lothian Council on 28th March 2017.

5. THE PUBLIC MEETING

5.1 A public meeting was held in Brunton Hall on Tuesday 6th December 2016 which was attended by three members of the public and one elected member. A full note of the meeting is attached at Appendix 1 which details the questions and issues raised at the meeting. The points raised are addressed within the response to Frequently Asked Questions or within this report.

5.2 Additionally, drop-in sessions were arranged during the consultation period, enabling any member of the public and staff to ask questions and discuss the proposals, the consultation process and how they could make representations. The most commonly asked questions at the drop-in sessions also informed the content of the Frequently Asked Questions document to provide relevant stakeholders and members of the public with points of clarification or further information.

6. RESPONSES TO THE CONSULTATION EXERCISE

6.1 As part of the consultation process, the Council sought the views of a wide range of stakeholders. Information about the consultation was placed in a local newspaper, on

the Council's website and at the affected schools, as well as all Musselburgh Partnership Nurseries, libraries and other centres within the Musselburgh area.

- 6.2 The Council provided stakeholders with a short online or paper questionnaire and also made good arrangements for receiving additional written responses. The Council received twenty five responses to its questionnaire. Of the responses which provided an overall view about the council's proposal, almost all expressed support. In terms of the three individual elements of the proposal, a clear majority of respondents to the questionnaire (88%) support the proposal to establish a new school (8% oppose /4% have no opinion) and its associated catchment area (72% support/ 20% oppose/ 8% have no opinion). A greater proportion of respondents overall oppose the element to host initially at Stoneyhill Primary School before relocating until the new permanent facility is built (72% oppose/ 20% support/ 8% have no opinion).
- 6.3 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.
- 6.4 A summary of all questionnaire responses has been included in Appendix 2. The comments made as part of these questionnaires are also included in Appendix 3, apart from submissions which consultees did not wish East Lothian Council to share publicly. Even if a submission is not shared publicly, it has still been included in the collation of stakeholder's views and informed the response as detailed in paragraph 6.8.
- 6.5 The Council did not receive any written submissions to its consultation during the consultation period. One written submission was made after the consultation period had ended by Stoneyhill Primary School Parent Council in support of the proposal to establish a primary school within the Craighall area, the realignment of the catchment areas accordingly and the "hosting" element. The views expressed by the group in this written submission were submitted to Education Scotland with all representations that had been made during the consultation period and any issues or concerns raised are also subject to the Council's response in this Consultation Report.
- 6.6 The summary of questionnaire responses to the individual elements categorised by demographic are as follows:

- **Parents of pupils currently at schools:**

A greater proportion of parents of pupils currently at school who responded, agreed with the proposals to establish a new school and its associated catchment area than disagreed, for all schools. In total, 95.2% supported the proposal for the new school (4.8% opposed) and 81.0% supported the proposal for its associated catchment area (19.1% opposed). A greater proportion of parents of pupils currently at school disagreed with the "hosting" element than agreed, for all schools. In total, 72.7% opposed the "hosting" element, 18.2% supported and 9.1%

had no opinion. The greatest proportion opposing were parents of pupils currently at Stoneyhill Primary School (88.9% opposed/11.1% supported). 44.4% of parents with current pupils at Campie Primary School disagreed/strongly disagreed with the “hosting” element, 33.3% agreed/strongly agreed and 22.2% had no opinion. All of the parents of current pupils in the “Other School” category disagreed/strongly disagreed with the “hosting” element.

- **Parents of future pupils at schools:**

A greater proportion of parents of future pupils overall agreed with the proposal to establish a new school than disagreed. In total, 66.7% supported the proposal for the new school, 16.7% were opposed and 16.7% had no opinion. 100% of parents with future pupils at Campie and “Other School” supported the new school, 50% of parents with future pupils of Stoneyhill opposed the new school while 50% had no opinion. A greater proportion of parents of future pupils overall disagreed with the proposed catchment area for the new school. In total, 66.7% were opposed and 33.3% supported the catchment area. 100% of future parents at Campie were opposed to the catchment area while 100% in the “Other School” category agreed with it. There were equal proportions of respondents of future pupils at Stoneyhill supporting/opposing the proposed catchment area (50%/50%).

A greater proportion of parents of future pupils disagreed with the “hosting” element than agreed, for all schools. In total, 83.3% opposed the “hosting” element, 16.7% had no opinion. The greatest proportions opposing were parents of future pupils at Stoneyhill Primary School and “Other School” with 100% disagreeing. 66.7% of parents of future pupils at Campie Primary School disagreed/strongly disagreed with the “hosting” element and 33.3% had no opinion.

- **Parent respondents (with stage banding of pupils):**

A greater proportion of parents of pupils in all age bandings supported the proposal for a new school, apart from parents of pupils no longer in education where there was an equal split. All parents of pupils currently at primary or secondary school were in support of the new school. A greater proportion of those parents in ‘pre-school education’ were opposed to the proposed catchment area (62.5% opposed/37.5% supported) while there were equal proportions of parents of pupils ‘Not yet in Education’ and ‘No longer in school Education’ supporting/opposing the proposed catchment area (50%/50%). A greater proportion of parents of pupils in all age bandings opposed the “hosting” element, apart from parents of pupils ‘No longer in school Education’ where there was an equal split (50%/50%). The greatest proportion opposing were those parents with pupils in ‘S1-S6’ and ‘Not yet in Education’.

- **Pupils currently attending school:**

There were no respondents within this demographic.

- **Members of Staff:**

Two respondents identified themselves within this demographic. Both supported the proposal to establish a new school and its associated catchment area but did not agree with the “hosting” element.

- **“Other” Respondents:**

These respondents included grandparents, other family member, members of the public etc. 80% of these respondents supported the proposal to establish a new school for the Craighall area, 20% were opposed. A greater proportion opposed the proposal for its associated catchment area (60% opposed/40% supported) and a greater proportion also opposed the “hosting” element (40% opposed/20% supported/40% had no opinion).

- **Catchment of Respondent:**

A greater proportion of respondents from all catchments supported the proposal to establish a new school: “Campie” (91.7% supported/8.3% opposed), “Stoneyhill” (81.8% supported/9.1% opposed/9.1% had no opinion), and “Other School” (100% supported). A greater proportion of respondents from all catchments also supported the proposal for its associated catchment: “Campie” (58.3% supported/14.7% opposed), “Stoneyhill” (81.8% supported/18.2% opposed), and “Other School” (100% supported). A greater proportion of respondents from the Campie and Stoneyhill catchments opposed the proposal to initially host the school at Stoneyhill Primary School: “Campie” (58.3% opposed/25% supported/16.7% had no opinion) and Stoneyhill catchment (90.9% opposed/9.1% supported). There were equal proportions of respondents supporting/opposing the “hosting” element who live in the ‘Other School’ catchment (50%/50%).

6.7 During the consultation period, Council officers visited Campie Primary School and Stoneyhill Primary School providing good opportunities for pupils to discuss their views. Overall, pupils showed support for the proposals. Notes of the pupil voice sessions are included as Appendix 4.

6.8 A number of common themes emerged from the written and oral responses and can be grouped as follows:

- Concerns about the level of new housing proposed for Musselburgh and preservation of heritage and community identity
- Transport Links & Safe Routes to Schools for Craighall area

- Concerns that pupils currently living in the proposed new catchment area will need to move school
- Concerns over increased traffic in Stoneyhill area during “hosting arrangements”
- Capacity at Stoneyhill Primary School for “hosting arrangements”
- Staff retention at Stoneyhill Primary School
- Consider a catchment area review for all Musselburgh schools

7. EDUCATION AUTHORITY RESPONSE TO WRITTEN AND ORAL REPRESENTATIONS

7.1 Concerns about level of new housing proposed for Musselburgh and preservation of heritage and community identity

7.1.1 These issues are addressed through the Local Development Plan process. The Council is formulating its responses to representations made to the Proposed Local Development Plan and any unresolved objections in respect of spatial strategy, site allocations and infrastructure requirements will be considered at examination.

7.1.2 While a new local centre will be introduced at Craighall (MH1) as part of the mixed-use development, those moving into the proposed housing developments at Craighall will be part of two communities, a new community at Craighall and the wider community of Musselburgh.

7.1.3 In terms of the school community, the Council will work closely with the children, young people and parents who move into the development to establish a new sense of school community within the context of the wider Musselburgh community. Increasing the early learning & childcare and primary education provision in the Musselburgh cluster area will provide opportunities for schools to work in a new wider learning community. The temporary hosting arrangements at Stoneyhill Primary School during the initial house build years, while the new primary school facilities at Craighall are being built, will help to develop links and integration across the existing Musselburgh community.

7.2 Transport Links & Safe Routes to Schools for Craighall area

7.2.1 The Council agrees that safe routes to school and other connectivity issues require to be addressed through the planning/design process. There is currently an ongoing process and dialogue within the Council with Planning and Road Services and others in terms of a Master Plan approach towards the site. Further discussions will take place before we arrive at the fundamental principles for the Master Plan which underpins movement around the site including transport and safe routes to schools, which is a critical part of the process, as well as linkages to Musselburgh town itself. Road safety will be a priority and measures needed to ensure there is sustainable travel to encourage people to walk and cycle and discourage vehicle trips during the school travel times and indiscriminate parking behaviour associated with the drop-off of children at the new school. Wider measures will also be needed to support, facilitate

and encourage active travel, linked with safer routes to school. Consideration of improvements in the wider catchment area to remove barriers to cycling and walking will be considered and developed accordingly.

7.3 Concerns that pupils currently living in the proposed new catchment area will need to move school

7.3.1 As stated in the Consultation Proposal Document there are currently no residential properties within the proposed new Craighall catchment area with the exception of the student residence flats at the Queen Margaret University campus. The proposed new Craighall catchment area will be defined by the boundary of the proposed Craighall development site (MH1) and does not include any existing properties to the east of the site at Old Craighall. Therefore, no current or future primary-aged pupils living within either the current Campie Primary School catchment area or the proposed revised Campie Primary School catchment area will be affected by this proposal and will continue to attend Campie Primary School as their catchment school. Similarly, those who live in the current Campie Primary School catchment area who attend another school in the area through a placing request will remain at their current school. Denominational pupils from the proposed revised Campie Primary School catchment area will continue to have option to attend Loretto RC Primary School if they wish to do so as per current arrangements.

7.4 Concerns over increased traffic in Stoneyhill area during “hosting arrangements”

7.4.1 It is the Council’s intention during the “hosting” period through planning conditions to provide a bus to transport pupils between the Craighall site (MH1) and Stoneyhill Primary School to help minimise additional traffic in the Stoneyhill area.

7.5 Capacity at Stoneyhill Primary School for “hosting arrangements”

7.5.1 Stoneyhill Primary School has been identified as the best location for the “hosting arrangement” as opposed to Campie Primary School based on its relative proximity to the proposed Craighall site (MH1) and its available capacity based on projected school rolls.

7.5.2 Campie Primary School has a planning capacity of 444 primary-aged pupils. While this capacity is sufficient to accommodate the projected pupil numbers arising from planned and committed housing developments in the Campie Primary School catchment area, excluding the proposed Craighall development (MH1), the Campie Primary School facility and site is constrained and does not have the ability to be physically extended to accommodate the additional pupils projected to arise from the Craighall site (MH1). The projected rolls at Campie Primary School are expected to increase over the next five years to circa 430 pupils as committed and planned sites are built out and a temporary “hosting” arrangement at Campie Primary School would

put the school's capacity under significant pressure if the Craighall site came forward during this time.

- 7.5.3 The temporary "hosting" arrangement at Stoneyhill Primary School is predicated on the school's capacity to accommodate the projected pupil numbers arising from the proposed Craighall housing development (MH1) in the first two to three years of house build. Stoneyhill Primary School has a planning capacity of 309 pupils. There are currently no committed or planned housing developments for the Stoneyhill Primary School catchment area. Based on current demographics and historical intake trends in the Stoneyhill catchment area, school roll forecasts for the next 20 years show that the school roll is not projected to exceed 220 primary-aged pupils. This would suggest that there is sufficient capacity at the school for the Craighall pupils to be temporarily hosted. Due to legislation, the "hosting" period can only last up to a maximum of 36 months, allowing a viable pupil roll to develop while the new permanent school facility is being built. The agreed house development phasing for Craighall (MH1) would be such that the school would be ready for the children over that period of time.
- 7.5.4 Stoneyhill Primary School's capacity will be continually assessed (as is the case with all schools), in comparison to roll projections from the catchment area it provides for, and all new house building (of 5 units or more) which occurs within this area. Non-catchment placing requests will continue to be considered in line with East Lothian Council's Pupil Placement Policy.
- 7.5.5 In terms of nursery capacity, as there are no designated catchment areas for nursery, parents of eligible pre-school children moving into the proposed housing in the affected area (MH1) would apply for early learning and childcare provision at a nursery of their choice through the Council's existing Nursery Admissions processes.
- 7.5.6 The commencement of the "hosting" arrangement is dependent on when the first houses in the proposed Craighall development (MH1) are built and ready for occupation and families with primary-aged pupils move in. The timescale for the "hosting" period and the new primary school facility to be built is to be finalised as part of a detailed master planning exercise for the Craighall site (MH1) as a whole. Any master plan proposal will be subject to statutory pre-application procedures, including public consultation, in line with the requirements of the Town and County Planning (Scotland) Act 1997 (as amended). Based on indicative phasing provided for the Proposed LDP 2016 technical work, the number of pupils projected to arise from new housing in the proposed Craighall allocation (MH1) during the first three years of house completions is expected to grow from a single figure within the first year that houses are ready for occupation to 22 primary-aged pupils by the start of the third year of house build completions growing to circa 40 pupils by the end of the third year of house build.
- 7.5.7 A key priority for officers is the development of the "hosting" arrangement at Stoneyhill Primary School and a comprehensive transition programme to support the

transition from Stoneyhill Primary School into the proposed permanent Craighall primary school facility once it is complete. We are aware of authorities elsewhere in Scotland who have hosting arrangements in place and will communicate with them and learn from their experiences.

7.5.8 Specific details on the hosting arrangements themselves will depend on the numbers, stages and ages of the children moving into the new housing developments. It is not possible to predict the exact numbers, ages and stages moving into the new housing and there will need to be a degree of flexibility in terms of the approach that is taken to be responsive to the particular needs of individual children. The Council will work with the Head Teacher, who would be the temporarily shared Head Teacher for both Stoneyhill Primary School and Craighall primary school during the transition period, and other staff to discuss where children should be based and the composition of class groups as individual pupils start to move into the Craighall area. The appropriate statutory maximum class size – P1 maximum of 25, primary two and three maximum of 30 and primary four to seven maximum of 33 - will apply to the class organisation for both schools in line with current legislation and policy. A Transitional Leadership Team will also be established and in place in the January before the move to the new Craighall permanent facility to look at the arrangements needed in terms of staffing, class organisation etc.

7.5.9 For those children with Additional Support Needs there are well established procedures to identify particular learning needs and provide the required support measures. Such work involves close liaison with parents and carers, and where relevant, Community Planning Partners. Pupil Support staff and teaching staff will work closely to ensure that the learning, pastoral and social needs of children are fully supported during the transition process, including enhanced arrangements for children and young people with Additional Support Needs.

7.5.10 The Council will continue to consult and engage with affected stakeholders through the development and implementation of the hosting and planned transition arrangements. Timescales of the construction of the new permanent school facility at Craighall will be closely monitored by East Lothian Council and one year's notice of the opening date will be communicated to parents and the public to assist transition preparation. This date would be the expected opening date, subject to ongoing construction timescales. The opening of the facility would not be before this date, and any amendments to this timescale would likewise be communicated as soon as possible.

7.6 Staff Retention at Stoneyhill Primary School

7.6.1 The hosting arrangements and establishment of the new school should not have a detrimental impact on the retention of staff, staff numbers and the recruitment of new staff for Stoneyhill Primary School given the level of staffing required will reflect the school roll and maximum class sizes.

7.6.2 The new Craighall primary school would be staffed in line with current East Lothian recruitment procedures, appointing the best candidates for each vacancy. Recruitment would 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. In line with the Council's risk management processes, the Education Service has measures in place to monitor current national recruitment problems.

7.7 Consider a catchment area review for all Musselburgh schools

7.7.1 Existing catchment areas not affected by the Proposed LDP operate well for the families and children living within these communities. In line with current legislation and Council policy, parents have the ability to make a placing request for a non catchment school.

8. EDUCATION SCOTLAND REPORT

8.1 In accordance with the Schools (Consultation) (Scotland) Act 2010, a report was produced by Education Scotland on the educational aspects of the proposal. A full copy of the report can be found in Appendix 6.

8.2 In preparing this report, HM Inspectors undertook the following activities:

- consideration of all relevant documentation provided by the Council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others; and
- visits to the site of the proposed new school, Campie Primary School and Stoneyhill Primary School, including discussion with relevant consultees.

8.3 The Education Scotland consideration of the proposal is summarised as follows:

- Education Scotland stated that almost all parents, pupils and staff who met with HM Inspectors or responded to the Council's questionnaire supported the proposal.
- Education Scotland stated that stakeholders who met with HM Inspectors felt that the council had provided good opportunities for being consulted and for giving their views.
- Education Scotland stated that the proposal to establish a new catchment area for the planned Craighall Primary School has clear educational benefits. It identified that the proposal has the potential to provide children who will reside in the Craighall housing development with modern, purpose built accommodation designed to meet the needs of its learners. The Education Scotland report also stated that the new school will provide a range of leisure and learning facilities which will

potentially benefit the wider community. In the medium term, the proposal will also reduce the possibility of overcrowding at both Stoneyhill and Campie primary schools. Almost all stakeholders who met with HM Inspectors support the proposal.

- Education Scotland also stated that the Council should ensure that interim transition arrangements apply to both children living in the new Craighall housing development who will be initially ‘hosted’ at Stoneyhill Primary School and children who attend Stoneyhill Primary School. During the interim ‘hosting’ period the council should provide both groups of children with a high quality education.

8.4 In taking its proposal forward, the Council should continue to engage with stakeholders over its planned transition arrangements for children who will attend the new school and those children who attend Stoneyhill Primary School.

8.5 **East Lothian Council’s Response to Education Scotland’s Report**

East Lothian Council welcomes the report from Education Scotland and accepts its findings. The points raised by Education Scotland within the Education Scotland Report were also key themes identified through the consultation process and are addressed in Section 7 of this report.

9. **TRANSITION ARRANGEMENTS**

9.1 As stated in the Consultation Proposal Document, at present the affected area of land at Craighall (MH1) contains only student residence flats at Queen Margaret University and there are no pupils resident and attending East Lothian schools in any of the student flats within the affected area.

9.2 Pupils currently attending Campie Primary School will not be significantly affected as the proposed changes to the catchment areas, if approved, would be dependent on the adoption of the emerging LDP in a format that would require these new education catchment arrangements and facilities to be delivered.

9.3 In respect of the new early learning & childcare and non-denominational primary school provision, it is intended that the Craighall primary school will be established initially at Stoneyhill Primary School under a temporary “hosting arrangement” in sufficient time to accommodate primary aged pupils from the proposed new housing developments at the Craighall site (MH1).

9.4 An effective transition programme will be put in place to ensure continuity and progression in learning for those pupils attending Stoneyhill Primary School as part of the “hosting” arrangement. The inclusion of children and families in the development of the new school from the outset should minimise any disruption to children’s learning.

- 9.5 Parents of eligible pre-school children moving into planned housing in the affected area (MH1) would apply for early learning and childcare provision through the Council's existing Nursery Admissions processes.
- 9.6 Secondary pupils moving into planned housing in the affected area (MH1) following implementation of the proposal, if approved, will attend Musselburgh Grammar School. Denominational primary pupils will have the option to attend Loretto RC Primary School if they wish to do so.

10. ALLEGED OMISSIONS OR INACCURACIES

- 10.1 Section (10) (3) of the Schools (Consultation) (Scotland) Act 2010 also places a requirement on the Council to provide details of any inaccuracy or omission within the Consultation Proposal Document which has either been identified by the Council or raised by consultees. This section of the 2010 Act also requires the Council to provide a statement on the action taken in respect of the inaccuracy or omission, or, if no action was taken, to state that fact and why.
- 10.2 There were no inaccuracies or omissions within the Consultation Proposal Document either identified by the Council or raised by consultees during the consultation period.

11. COMPLIANCE WITH SECTION 9(1) OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010

- 11.1 Section 9(1) of the Schools (Consultation) (Scotland) Act 2010 states that:

After the Education Authority has received Education Scotland's report, the Authority is to review the relevant proposal having regard (in particular) to:

- (i) written representations received by the Authority (from any person) during the consultation period,*
- (ii) oral representations made to it (by any person) at the public meeting,*
- (iii) Education Scotland's report.*

- 11.2 Following receipt of twenty five questionnaire responses during the consultation period, one written submission received after the consultation period had ended, and consideration of oral representations made at a public meeting held during the consultation period, officers reviewed the proposal.
- 11.3 The feedback from the consultation was considered by relevant officers across a number of Council Services including Education, Planning, Property and Road Services. This ensured that the Council met the requirements of sections 9(1), 12 and 13(3) (b) of the 2010 Act.
- 11.4 Officers of the Education Authority have listened carefully to the points made at the public meeting and have considered equally carefully the written representations,

including the Education Scotland report. 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 Craighall area (MH1).

12. LEGAL ISSUES

12.1 The Council has complied in full with the requirements of the Schools (Consultation) (Scotland) Act 2010 throughout this statutory consultation.

12.2 The Council is mindful of its duties in respect of equality and the Equality Impact Assessment did not identify that any parent, child or young person would be treated less favourably as a result of this proposal.

12.3 Under the terms of the Schools (Scotland) (Consultation) Act 2010, it is a legal requirement that the Council should not reach any formal decision without having reviewed the relevant proposal having regard, in particular, to:

- a) relevant written representations received from any person during the consultation period;
- b) oral representation made to it by any person at the public meeting held on 6th December 2016;
- c) the Education Scotland report;
- d) preparing a Consultation Report; and
- e) waiting until a period of three weeks starting on the day on which this Consultation Report is published in electronic and printed form has expired.

12.4 As it is the intention that this Consultation Report should be published, both electronically and in written form, if required, on 27th February 2017, this meets the statutory requirement to publish this report more than three weeks before consideration of the proposal by East Lothian Council.

13. PERSONNEL ISSUES

13.1 No personnel issues have been identified with regard to this proposal.

14. ENVIRONMENTAL ISSUES

14.1 The impacts of the proposals are assessed as set out above and the relevant technical and environmental information is published alongside the Proposed LDP. The interim environmental assessments, site assessments and other technical documents for the Main Issues Report and Proposed LDP are available on the Council's website.

15. CONCLUSION

15.1 The Council now has 3 options to consider, namely:

- a) adopt the proposal;

- b) withdraw the proposal and make no additional provision for primary education;
- c) undertake a further consultation exercise on a new proposal.

15.2 In withdrawing the proposal, the Council would not be able to accommodate the educational requirements of eligible pre-school and primary-aged children arising from planning housing developments in the Craighall area (MH1).

15.3 Education Scotland has identified that the proposal would lead to clear educational benefits for children. This includes providing a modern, purpose built accommodation designed to meet the needs of its learners as well as providing a range of leisure and learning facilities which will potentially benefit the wider community.

15.4 If the Council adopts the proposal, it would be on the basis that the educational benefits set out in the Consultation Proposal Document would materialise. There would also be a requirement that close joint planning with parents/carers, staff and pupils, is well managed in ways which are supportive to the pupils concerned, and in their long term interests.

15.5 The key messages deriving from the consultation period are as follows:

- A clear majority of respondents to the questionnaire (88%) support the proposal to establish a new primary school facility with early learning & childcare for the Craighall area (MH1). 8% of questionnaire respondents oppose this proposal and 4% have no opinion.
- A clear majority of respondents to the questionnaire (72%) support the proposed associated catchment area for Craighall and its removal from the Campie Primary School catchment area. 20% of questionnaire respondents oppose the proposed catchment and 8% have no opinion.
- A greater proportion of respondents to the questionnaire (72%) oppose the proposal to host initially at Stoneyhill Primary School before relocating until the new permanent facility is built. 20% support the “hosting” element and 8% have no opinion.
- Stoneyhill Primary School Parent Council support the proposal to establish a primary school within the Craighall area, the realignment of the catchment areas accordingly and the “hosting” element.
- During the consultation period, Council officers visited Campie Primary School and Stoneyhill Primary School, providing good opportunities for pupils to discuss their views. Overall, pupils showed support for the proposal.

16. **RECOMMENDATIONS**

16.1 On the basis of the feedback received and taking account of the educational and social benefits of the proposal, it is concluded that the following proposal is the most

suitable option and it is recommended that, subject to the adoption of the emerging LDP in a format that would require these new education catchment arrangements and facilities to be delivered, the Council approves the following:

- A new primary school catchment area will be established for the Craighall area (LDP Proposal MH1, hereinafter referred to as 'MH1'), currently in the Campie Primary School catchment area;
- A new primary school with early learning and childcare provision will be established for the proposed Craighall primary school catchment area;
- The new primary school will be established initially at Stoneyhill Primary School through a "hosting" arrangement until the new primary school building is complete; and
- The new primary school will relocate to its permanent site on the completion of the new building.

Fiona Robertson
Head of Education
February 2017

Appendix 1: Note of Public Meeting, 6th December 2016

STATUTORY PUBLIC CONSULTATION MEETING PROPOSAL – TO ESTABLISH A NEW PRIMARY SCHOOL AND ITS ASSOCIATED CATCHMENT AREA WITHIN THE LAND AT CRAIGHALL, MUSSELBURGH

**TUESDAY 6 DECEMBER 2016
BRUNTON HALL, MUSSELBURGH**

PRESENT:-

Fiona Robertson, Head of Education
Chris Webb, Independent Adviser, Chair of meeting
Liz McLean, Service Manager Strategic Asset
Iain McFarlane, Planning Service Manager, Development
Neil MacFarlane, Transportation Planning Officer
Paul Zochowski, Principal Planner (Policy and Project)
David Scott, Quality Improvement Officer
Fiona Brown, Principal Officer, Education
Pauline Smith, Principal Officer (Information & Research)
Rob Lewis, Senior Information Officer
Calum Murray, Business Support Officer (Education)
Anna Bennett, Business Support Officer (Education)
David Gilmour, Web Officer
Councillor John Williamson
3 members of the public (Ian Fullerton/Alison Elgin/Jill Robertson)

Chris Webb welcomed everyone to the meeting in relation to the proposed establishment of a new primary school and its associated catchment area within the land at Craighall, Musselburgh.

Chris Webb introduced himself and outlined the purpose of the meeting and introduced the Council Officers present. He informed the attendees that the meeting was being recorded to allow the Council to have an accurate record of any issues raised so they can answer any questions fuller at a later date. The views recorded will form part of the consultation exercise. He advised that the Schools (Consultation) (Scotland) Act which governs the consultation the Council is currently going through came into force in 2010 and was amended in 2015. The Act, as amended, has established an open and transparent system for consulting changes to the schools.

Chris Webb advised that the purpose of the meeting is to give members of the public the opportunity to hear more about the proposal, ask questions about the proposal and have their views recorded and noted and taken account of as part of the consultation process.

Fiona Robertson reiterated that this evening's meeting was being held to discuss the following proposal:-

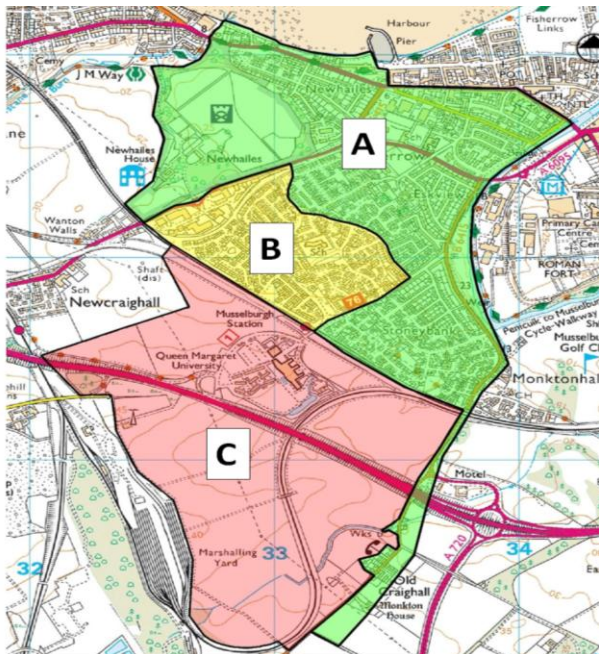
- The establishment of a new catchment area for the Craighall area around the proposed Land at Craighall development site (LDP Ref: "MH1", area "C" on map) and the removal of this area of land from Campie Primary School's catchment area.

- The establishment of a new school with primary education and early learning and childcare provision for the proposed Craighall primary school catchment area.
- Establishing the new primary school initially within Stoneyhill Primary School and relocating to its permanent site on completion of the new school facility.

Background to this proposal

- The Strategic Development Plan for South East Scotland (SDP) was approved by Scottish Ministers in June 2013.
- The SDP with its Supplementary Guidance on Housing Land requires the Local Development Plan (LDP) to ensure sufficient housing land is available to deliver 10,050 homes during the period 2009-2024 with 6,250 of those homes capable of being delivered across East Lothian in the period to 2019.
- To accommodate these strategic development requirements, East Lothian Council approved a Proposed LDP 2016 for representation on 6th September 2016.
- On 24 February 2015, approval was given by East Lothian Council to undertake consultations relating to the school estate (schools, catchment areas, locations) as necessary to support any emerging LDP.
- As part of the Proposed LDP 2016, the land at Craighall (LDP Ref: MH1, area “C” on map) is one of the main development proposals in the Musselburgh Cluster – with a proposed allocation of mixed use development including circa 1,500 homes.
- Significant additional education capacity at primary and secondary level will be needed to support the new housing development proposed in the Musselburgh cluster, including a new primary school for the site at Craighall (MH1, area “C”).

Proposed Catchment



“A” – Proposed amended Campie Primary Catchment

“B” – Stoneyhill Primary Catchment (no amendment proposed)

“C” – Proposed Craighall Primary Catchment

Education Provision

To accommodate the projected pupil population from the proposed allocations (LDP Ref: MH1, area "C" on map) the Council proposes to provide education capacity as follows:

- Permanent early learning & childcare and primary school capacity at the Craighall site.
- Craighall primary school will be established initially at Stoneyhill Primary School under a temporary "hosting" arrangement, for a period of up to 36 months, until the permanent Craighall primary school facility is delivered.
- Loretto RC Primary School would serve denominational pupils from the proposed Craighall primary school catchment area.
- Secondary school capacity will be provided at Musselburgh Grammar School, in accordance with the Council's proposed strategy for the delivery of additional secondary school education capacity in the Musselburgh area.

Projected Population Data

Craighall Primary School - The LDP projected pupil population for the proposed houses in the Craighall area (LDP Ref: "MH1", area "C" on map) requires a peak roll of 579 pupils primary pupils with 21 classes and pre-school provision of 110 places.

Stoneyhill Primary School - Current roll projections for Stoneyhill Primary School show there is capacity to temporarily "host" pupils from the Craighall site (MH1) for the first 2 to 3 years of house build.

Educational benefits

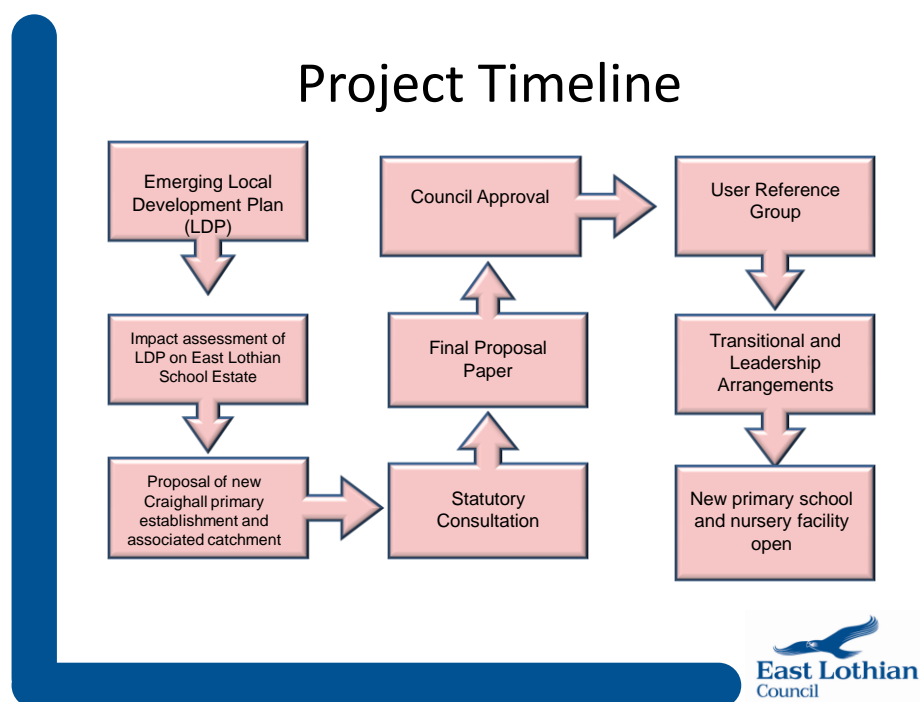
The establishment of a new primary school and its associated catchment area for the Craighall site (MH1) will have educational benefits through:

- Enhancement and improvement of the existing primary provision within the Musselburgh area.
- Providing a positive balance between the number of pupils in Musselburgh Grammar School and the proposed new secondary school at Wallyford.
- Addressing capacity constraints at Campie Primary School (if a new school is not built).

"Hosting" and transition

- Key priority for officers is development of "hosting" arrangement. *We are aware of authorities elsewhere in Scotland who have hosting arrangements in place and will communicate and learn from their experiences.*
- Comprehensive transition programme to support transition into new school.
- Hosting arrangement will last up to 36 months – until permanent Craighall primary school facility is delivered.

Project Timeline



Chris Webb invited questions from the public.

Councillor John Williamson advised that one of the reasons there were not many people at this public meeting is that not many people live in that area apart from there being a few cottages. He advised he had some concerns in relation to the creativity between both halves of Site C and how it will be integrated into the town of Musselburgh. He also expressed his concern in relation to the Consultation questionnaire and advised, in his opinion, the questionnaire was flawed. This is because people completing the questionnaire do not have to identify themselves on the consultation form, as the name and address field within the questionnaire is not mandatory. He felt that one person could, if they wanted to, could complete a number of responses.

Fiona Robertson commented on the question in relation to the questionnaire. She said that the Department do have quality assurance measures in place in relation to the completion of the questionnaires. It is not a requirement to have a questionnaire as part of the consultation process, but the Department did determine to have this as part of the consultation to encourage members of the community to respond. It would be far from her to suggest that members of the public would not fill these questionnaires in honestly in terms of providing a response to the consultation. The Department has already had approval from Council when preparing the relocation of Wallyford Primary School and at that point mentioned about Education Scotland saying the way by which the Wallyford Primary School consultation was conducted was commended by the stakeholders they had engaged with during the 3 week period. HMI who reviewed the consultation process gave this response to the Department. In relation to quality assurance measure arrangements in place, if you look at school consultations across Scotland and other authorities you will find they tend to remove the personal details if they do a questionnaire. But there are some school consultations far greater than this one and they have not included a questionnaire. This reflects how the Department has conducted this consultation as it has been opened up to the public. The Department feels it is an

appropriate questionnaire and have responded to the responses the public have made through the questionnaires.

Councillor Williamson went on to say it is not just school consultations he was referring to but all Council consultations are the same. There is no identification within the questionnaire and there could be a perception that everything is not a 100%, but he is not saying that there is.

Chris Webb thanked Councillor Williamson for his point.

Chris Webb asked Iain McFarlane and Neil McFarlane to respond to the questions asked by Councillor Williamson in relation to planning and transport issues. He thought that the intersection of the A1, the location and safe route school issues could be answered by Iain MacFarlane and Neil McFarlane and they could talk briefly about the principles that apply.

Iain MacFarlane said clearly there are some constraints on the site in terms of the railway line. There is currently an ongoing process and dialogue within the Council with Planning and Transportation and others in terms of a Master Plan approach towards the site. There are 2 key factors, where exactly within the site will the school be located from the perspective of neighbourhood compliant approach and from a transportation and planning approach and then, fundamentally linked with that is how we maximise the different parts of the plan and what would link the catchment. This is in the early stages and discussions have taken place with Council officers, Transportation and the respective developers so there is a significant piece of work on going. Further discussions will take place before we arrive at the fundamental principles for the Master Plan which underpins movement around the site including transport and safe routes to schools which is a critical part of the process. We are looking at the land use as it is allocated for mixed use purposes. There will be some business land, housing, residential and there will also be some community facilities within the site. What is absolutely critical to the Master Plan process is that the focus is very much on movement within the site, but also linkages to Musselburgh town centre. It is important to try and get people to use modes of transport other than the car and these issues will be addressed through the local plan process.

He went on to say the question asked is correct there are some movement issues around the site but one of the absolute fundamentals of the Master Plan process is to look at every opportunity there is to maximise how people can move around the site and that will be very much about creating a neighbourhood where people, as you know from the history of the local plan process, the site was an amendment to the plan. What is crucial about this is that the site has a substantial number of homes so you can create a neighbourhood which has its own sense of a neighbourhood but is also linked to Musselburgh. The location of the school will be a huge part in that. School and community facilities will be linked to the school as well and one of the first areas the Council will look at is the movement pattern tied in with where precisely the school will be located.

Neil McFarlane advised that the role of Transport Planning in this process is to ensure there is sustainable travel to minimise car use and encourage people to walk and cycle. The location of the school is crucial to minimising the distances people will have to walk and cycle to the school and shops and Transportation will contribute to the plan.

Chris Webb advised that he thought there was going to be a User Reference Group which would look at hypothetical situations. The Group would look at the area in which the school is going to be placed and he thought the Council would do this with the community rather than to the community. The Group would look at addressing the sort of issues being raised at this meeting in relation to sustainability and the diversity of the building of a community in that area. Fiona Robertson advised there would be a User Reference Group.

Alison Elgin, Depute Head Teacher, Campie Primary School said she is working hard to build, as part of a community group, a community. In her mind it feels like you are building a town within a town. Musselburgh people are proud of their heritage and what we would want to make sure is that our community is still a community. Musselburgh is a historical community and a place where people are very passionate about. She understands it is a creation within a neighbourhood, but we need to be very careful in that we already are a neighbourhood and a community. She said it is important work is done to ensure this is maintained. She went on to say there is a need to be very mindful that we are a neighbourhood and proud of our community and not become a segregate community.

Fiona Robertson went on to say some families will be aware of the hosting arrangements but the fact they are starting off as part of a community within Stoneyhill will actually help develop those links across communities. This is part of the 3 year phasing and it will help to develop links not separate them out. The hosting arrangements will depend on the numbers, stages and ages of the children. It is important they integrate well with the children from Stoneyhill and across the Musselburgh Cluster. They will be starting out within their community in a sense and this will help to develop those links across the community.

Alison Elgin went on to say she is not just thinking about the children but people coming into the community who we already know, from experience, from the amount of people moving into the area will dilute the heritage and community of Musselburgh. Musselburgh people need to do more to inform them of what Musselburgh is about. She went on to say she was more concerned about making sure if we are creating a location of a new neighbourhood, as we don't know the people buying these houses in these places. We need to do all we can to welcome them and encourage them to support the traditions of the town. She felt the children are actually the least of our worries as we already, in Musselburgh, try very hard to engage children in our local history. It is the people coming in who know nothing about Musselburgh and also do not visit the town centre. We do not want them to be segregated.

Fiona Robertson then said this is when you involve beyond the school and you involve the community because you are not just building a school you are building a new community that is part of the wider community. When we talk about our primary schools we talk about the wider community and the wider learning community. She accepted the point that it is not just about the children but it gives a good focus for getting that community engagement.

Jill Robertson, Parent Council member Stoneyhill Primary School, asked in terms of the hosting arrangement at Stoneyhill Primary School, how will that look, will there be separate classes or integrated within the classes, for example if the child is in primary 1 will they be in the existing primary 1 class?

Fiona Robertson advised it can be a mix of both and there will be a need to look at the stages and ages of the children coming from the development and it will be about establishing an actual class in

a sense, but because of numbers. Basically you would look at the numbers, if you had a group of P1, P2 and P3 and one P7 it would make sense to integrate the P7 into P7. It will depend on the numbers coming through and that is why there is a need to have a transitional leadership team early in order that we work with the school and look at the arrangements needed in terms of staffing. They will have their identity as part of the Musselburgh cluster and we are really encouraging a badge that will be part of the whole cluster which will identify the children as Craighall Primary School children. We will look again at the stages and ages of the children and if you have one P7 pupil you will look at the appropriate way to deliver that education.

Jill Robertson then said historically over the last few years at Stoneyhill Primary School there have been a number of inter catchment applications which have been accepted because the roll is falling but it doesn't make sense for these children to be fully integrated.

Fiona Robertson replied that all of the work you would undertake with the parents would be at the earliest stage possible. We would look very carefully if there was, for example, one P7 and you would take a sensible approach. With hosting you will never know the ages and stages of the children that will come in. We have to make our decisions based on that as we move forward. We would need to be flexible and would work with the Head Teacher who will be the temporarily shared Head Teacher for both Stoneyhill Primary School and Craighall Primary School. The Head Teacher, along with staff, will be involved in that whole dialogue. Parents would hope that a sensible approach/decision is taken in relation to integrating the children.

Chris Webb added from an external perspective any discussions he has had with the Chief Executive and Fiona Robertson and other officials within the Council is that East Lothian Council is committed to putting the child at the centre of what it does and as soon as you put the child at the centre of anything the solution you come up with will not be the one that is pre planned. It will be one which is responsive to the needs of those individual children and the solution will be the one that is child centred and child focused.

Councillor Williamson asked if there would be flexibility? For example if a child in P6 or P7 goes to Stoneyhill Primary School and parents want them to stay at Stoneyhill Primary School and move on to Musselburgh Grammar School from there. Would that be an option?

Fiona Robertson responded by saying if it was a P7 pupil then they would move on with that group to Musselburgh Grammar School. We will have to look at the stages because ultimately we need to have a viable roll at the new school, as we do need the children to transition back to the new build. We will be looking at the numbers but the plan will be that they would be going to the new school and anyone moving into the catchment area knows that at first they may be hosted but will be moving into the new school. We do need a viable roll at the new school.

Pauline Smith said in terms of Stoneyhill Primary School the roll has fallen in recent years and birth rates are now fairly stable. The projected Craighall roll in the early years of the build is looking at single figures in the first few years and then grows from there.

Chris Webb drew the meeting to a close and thanked everyone who attended the meeting.

Appendix 2:

This is a summary of each category of respondent, in relation to the extent to which they agree/disagree for each question asked. Please Note: A respondent can identify as more than one category - therefore the totals in the tables below do not add up to the total number of responses received via questionnaire (25)

Q1 - To what extent do you agree or disagree with the proposal to establish a new primary school at Craighall?

Table 1

All responses:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
	8	14	1		2	25		88.0%	8.0%

Table 2

Parent of Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	7	13			1	21		95.2%	4.8%
Campie Primary	1	8				9		100.0%	0.0%
Stoneyhill Primary	5	4				9		100.0%	0.0%
Other School	2	1			1	4		75.0%	25.0%

Table 3

Parent of Future Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	1	3	1		1	6		66.7%	16.7%
Campie Primary		3				3		100.0%	0.0%
Stoneyhill Primary			1		1	2		0.0%	50.0%
Other School	1					1		100.0%	0.0%

Table 4

Member of Staff at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	1	1				2		100.0%	0.0%
Campie Primary									
Stoneyhill Primary									
Other School	1	1				2		100.0%	0.0%

Table 5

"Other" Category	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
All "Other" Categories	1	3			1	5		80.0%	20.0%

Table 6

Parent of Pupil Aged:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	7	14	1		2	24		83.3%	8.3%
Not yet in Education	1	2			1	4		75.0%	25.0%
Pre-school Education (3-5 year old)		7	1			8		87.5%	0.0%
P1 - P3	4	8				12		100.0%	0.0%
P4 - P7	3	5				8		100.0%	0.0%
S1 - S6	1	1				2		100.0%	0.0%
No longer in school Education		1			1	2		50.0%	50.0%

Table 7.../

Table 7

Catchment	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	8	14	1		2	25		88.0%	8.0%
Campie Primary	4	7			1	12		91.7%	8.3%
Stoneyhill Primary	4	5	1		1	11		81.8%	9.1%
Other School		2				2		100.0%	0.0%

Q2 - To what extent do you agree or disagree with the proposal to create a new catchment at Craighall and remove this land from the current Campie Primary School catchment?

Table 1

All responses:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
	5	13	2		5	25		72.0%	20.0%

Table 2

Parent of Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	5	12		1	3	21		81.0%	19.1%
Campie Primary	1	4		1	3	9		55.6%	44.4%
Stoneyhill Primary	4	5				9		100.0%	0.0%
Other School	1	3				4		100.0%	0.0%

Table 3

Parent of Future Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL		2		2	2	6		33.3%	66.7%
Campie Primary				1	2	3		0.0%	100.0%

Parent of Future Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
Stoneyhill Primary		1		1		2		50.0%	50.0%
Other School		1				1		100.0%	

Table 4

Member of Staff at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL		2				2		100.0%	0.0%
Campie Primary									
Stoneyhill Primary									
Other School		2				2		100.0%	0.0%

Table 5

"Other" Category	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
All "Other" Categories		2		1	2			40.0%	60.0%

Table 6

Parent of Pupil Aged:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	5	13		2	4	24		75.0%	25.0%
Not yet in Education		2			2	4		50.0%	50.0%
Pre-school Education (3-5 year old)		3		2	3	8		37.5%	62.5%
P1 - P3	3	6		1	2	12		75.0%	25.0%
P4 - P7	2	6				8		100.0%	0.0%
S1 - S6	1	1				2		100.0%	0.0%
No longer in school Education		1			1	2		50.0%	50.0%

Table 7.../

Table 7

Catchment	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL	5	13		2	5	25		72.0%	28.0%
Campie Primary	3	4		1	4	12		58.3%	41.7%
Stoneyhill Primary	2	7		1	1	11		81.8%	18.2%
Other School		2				2		100.0%	0.0%

Q3 - To what extent do you agree or disagree with the proposal to initially establish a new Craighall primary school at Stoneyhill Primary School (via a “hosting” arrangement), until the new primary school is complete?

Table 1

All responses:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
		5	2	8	10	25		20.0%	72.0%

Table 2

Parent of Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL		4	2	7	9	22		18.2%	72.7%
Campie Primary		3	2	2	2	9		33.3%	44.4%
Stoneyhill Primary		1		3	5	9		11.1%	88.9%
Other School				2	2	4		0.0%	100.0%

Table 3.../

Table 3

Parent of Future Pupil at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL			1	3	2	6		0.0%	83.3%
Campie Primary			1	1	1	3		0.0%	66.7%
Stoneyhill Primary				1	1	2		0.0%	100.0%
Other School				1		1		0.0%	100.0%

Table 4

Member of Staff at:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL				1	1	2		0.0%	100.0%
Campie Primary									
Stoneyhill Primary									
Other School				1	1	2		0.0%	100.0%

Table 5

"Other" Category	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
All "Other" Categories		1	2	1	1	5		20.0%	40.0%

Table 6.../

Table 6

Parent of Pupil Aged:	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL		5	2	7	10	24		20.8%	70.8%
Not yet in Education				2	2	4		0.0%	100.0%
Pre-school Education (3-5 year old)			1	3	4	8		0.0%	87.5%
P1 - P3		1	2	5	4	12		8.3%	75.0%
P4 - P7		3	1	2	2	8		37.5%	50.0%
S1 - S6					2	2		0.0%	100.0%
No longer in school Education		1			1	2		50.0%	50.0%

Table 7

Catchment	Strongly Agree	Agree	No opinion	Disagree	Strongly disagree	Grand Total		% STRONGLY AGREE/AGREE	% STRONGLY DISAGREE/DISAGREE
TOTAL		5	2	8	10	25		20.0%	72.0%
Campie Primary		3	2	3	4	12		25.0%	58.3%
Stoneyhill Primary		1		4	6	11		9.1%	90.9%
Other School		1		1		2		50.0%	50.0%

Appendix 3 Comments from Questionnaire responses

Of the 25 questionnaire responses, 7 declined permission to publish their comments. However, their representations have been taken account of and responded to in this Consultation Report. The summary of comments below, were made from the remaining 18 responses who gave permission to share their comments.

COMMENT
<p>I understand the need for housing and a new school. However it concerns me deeply that after nearly 2 years of settling our son into nursery and developing his social skills, he may be now ripped from this learning environment. Can there please be an option for those children (and younger siblings) whom are already in the Campie system to remain there to ensure academic and social stability.</p>
<p>Children in nursery at present who are currently residing within the new build catchment area will have to be moved schools and I think this is out of order. It is difficult at such a young age to go through such drastic change. Although a new school may be needed- it should be up to the parents what school their children attend.</p>
<p>I have 3 children. Should these changes come in they could end up at different schools. My childcare arrangement and therefore my ability to work rely on them all being at the same school. I presume that we would be guaranteed placing requests should this happen.</p>
<p>Stoneyhill primary is already getting very full so much so there are a lot of composite classes at the moment and they already seem to struggle with the growing demand for space so using there as a temporary school in my opinion wouldn't work very well at all</p>
<p>Strongly disagree with the building of housing in the field next to the train & under the A1. This will effectively join Musselburgh & oldcraighall into one town. There needs to be some space between towns otherwise Musselburgh will just become an Extension of Edinburgh. We are a young family who live in monktonhall place and enjoy living out of the city with some countryside to explore this will be totally removed from us & our neighbours. It will effect our lifestyle. I appreciate that more houses are needed but surely just joining towns together isn't the answer.</p>
<p>My children current attend Campie primary school and as such will be unaffected by these school proposals. They will however be affected by the extra houses and traffic that such a large housing development will bring. We live right at the edge of Musselburgh in Monktonhall Place and currently enjoy having the field over the railway to walk through, explore nature and enjoy the open space. I fear that Musselburgh will be swallowed up by housing and there will be no separation of it from Edinburgh. It saddens me to lose so much of our open green space. I think Musselburgh/Wallyford has taken its fair share of new houses and more building should be done elsewhere in East Lothian.</p>
<p>Musselburgh is already at capacity. It is absolutely ridiculous to allocate this land for housing. Musselburgh is a car park, has bad air quality and this development is losing even more green space. Trying to get on to the bypass from the this side of Musselburgh is already a nightmare but I bet there's no councillors who live here and know this. Where do you think an extra 3,000 cars (2 cars per household) are going to go?! I've totally lost faith in this council. I love my home town of Musselburgh where I grew up and where I want to raise my family however my children won't enjoy clean air, green space or smaller classroom sizes. Shame on you East Lothian council.</p>

COMMENT

Unsure how the hosting arrangement will work for stoneyhill with many composite classes wouldn't want to see this worsen or unsettle stoneyhill existing pupils further. Could hosting not be done at campie?

I think it would be of value to consider the catchment areas of all schools at this point. Sending children from the west end of New Street to the Burgh makes no sense in terms of community, child safety or geography. Similarly the catchment created around Stoneyhill is no longer fit for purpose. Given the impact of all these new houses the school must be at the heart of the geographic community and this is the perfect opportunity to redress the current problems.

There is very little information in the proposal to how the hosting agreement will be done. All you have indicated is that it will be for 36 months and that pupils will still be able to access the playground and dining hall. This is either deliberate or the result of lack of planning I want to know exactly how Stoneyhill primary will be affected and to what level. Why if you are suggesting small numbers of children are they being annexed rather than just being part of Stoneyhill. Reading between the lines is the suggestion to move kids from campie to Stoneyhill as soon as the catchment is area is decided. Regards

The proposal is that the current head at Stoneyhill would also be head of "hosted pupils and staff". There is an issue with staff retention at Stoneyhill Primary at the current time and I would be concerned that the issues this has already caused for current pupils would then be magnified should the school be expanded.

There is little space within the school for this hosting and I fail to see how this can have anything but a negative impact on the children currently within the school and the children that will be "hosted".

Currently Stoneyhill primary has a small catchment area yet parents still drive their children to the school. This causes traffic problems for residents in the 2 streets were the 2 school entrances are. (Clayknowes Way and Clayknowes Avenue)
Residents drives are regularly blocked by cars and when asked to move residents are given verbal abuse. In Clayknowes Way the parents also regularly park in the private parking bays that the street residents pay to repair/upkeep.
It is also dangerous for children who walk to school as cars speed into the street, ignoring speed bumps and also the area immediately in front of the school.

This has been reported to police and the council yet nothing has been done to alleviate the traffic/parking issue. Should Stoneyhill primary become a 'host school' for Craighall area, the traffic/parking will get worse. The council should designate Clayknowes Way and clayknowes avenue residents parking only, if they decide to go ahead with the 'host' school arrangement to try and alleviate the parking issue. (Infact this should be done regardless)

as long as the proposed intake doesn't disrupt the school too much and still allows for non catchment placing

It makes sense to host the children at the nearest existing primary school until the new school is completed. They will know that they will eventually be going to the new school which will hopefully remove any anxiety about moving. The proposed catchment area is "detached" to some extent from

COMMENT

Musselburgh and I hope that every effort will be made to ensure as much connectivity between the Craighall area and the rest of the town as possible. The existing road/footpath system does not make access to the town centre/rest of Musselburgh very easy. There is a danger that the Craighall houses could be a little enclave which has no connection to Musselburgh but looks more to Edinburgh - good planning should be able to address this. In future years there may be a requirement for the catchment area to be redrawn again to include the Old Craighall houses as the new school will be in much closer proximity to these houses than Campie is - especially as walking/cycling to school is something to be encouraged.

I think the children should be fully integrated with the children already attending Stoneyhill until the new school is ready, otherwise I fear there could be an 'us and them' situation. I also have concerns over where a nursery class/nursery children could be accommodated as numbers in nursery are already near capacity.

Appendix 4 – Written response from group

Group representation from Stoneyhill Primary School Parent Council

EAST LOTHIAN COUNCIL: LOCAL DEVELOPMENT PLAN

PROPOSAL TO ESTABLISH CRAIGHALL PRIMARY SCHOOL

CONSULTATION RESPONSE FROM STONEYHILL PRIMARY SCHOOL PARENT COUNCIL

This response has been prepared in consultation with members of the Stoneyhill Primary School Parent Council.

In order to ensure this response is as informed as possible, representatives of Stoneyhill Primary School Parent Council attended the public meetings on 21 November and 6 December; engaged in the Parent Council Cluster meeting on 21 November, and have sought advice from local councillors.

Overall, Stoneyhill Primary School Parent Council is in favour of the proposal to establish a primary school within the Craighall area, and to realign catchment areas accordingly.

Should this proposal be approved by the Council, the impact on Stoneyhill Primary School centres around the proposed "hosting arrangement". In that regard, we would like to make the following points:

- We are keen to support any school, especially those in our cluster, and acknowledge that Stoneyhill PS has capacity
- We are supportive of the hosting arrangement proposal, with the caveat that it must not impact negatively on Stoneyhill PS pupils or staff in any way. We have been encouraged by Council assurances that this will not be the case.
- We are supportive of the hosting arrangement on the basis of Council assurances that the arrangement would necessitate approximately one full class of Craighall PS pupils over a maximum of three years.
- We accept that Craighall pupils may be travelling to Stoneyhill PS by car and are concerned about the potential this has to worsen the existing traffic management issue around the school area. We recently submitted a list of suggested traffic calming measures to the Council, on behalf of the Parent Forum (attached at Annex A), and would like to work with East Lothian Council transport department in discussing implementation of these in advance of the hosting arrangement. We

consider that this would be part of the Safe Routes to School planning for Craighall PS pupils, as well as a solution to existing issues around Stoneyhill PS.

- We are concerned about the potential impact on availability of nursery places in Stoneyhill PS Nursery Class for children who live within the local area. Of course, nurseries do not have catchments but we would not like to see nursery aged children being denied a place at their first choice nursery due to an increase in the pool of children likely to request a place at Stoneyhill.
- As a knock-on effect of children potentially attending eg Campie or Burgh nursery if they didn't get in to Stoneyhill, we feel there would be potential for those children, having formed relationships and familiarity at those schools, to want to stay at those schools for their primary school years, instead of attending Stoneyhill. We are concerned that this could further diminish the projected decline in Stoneyhill's school roll.
- We are similarly concerned about the potential impact on availability of school places for children who may wish to make an out-of-catchment placing request i.e. children who may request, and otherwise be offered, a place at Stoneyhill, may not be successful because of the temporary placing of Craighall children.
- We see the opportunity and benefits of working with a new Craighall PS Parent Council and would be keen to make and maintain links.
- We are grateful to the Council for providing a Parent Council Cluster meeting. Details of the hosting arrangement in the consultation document were sparse, and led many parents to believe that the arrangement would be detrimental to Stoneyhill. The meetings were extremely useful in confirming the facts and allaying concerns.

We are grateful for this opportunity to express our views on behalf of the Stoneyhill parent forum, and would be pleased to engage further in the process.

Lesley Coyle, Chair; Jill Robertson, Vice-Chair

December 2016

Appendix 5 – Pupil Voice Interviews

The Pupil Voice Interviews were a structured workshop session with a representative group of pupils from the school. The following are summaries of the discussions and questions/answers.

PUPIL VOICE

CAMPIE PRIMARY SCHOOL P1 –P7 PUPIL REPRESENTATIVES

21st November 2016

David Scott and Katy Johnstone met with a group of pupils. David Scott described the proposal and then there was a group discussion around the following questions, the responses are listed below.

What do you think of the idea of building a new school?

Brilliant – more space and people get to go to a new school and get new friends

Good because the teachers will get less hassle from too many people

Good because it gives children a chance to learn

Means more people can have a happy life

Better to have a school where people live rather than making them walk far

What worries you about it?

Dangers to the natural environment, could destroy the homes of plants and animals

Where should the school be?

The school should be in the middle of the proposed area

How could you welcome new children?

Say hello and ask them their name, give a speech for them and tell them to enjoy their stay

Look after them if they are shy.

PUPIL VOICE

STONEYHILL PRIMARY SCHOOL **P1 –P7 PUPIL REPRESENTATIVES**

21st November 2016

David Scott and Katy Johnstone met with a group of pupils. David Scott described the proposal and then there was a group discussion around the following questions, the responses are listed below.

What do you think about the building of a new school?

Good idea, no kid should go without education but on the wall, how is it going to turn out with one class of children from that school with all the other classes having to be taught in a different way

Good idea to build a new school but what happens if people decide they want to go to Stoneyhill instead?

I don't understand why there needs to be a new school or why they need new houses

Where will the resources come from, textbooks, chairs, desks etc?

The head teacher can't be going back and forward, if a school needs a head teacher then she should be at that school

Put banners outside to welcome the new children

The group of pupils at Stoneyhill were members of the Pupil Council, they returned to their classes to discuss the hosting proposal further. The feedback is listed below. Moving forward this information will inform the proposal to host.

Pupils comments have varied and changed over the period.

Lots of practical questions and concerns about:

- being able to access rooms,
- when their lunchtime would be,
- would they be able to sit with the other school
- where would they line up
- where they would be allowed to play

- concerns about them being in different uniforms and causing rivalries and fights
- Many would rather they were part of Stoneyhill and could move school if they wanted to when the new school opened.
- Accessing specialists and how it would affect them
- What if within the 22 there was only 1 or 2 children, they felt strongly they would feel separated and wanted them in the same class
- What would happen with camp? Again back to if only a few P7's how would that effect camp
- If we lose 1 or 2 rooms that would affect our Friday mornings where whole school clubs are organised and it utilises all the rooms, especially GP space
- Split decision about having/ NOT having same uniforms

Appendix 6: Education Scotland Report

Report by Education Scotland addressing educational aspects of the proposal by East Lothian Council to establish a new primary school and its associated catchment area within the land at Craighall, Musselburgh

1. Introduction

This report from Education Scotland has been prepared by HM Inspectors in accordance with the terms of the *Schools (Consultation) (Scotland) Act 2010* and the amendments contained in the *Children and Young People (Scotland) Act 2014*. The purpose of the report is to provide an independent and impartial consideration of East Lothian Council's proposal to establish a new primary school and its associated catchment area within the land at Craighall, Musselburgh. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal. Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include a copy of this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision. Where a council is proposing to close a school, it needs to follow all legislative obligations set out in the 2010 Act, including notifying Ministers within six working days of making its final decision and explaining to consultees the opportunity they have to make representations to Ministers.

1.1 HM Inspectors considered:

- the likely effects of the proposal for children and young people of neighbouring schools; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and young people in the council area;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

1.2 In preparing this report, HM Inspectors undertook the following activities:

- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others; and
- visits to the site of the proposed new school, Campie Primary School and Stoneyhill Primary School, including discussion with relevant consultees.

2. Consultation Process

2.1 East Lothian Council undertook the consultation on its proposal(s) with reference to the *Schools (Consultation) (Scotland) Act 2010* and the amendments in the *Children and Young People (Scotland) Act 2014*.

2.2 The consultation process ran from 8 November to 20 December 2016. During this period the council held a public meeting at Brunton Hall which was attended by three parents or other members of the public. Statutory consultees, including Parent Councils of the schools directly involved and Musselburgh Community Council, were informed of the consultation in writing. Consultation documentation was published on the East Lothian Council website and copies were available for public consultation at several venues during the consultation period, including the schools concerned. A proforma questionnaire and an email address were made available for responses. The council received twenty-five responses. Of the responses which provided an overall view about the council's proposal, almost all expressed support. Stakeholders who met with HM Inspectors felt that the council had provided good opportunities for being consulted and for giving their views.

3. Educational Aspects of Proposal

3.1 This proposal involves a change to the existing catchment of Campie Primary School. A new primary school catchment area will be established for the Craighall area currently in the Campie Primary School catchment area. This school has still to be built but will serve planned housing developments in the Craighall area of the town of Musselburgh. The affected area of land currently contains a small number of residential properties. The new primary school will be established initially at Stoneyhill Primary School through a 'hosting' arrangement for up to thirty-six months until the new Craighall primary school building is complete. Upon completion, the new primary school will relocate to its permanent site.

3.2 The planned new Craighall primary school will accommodate the projected school roll arising from the proposal. It has the potential to provide children who will attend the new school with a purpose-built learning environment well-suited to their learning needs. East Lothian Council has successfully developed new schools in a number of its communities. At the same time, the proposal will reduce the possibility of overcrowding at both Campie Primary School and Stoneyhill Primary School as a result of the new housing development. The proposal, therefore, offers clear educational benefits to children in each of the three schools.

3.3 Almost all parents, pupils and staff who met with HM Inspectors support the proposal. There is a clear understanding that the rolls of both Campie and Stoneyhill Primary

Schools would outstrip capacity in coming years as a result of the significant housing developments in the area. However, given that the new housing development has not yet commenced, there were many areas relating to the practicalities of hosting the new Craighall primary pupils within Stoneyhill Primary School that were unclear at this time.

3.4 In taking forward its proposal, the council should continue to work with stakeholders and the Headteachers of the Musselburgh Grammar School cluster. The council should ensure that interim transition arrangements apply to both children living in the new Craighall housing development who will be initially 'hosted' at Stoneyhill Primary School and children who attend Stoneyhill Primary School. During the interim 'hosting' period the council should provide both groups of children with a high quality education. These transition arrangements relate to class arrangements and use of existing classroom space as the first groups of children from the new Craighall catchment begin to attend Stoneyhill Primary School. Parents, children and staff also wished to continue to be consulted about staffing, safe routes to school, enrolment in the Stoneyhill Primary School nursery and access to popular and well attended after school and school holiday programmes. These issues should be clearly addressed. The council should ensure that all transition arrangements are well planned and clearly communicated to all stakeholders to meet the needs of the children who attend Stoneyhill Primary School, Campie Primary School and the new Craighall school.

4. Summary

East Lothian Council's proposal to establish a new catchment area for the planned Craighall primary school has clear educational benefits. The proposal has the potential to provide children who will reside in the Craighall 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. In the medium term, the proposal will also reduce the possibility of overcrowding at both Stoneyhill and Campie Primary Schools. Almost all stakeholders who met with HM Inspectors support the proposal. In taking its proposal forward, the council should continue to engage with stakeholders over its planned transition arrangements for children who will attend the new school and those children who attend Stoneyhill Primary School.

**HM Inspectors
Education Scotland
January 2017**

REPORT TO: East Lothian Council

BY: Depute Chief Executive (Partnership & Community Services)

MEETING DATE: 28 March 2017

SUBJECT: Dunbar Grammar School – Procurement of Facilities
Management Services for the New Extension

9

1 PURPOSE

- 1.1 The purpose of this report is to set out the comparison of and seek determination of the options available in respect of the delivery of the facilities management services for the expansion of Dunbar Grammar School.

2 RECOMMENDATIONS

It is recommended that:

- 2.1 the Council enters into a supplementary agreement with the PPP FM Agreement (the Supplemental FM Agreement) in respect of the extension at Dunbar Grammar School to provide the key 'hard' FM services for the extension building, including the planned and reactive maintenance and management service for the building fabric.
- 2.2 Janitorial services are also included in the Supplemental FM Agreement.
- 2.3 delivery of building cleaning services to the new extension is excluded from the Supplemental FM Agreement to enable further assessment of the costs and risks to be carried out.
- 2.4 the Council is responsible for the maintenance of the new all-weather pitch and floodlighting.

3 BACKGROUND

- 3.1 The Council approved the procurement of the extension of Dunbar Grammar School in September 2016 through an expansion of the current PPP Project Agreement. Following questions at the Cabinet meeting of 8 November 2016 as to the future delivery of Facilities Management and LifeCycle Services, it was agreed that despite being an operational matter, a report would be brought to Council for decision.

3.2 This report examines the potential of separating different FM elements of an integrated secondary school extension and compares the future delivery of these elements through the PPP FM agreement with separate provision by the Council.

3.3 Key 'hard' FM systems / planned and reactive repairs to building fabric

3.3.1 On completion of the extension to Dunbar Grammar School, the school will operate as one building. The following systems and plant will be integrated and will serve the whole building: these systems and plant are considered to be key 'hard' FM systems for the purposes of this report:

- Fire detection and alarm system
- Intruder alarm system
- Fire risk assessment
- Boiler plant and heating system, including pressure vessels
- Gas installation
- Ventilation and extract systems
- Water systems, including management control of Legionellosis
- Electrical installation condition report
- Emergency lighting
- Lightning conductors
- CCTV systems
- Lifts and hoists
- Hot water installation
- Kitchen and servery equipment
- The new sprinkler system in the extension will be linked to the school's fire detection system

3.3.2 Option 1: to extend through supplemental agreement the delivery of facilities management arrangements for key 'hard' FM systems and planned and reactive repairs for the new extension through the PPP provider, carried out by FES FM on their behalf

There is a significant and compelling argument that the management of key 'hard' FM systems that relate to life and property protection (as detailed above) are so inextricably linked to the existing facility that it would not be possible to separate them.

There is a statutory requirement to inspect, record, maintain and repair these systems on a regular basis and records of the inspections and any resulting actions must be held on the premises. The responsibility for ensuring compliance with the legislation for the existing Dunbar Grammar School lies with the PPP provider and is carried out by FES FM on their behalf. The current governance arrangements are clear with FES FM being accountable for the safe management of the school under the project agreement.

Due to the integrated nature of the extension, there will be one fire risk assessment and one Head of Establishment for the whole school facility when works are completed.

In respect of the reactive maintenance and management service for building fabric and equipment, the existing PPP contract requires the contractor to respond to breakdowns within specific periods – 2 hours for temporary rectification and 2 days for permanent rectification. This is arranged through a help desk which is managed by FES and this arrangement could extend to the new extension with FES responsible for the reactive maintenance. The unitary charge would then be adjusted to take account of the increase in cost. This service for reactive maintenance is directly linked to the provision of the planned maintenance and management service.

The PPP contract requires the contractor to provide a planned maintenance and lifecycle function designed to minimise breakdown and extend the building's life. A programme of works is prepared and agreed with the Authority in advance and any departure from this requires rectification within a 5-day period. This arrangement could extend to the new extension. The unitary charge would then be adjusted to take account of the additional area to be maintained. Since the planned maintenance service is designed to ensure that the need for reactive maintenance is kept to a minimum, the two are inextricably linked.

3.3.3 Option 2: to separately manage the key 'hard' FM arrangements and planned and reactive repairs for the new extension either directly, or through separate contractual arrangements managed and controlled by the Council

The Council could provide a reactive maintenance and management service for the new extension building through its Contact Centre. Separate management systems and Council staff resource would be required to record, report, oversee, finance and approve the works required. Shared responsibility would require to be agreed for the interface areas between the part of the school maintained through the PPP provider and the new area maintained by the Council. Such a complex arrangement would be difficult to put in place, and would potentially be an area of dispute over liability, requiring legal intervention, resulting in delays to carrying out repairs and the risk of parts of the school being unavailable for use. The responsibility and accountability for the safe management of the school as a whole in terms of health and safety would be unclear. Innovate would also need relief and indemnity to protect it from any detrimental impact and risk arising from the extension being accessed and maintained by a 3rd party contractor.

As with reactive maintenance, the Council could provide a planned, preventative maintenance service for the new extension building through its own Property Services team. Separate management systems and Council staff resource would be required to plan, budget, programme, procure, project manage and approve the works required. Shared responsibility would require to be agreed for the interface areas between the part of the school maintained through the PPP provider and the new area maintained by the Council. It is the opinion of Council officers, however, that such a complex arrangement would be difficult to put in place and would inevitably lead to dispute over liability, potentially leading to legal intervention, resulting in delays to carrying out repairs and the risk of parts of the school being unavailable for use. As

with reactive maintenance, Innovate would also need relief and indemnity to protect it from any detrimental impact and risk arising from the extension being accessed and maintained by a 3rd party contractor.

The current governance arrangements are clear with FES FM being accountable for the safe management of the school under the project agreement. The key 'hard' FM building systems and plant listed in 3.3.1 are required to be integrated to serve the whole of the school building, including the extension and it is not possible to divide the responsibility for their safe management between the Council and the current FM provider, FES FM, or to transfer risk to the PPP provider.

Due to the integrated nature of the extension, there will be one fire risk assessment and one Head of Establishment for the whole school facility when works are completed.

3.3.4 It is the clear opinion of Council officers that, for the integrated facility that the expanded Dunbar Grammar School will become, the maintenance and management of the 'hard' FM systems, with the associated planned and reactive maintenance to building fabric and equipment, should be carried out by FES FM.

3.3.5 In order to ensure value for money for the Council in the delivery of the key 'hard' FM operational and maintenance services for the extension to Dunbar Grammar School, FES FM costs have been benchmarked with the Scottish Futures Trust Service Level Specification costs. The benchmarked cost for the expansion element is approximately 75% of the delivery costs for the current school which reflects the proportionate efficiencies which derive from the standard of the new build construction. Although not capable of being directly market tested, this efficiency saving compares favourably in cost terms through SFT indicators with a stand-alone alternative and demonstrates value for money.

3.4 Janitorial Services

3.4.1 Janitors provide a daily service assisting the smooth operation of the school. They are specifically responsible for the following:

Building security:

- ensuring that no unauthorised persons gain access to the buildings
- managing the security of all entrance and exit doors to the school
- setting the security alarms and ensuring that all persons have vacated the facilities
- providing out-of-hours security and key holder response
- moving furniture and equipment within the school as requested
- setting out and re-organising furniture as requested
- general portering service within the school including managing deliveries and distribution

- 3.4.2 In practice, it would be impractical to have a separate janitorial service for the new extension. The services described above are required across the whole school, and, were there to be a third party retained to provide a janitorial service for the extension on its own, accountable to separate management, responsibilities and liabilities would be unclear. For security arrangements, in particular, this arrangement would be unacceptable.
- 3.4.3 FES FM has advised that they have assessed the impact of the extension and confirmed that they can cover the new extension with no increase in janitorial resource and therefore **no** additional FM charge will be incurred.

3.5 Building Cleaning

Cleaning services for Dunbar Grammar School are carried out by FES FM under the original PPP contract. Costs have been provided by both FES FM and the Council's Facilities Management Service and, based on a cleaning service being required for 42 weeks per annum, it may be more cost effective for the extension to be cleaned by the Council. However, this will need to be confirmed through more detailed cost analysis to ensure a robust comparison is made based on the PPP project agreement. Other factors require consideration including the need to indemnify Innovate against any risk arising from the extension being accessed by a 3rd party contractor which would require the Council to liaise with FES FM to agree suitable access and security arrangements for cleaners. It is recommended meantime, that the delivery of building cleaning to the new extension is excluded from the FES FM Services contract.

3.6 Maintenance of the New, Floodlit 2G Pitch

- 3.6.1 There is no provision within the current PPP contract for the maintenance of a new, floodlit 2G pitch within the Dunbar Grammar School campus. Indicative costs have been provided by both FES FM and Allsports, the Council's framework contractor for all-weather pitch maintenance, and whilst some assumptions on the scale and intensity of use have had to be made, it is likely that it will be more cost effective for the pitch to be maintained by Allsports, as it will benefit from being part of the Council's larger contract. This will be confirmed through further more detailed cost analysis and meantime it is recommended that the maintenance of the new 2G pitch is excluded from the FES FM Services contract.
- 3.6.2 It is anticipated that the new pitch may also be available for use by the community, together with the changing facilities within the school building. It is recommended that the booking arrangements for the community use of the new all-weather pitch be provided by FES FM, who are responsible for access as part of their janitorial service. Whilst no third party income from the use of the pitch would accrue to the PPP provider, payment for any janitorial hours that may arise additional to the current PPP contract arrangement would need to be made.

4 POLICY IMPLICATIONS

4.1 None

5 INTEGRATED IMPACT ASSESSMENT

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

6.1 Financial – Revenue cost: additional revenue costs for the services described in this report together with staffing, catering, utility costs, maintenance of IT and school resources will be incurred on completion of the expansion of the school. The additional revenue implications of this report will require to be accommodated within future revenue budgets.

6.2 Personnel - The expanded school will have a requirement for additional teaching and non-teaching staff.

6.3 Other – none

7 BACKGROUND PAPERS

8.1 Members Library Report: Ref 185/16 PPP Project – Procurement of Phase 2 of Dunbar Grammar School’s Expansion Project

AUTHOR’S NAME	Douglas Proudfoot
DESIGNATION	Head Of Development
CONTACT INFO	Tel: 01620 827541 Extension: 7541 email: dproudfoot@eastlothian.gov.uk
DATE	14 March 2017

REPORT TO: East Lothian Council

MEETING DATE: 28 March 2017

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Election Recess Arrangements

10

1 PURPOSE

- 1.1 To propose transitional arrangements for business management until the formation of the new East Lothian Council.

2 RECOMMENDATIONS

Council is requested to:

- 2.1 adopt the recess business arrangements as outlined at Rule 15.5 of the Council's Standing Orders during the period 29 March to 3 May 2017, until the new East Lothian Council is elected on 5 May 2017 (see Appendix 1);
- 2.2 agree that any business approved under 2.1 above will be lodged in the Members' Library; and
- 2.3 agree that minutes of the most recent meetings of the Council and its Committees that could not be submitted to the relevant committee for approval be signed and verified as a true and accurate record by the relevant Conveners.

3 BACKGROUND

- 3.1 Following the close of this Council meeting, the Council will enter into a period of election recess. Members are asked to note that with the exception of the meeting of the Planning Committee on 29 March, there have been no further meetings of the Council or its committees scheduled in the run up to the 4 May 2017 Local Government Election.
- 3.2 Members are reminded that the first meeting of the newly elected Council must be called by the newly established administrative group

within 21 days of the election taking place, i.e. 25 May 2017. Tuesday 23 May 2017 has been approved by Council as the date of the first meeting of the new Council.

- 3.3 In order to facilitate the smooth running of the Council up until the election, it is proposed that the recess business arrangements as set out in Rule 15.5 of the Council's Standing Orders (attached at Appendix 1) be adopted for the period 29 March to 3 May 2017. This would authorise any two of the Provost, Depute Provost, Council Leader, or Depute Leader, together with the appropriate Committee Convener or Depute Convener, to authorise the carrying out of urgent business of the Council until the newly elected Council is in place.
- 3.4 Members or the Chief Executive will still be able to call for additional meetings to take place up to 3 May 2017 in accordance with Rule 4.2 of the Council's Standing Orders.
- 3.5 Members are reminded that prospective dates for meetings following the initial meeting of the new East Lothian Council were agreed by the Council at its meeting on 26 April 2016. Although the newly elected Administration need not be bound by these dates, they may be useful to Members and officers in outlining opportunities for business to be undertaken following the election.
- 3.6 Members will be aware that, in accordance with Rule 14.1 of the Council's Standing Orders and the associated Scheme of Administration, approved minutes of the proceedings of every meeting of the Council and its Committees shall be signed as soon as practicable by the person who presided at the meeting. It is proposed that the minutes of the most recent meetings of the Council and its committees, that could not be approved by the relevant committee, be submitted to the appropriate Convener for verification and signing, and that these minutes will be accepted as a true and accurate record without requiring further verification by Council. The minutes will thereafter be published on the Council's eGov system.

4 POLICY IMPLICATIONS

- 4.1 None

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – None
- 6.2 Personnel – None
- 6.3 Other - None

7 BACKGROUND PAPERS

- 7.1 East Lothian Council's Standing Orders

AUTHOR'S NAME	Lel Gillingwater
DESIGNATION	Team Manager – Democratic & Licensing
CONTACT INFO	lgillingwater@eastlothian.gov.uk
DATE	6 March 2017

SO 15.5 Recess Business Arrangements

Between the last scheduled meeting of the Council prior to the summer/election recess and the first meeting following the summer/election recess, a minimum of two of the Provost, Depute Provost, Leader, Depute Leader, together with the Convener/Depute Convener of the appropriate committee, will deal in their discretion with the urgent business of the Council presented to them for consideration by the Chief Executive, or officers authorised by him/her to act on his/her behalf.

For the avoidance of doubt, matters that require the approval of two-thirds of Councillors cannot be dealt with under this Standing Order.

REPORT TO: East Lothian Council

MEETING DATE: 28 March 2017

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Submissions to the Members' Library Service
16 February – 15 March 2017

11

1 PURPOSE

- 1.1 To note the reports submitted to the Members' Library Service since the last meeting of Council, as listed in Appendix 1.

2 RECOMMENDATIONS

- 2.1 Council is requested to note the reports submitted to the Members' Library Service between 16 February and 15 March 2017, as listed in Appendix 1.

3 BACKGROUND

- 3.1 In accordance with Standing Order 3.4, the Chief Executive will maintain a Members' Library Service that will contain:
- (a) reports advising of significant items of business which have been delegated to Councillors/officers in accordance with the Scheme of Delegation, or
 - (b) background papers linked to specific committee reports, or
 - (c) items considered to be of general interest to Councillors.
- 3.2 All public reports submitted to the Members' Library are available on the Council website.

4 POLICY IMPLICATIONS

- 4.1 None

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – None
6.2 Personnel – None
6.3 Other - None

7 BACKGROUND PAPERS

- 7.1 East Lothian Council's Standing Orders – 3.4

AUTHOR'S NAME	Lel Gillingwater
DESIGNATION	Team Manager - Democratic & Licensing
CONTACT INFO	lgillingwater@eastlothian.gov.uk
DATE	15 March 2017

**MEMBERS' LIBRARY SERVICE RECORD FOR THE PERIOD
16 February – 15 March 2017**

Reference	Originator	Document Title	Access
19/17	Head of Development	Acquisition in Church Street, Tranent	Private
20/17	Head of Education	Service Review Report – Meadowpark Communications Provision	Private
21/17	Depute Chief Executive – Partnerships and Community Services	Service Review Report – Road Services	Private
22/17	Depute Chief Executive – Resources and People Services	Service Review Report – Preston Lodge High School	Private
23/17	Head of Access and Older People	Service Review Report – Adult Services	Private
24/17	Head of Development	EastSafe Award Scheme	Public
25/17	Depute Chief Executive – Resources and People Services	Service Review Report – Sanderson's Wynd Primary School	Private
26/17	Head of Development	Building Warrants Issued under Delegated Powers between 1 st February 2017 and 28 th February 2017	Public
27/17	Head of Council Resources	Finance Service Review – Phase 4	Private
28/17	Head of Council Resources	Changes in Establishment and Opening Hours – Musselburgh and Prestonpans Libraries	Private
29/17	Head of Council Resources	Unified Business Support – Change to Structure	Private

15 March 2017