

Supporting Document 1



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East Dunbartonshire Council

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**POLICY AND
RESOURCES
COMMITTEE**

3 JUNE 2014

ESW/080/14/GC

DIRECTOR OF EDUCATION AND CHILDRENS' SERVICES

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SUBJECT TITLE:

**PRIMARY SCHOOL IMPROVEMENT PROGRAMME -
SCOTTISH GOVERNMENT DETERMINATION ON THE
PROPOSAL TO ESTABLISH A NEW BUILD SCHOOL IN
BISHOPBRIGGS**

1.0 PURPOSE

1.1 The purpose of this report is to inform the Council of the Scottish Government determination on the statutory consultation process to establish a new build primary school in Bishopbriggs.

2.0 SUMMARY

2.1 On 16 January 2014, the Council decided to proceed with the proposal to establish a new build primary school in Bishopbriggs. In line with the 2010 Act, this decision was referred to the Scottish Government. Ministers had six weeks to decide whether or not to call in the decision for review, under the conditions provided in the Act.

2.2 On 26 February 2014, Ministers notified officers that the decision would be called in for review, as detailed in report of 6 May 2014 to the Council (number ESW/045/14/GC).

2.3 The Scottish Ministers' call in letter identified a number of areas for further investigation. Officers provided information requested to the Ministers to inform their final determinations.

2.4 Following this further investigation, the Scottish Ministers, having looked at the totality of what has been considered by the education authority, are satisfied that East Dunbartonshire Council has fulfilled its obligation under the 2010 Act, and that the closure proposal is a reasonable one which the council is entitled to make. The Council is now free to implement the decision. The Government's letter confirming this is attached as **Appendix 1**.

2.5 Conditions have been attached to the consent and officers will establish a process to ensure compliance with the terms of the Ministers' consent.

3.0 RECOMMENDATIONS

3.1 It is recommended that the Committee:

- (a) Note the Ministers' determination on the Council's decision to establish a new build primary school in Bishopbriggs, as detailed in report ESW/021/14/GC

(b) Note the conditions attached to the Ministers' consent to proceed with the Council's decision of 16 January 2014

(c) Notes that officers will now commence with recommendations previously agreed by Council in part 3.2 of report ESW/021/14/GC, using the implementation approach agreed by Council in report ESW/44/14/GC.

4.0 BACKGROUND

4.1 On 27 March 2013, the Council instructed officers to hold a statutory consultation on the proposal, in line with the Schools (Consultation) (Scotland) Act 2010.

4.2 A proposal document was published and consultation packs were sent to all statutory consultees.

4.3 The consultation period was launched on 8 May 2013 and concluded on 26 June 2013.

4.4 Education Scotland visited the schools involved and provided an independent assessment of the educational impact of the proposal.

4.5 A consultation report, in line with section 9 of the Schools (Consultation) (Scotland) Act 2010, was published on 5 December 2013.

4.6 The consultation report found that:

- a) The level of response from statutory consultees was not high;
- b) The majority of consultees who responded disagree with the proposal;
- c) There are some clear educational benefits to be gained from the proposal; and
- d) Some issues were identified in the course of the consultation. If the proposal was to be implemented, it would be important to take action to address these issues.

4.7 The issues identified in the course of the consultation are discussed in detail in the report, and a number of mitigating actions are proposed. Specific consideration is given to the management of additional traffic to the Woodhill site and to the development of early years provision in Auchinairn.

4.8 The Council decided to proceed with the proposal, and instructed officers to refer the decision to Scottish Ministers.

4.9 The Council further decided, subject to Ministerial consent, to instruct officers to:

- a) Commence the process of design and build of the school;
- b) Implement the actions identified in Sections 5 and 7 of the consultation report, in order to address the issues arising in the course of the consultation;
- c) Develop the traffic management process, as discussed in Section 10 of the consultation report, in order to address the issues arising in the course of the consultation;
- d) Develop a detailed proposal for early years provision in Auchinairn, to be reported to a future meeting of the Council.

- e) Work with community groups currently using the school buildings to ensure their accommodation needs are met;
- f) Regularly provide updates to the Policy and Resource Committee for referral to the Education Committee on the implementation of the recommendations; and
- g) Identify the resources necessary to undertake this work.

4.10 Ministers decided to call in the decision for review under the Schools (Consultation) (Scotland) 2010. This allows Ministers to undertake such a review to establish that an education authority has met its obligations under the Act, and that the decision to proceed with a school closure is a reasonable one.

4.11 Following this further investigation, the Scottish Ministers, having looked at the totality of what has been considered by the education authority, are satisfied that East Dunbartonshire Council has fulfilled its obligation under the 2010 Act, and that the closure proposal is a reasonable one which the council is entitled to make. The Council is now free to implement the decision. The Government's letter confirming this is attached as **Appendix 1**.

4.12 Conditions have been attached to the consent and officers will establish a process to ensure compliance with the terms of the Ministers' consent.

5.0 IMPLICATIONS

5.1 This report has been assessed against the Policy Development Checklist and has been classified as being an operational report and not a new policy or change to an existing policy document. The implications for the Council are as undernoted.

5.2 Finance and Shared Services implications – the recommendations of this report are in line with the 10 year capital programme approved in December 2013. There will be a resource implication to support the development of this major investment in schools infrastructure.

5.3 Education and Social Work – There will be a resource implication to support the development of this major investment in schools infrastructure.

5.4 Development and Regeneration - There will be a resource implication to support the development of this major investment in schools infrastructure.

5.5 Neighbourhood services - There will be a resource implication to support the development of this major investment in schools infrastructure.

5.6 Customer Services and Transformation implications – There will be a need to identify the resources required across the Council to implement the project.