

ABERDEEN CITY COUNCIL

COMMITTEE	Education and Children's Services
DATE	2 June 2015
DIRECTOR	Gayle Gorman
TITLE OF REPORT	Statutory Consultation – Consultation Reports on the proposals:
	<p class="list-item-l1">(i) To rezone the Cults Academy school zone to exclude ground to the south of the River Dee currently within the Cults Academy zone, with effect from August 2016; and</p> <p class="list-item-l1">(ii) To create a new school building for Stoneywood School, which will be operational with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter;</p> <p style="padding-left: 40px;">Further, to locate the new Stoneywood School building on ground to be confirmed following the completion of this statutory consultation exercise;</p> <p style="padding-left: 40px;">Further, to rezone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015</p>
REPORT NUMBER:	ECS\15\032
CHECKLIST:	Yes

1. PURPOSE OF REPORT

To report to Committee on the outcome of the statutory consultation on the proposals to:

- (i) The proposal by Aberdeen City Council to rezone the Cults Academy school zone to exclude ground to the south of the River Dee currently within the Cults Academy zone, with effect from August 2016; and
- (ii) To create a new school building for Stoneywood School, which will be operational with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter;

Further, to locate the new Stoneywood School building on ground to be confirmed following the completion of this statutory consultation exercise;

Further, to rezone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015

2. RECOMMENDATION

- (i) To implement the following recommendations:

1. For the Cults Academy rezoning proposal:

- (a) Retain the area of the Lairhillock School zone, which is currently within the Cults Academy zone and which was the focus of this consultation exercise, as part of the Cults Academy zone; and
- (b) Advise Aberdeenshire Council that any new housing developments in their Council area which are currently zoned to Cults Academy, including the Blairs development, will require to be rezoned to an Aberdeenshire Council secondary school following a public consultation.

2. For the Stoneywood new build and rezoning proposals:

- (a) To create a new school building for Stoneywood School, which will be operational with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter;
 - (b) To locate the new Stoneywood School building on ground at the former Bankhead Academy site; and
 - (c) To rezone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015
- (ii) to instruct officers to make the necessary arrangements to ensure successful implementation of the above recommendations by the indicated times.

3. FINANCIAL IMPLICATIONS

Financial resources for the new Stoneywood School building's construction costs have been allocated in the Council's five year capital programme. There are no financial implications associated with the Cults Academy rezoning proposals.

4. OTHER IMPLICATIONS

Legal – The public consultations have complied with the requirements of the Schools (Consultation) (Scotland) Act 2010 and the Children and Young People (Scotland) Act 2014. As these proposals refer do not refer to the proposed closure of any school in either consultation exercise, any decision to implement them by this Committee cannot be called in by Scottish Ministers.

Resources – Officer time and expenditure associated with these consultation exercises has been met from existing service budgets.

Personnel – Implementation of the recommendations will not result in any significant personnel implications.

Property – A new build Stoneywood School will provide state of the art educational accommodation for staff and pupils and will result in an “A” rated building in terms of condition and suitability.

Equipment – There are no equipment implications or risks associated with this report.

Sustainability and environmental – Implementation of these proposals will have a positive impact upon sustainability and environmental issues related in the school estate through the creation of a 21st Century asset for Stoneywood School.

Health and safety – There are no implications or risks related to this report.

Policy – there are no policy implications or risks related to this report.

5. BACKGROUND/MAIN ISSUES

5.1 School Reorganisation Proposals

These proposals contribute to a widespread programme to manage the school estate across the city arising from both the review of secondary schools and primary schools which were previously reported to Committee on 28 October 2010 and 7 February 2013.

These statutory consultations were carried out as result of an instruction from Education, Culture and Sport on 7 February, 2013.

5.2 Educational Implications

The Education Authority has a programme to ensure the provision of an affordable and suitable education service for all its pupils. Implementation of these proposals will assist in the delivery of these objectives, thereby meeting

the Council's statutory obligations as set out in the Education (Scotland) Act 1980 (as amended).

5.3 Statutory Consultation Feedback

Appendix 1 details the Consultation Report for the proposed rezoning of the Cults Academy zone, while Appendix 2 contains the Consultation Report for the creation of a new school building for Stoneywood School, its location and the rezoning of ground t Stoneywood School from Brimmond School.

The following sections provide a synopsis of the written submissions, comment from the public consultation meetings and the service's response to these submissions and the reports from Education Scotland.

5.3.1 Rezoning of Cults Academy's Zone

(a) Methodology

All requirements of the Schools (Consultation) (Scotland) Act 2010 and the Children and Young People (Scotland) Act 2014 were met in full.

(b) Feedback from Stakeholders and Education Scotland

There was a significant response to the proposed rezoning of the Cults Academy zone. In total, there were 76 written responses to the consultation, with only 2 in favour of the proposed rezoning. At the public meeting approximately 40 stakeholders were present and at a separate meeting organised by the Parent Council of Lairhillock School there were approximately 25 people in attendance.

Of the vast majority who were opposed to the rezoning proposal the submission focused on the areas listed below:

- The small number of pupils attending Cults Academy from Lairhillock School each year would have no significant impact on the overall roll of Cults Academy;
- If implemented, the rezoning proposal would have detrimental impact on peer groups, with a negative impact of the overall community of Lairhillock. Individual families would be penalised if siblings were forced to attend different secondary schools and this would reduce opportunities for pupils to participate in after school activities, thereby reducing their overall educational experience;
- Travel to an alternative secondary school were further away than Cults Academy, would take longer and would be undertaken on less safe routes which may well be exacerbated by the construction of the AWPR;
- There was inadequate communication with officers of Aberdeenshire Council prior to the consultation process being started; and
- Aberdeenshire Council secondary schools also had a lack of available space to accommodate pupils from Lairhillock School.

Respondents also submitted comment that they believed the Proposal Document was flawed as it:

- Contained pupil roll projections which overstated the number of pupils arriving at Cults Academy, and took no account of the impact of the downturn in the oil industry;
- Did not evidence any meaningful education benefits;
- Did not identify any alternative secondary school which Lairhillock School pupils would attend; and

In addition, several comments were received that criticised the format of the public meeting.

Education Scotland confirmed in their report that there were educational benefits which may be delivered by the implementation of the amended proposal which is set out in the recommendation section of this report.

The Council's responses to these issues are included in the Consultation Report at Appendix 1.

(c) Overall View of the Proposal

The volume of responses to this consultation proposal was significant and the strength of opposition can be demonstrated by the fact that 74 of the 76 submissions opposed the original proposal.

Having considered the matter at Directorate level, it was agreed that a revised proposal should be implemented which would result in the Cults Academy zone being maintained, with the exception that all new housing developments which are constructed in the affected area, south of the River Dee and including the Blairs development, would be rezoned to an Aberdeenshire Council secondary school. Any rezoning of such areas will be undertaken in partnership with Aberdeenshire Council. This means that there would be no change or disruption to pupils already attending Cults Academy or Lairhillock Primary both now and in the future.

This change in proposal was discussed with the Parent Council and Education Scotland, following the end of the consultation. Both parties responded favourably to the amended proposal.

5.3.2 Stoneywood School – New Build and Rezoning

(a) Methodology

The consultation met of all the requirements of the Schools (Consultation) (Scotland) Act 2010 and the Children and Young People (Scotland) Act 2014.

(b) Feedback from Stakeholders and Education Scotland

Seventeen writing submissions were made, including fifteen Comment Cards which were received at the public meeting. Of these responses, fourteen were

in favour of a new school, 2 were opposed and one provided no comment. The majority of responses preferred the former Bankhead Academy site as the location for the new school building and also supported the rezoning proposal.

The pupils of Stoneywood School also submitted their responses via class teachers. Overall the majority of pupils were in favour of a new school building and 64 of 136 were in favour of the school being constructed at the former Bankhead Academy site.

(c) Overall View of the Proposal

The level of response to this consultation was considered to be low considering the importance of a new build school for the communities of Stoneywood and Bankhead. All of the matters contained within views submitted have been responded to either during the consultation period or in the Consultation Report.

6. IMPACT

6.1 Corporate

Aberdeen the Smarter City

- (i) We will enhance the physical and emotional wellbeing of all our citizens by offering support and activities which promote independence, resilience, confidence and self-esteem.
- (ii) Working with our third, public and private sector partners, we will provide opportunities for lifelong learning which will develop knowledge, skills and attributes of our citizens to enable them to meet the changing demands of the 21st Century.
- (iii) Again, working with partners, we will create a City of Learning which will empower individuals to fulfil their potential and contribute to the economic, social and cultural wellbeing of our communities.
- (iv) We will aim to have a workforce across the city which has the skills and knowledge to sustain, grow and diversify the city economy.

6.2 Equality and Human Rights implications

A full Equality and Human Rights Impact Assessment is attached as Appendix 3 of this report.

6.3 Management of the School Estate

The implementation of the revised rezoning proposal for Cults Academy will ensure a sustainable and manageable pupil roll. The implementation of the

proposals for Stoneywood School will create a new school building which will accommodate the projected increase in pupil roll arising from the significant housing developments in the school's zone.

7. MANAGEMENT OF RISK

There is not expected to be significant operational risk arising from the implementation of the proposals. Having followed all applicable legislation, the Council will be perceived as having taken account of the result of the consultation process.

8. BACKGROUND PAPERS

Appendix 1 Consultation Report on the Proposal to rezone the Cults Academy school zone to exclude ground to the south of the River Dee currently within the Cults Academy zone, with effect from August 2016; and

Appendix 2 Consultation Report on the Proposal to create a new school building for Stoneywood School, which will be operational with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter;

Further, to locate the new Stoneywood School building on ground to be confirmed following the completion of this statutory consultation exercise;

Further, to rezone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015

9. REPORT AUTHOR DETAILS

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CONSULTATION REPORT

This Consultation Report has been compiled in responses to the recent public consultation on the proposed rezoning of the Cults Academy delineated area. The document summarises the responses received on the proposal set out below and Aberdeen City Council's response to the verbal and written comments submitted by interested parties, in compliance with the Schools (Consultation) (Scotland) Act 2010 and the Children and Young People (Scotland) Act 2014.

Proposal:

- To rezone the Cults Academy school zone to exclude ground to the south of the River Dee currently within the Cults Academy zone, with effect from August 2016.

1. METHODOLOGY

This consultation was conducted in accordance with the Schools (Consultation) (Scotland) Act 2010 and the Children and Young People (Scotland) Act 2014. All requirements of the legislation have been met.

2. INVOLVEMENT OF STAKEHOLDERS

(a) Public Events

A public consultation event was held on Tuesday, 10 March 2015 to discuss the proposal issued for public consultation. The table below details the number of attendees at the public meeting:

<i>Date</i>	<i>Time</i>	<i>Venue</i>	<i>Number of Recorded Attendees</i>
10 March 2015	7- 8 pm	Cults Academy	Approximately 40 parents/ 2 Elected Members from Aberdeenshire Council plus officers of Aberdeen City Council.

Officers also attended a meeting chaired by the Parent Council of Lairhillock School on Tuesday 24 March, at which approximately 25 parents/carers and members of the public were in attendance. This meeting provided a further opportunity for officers to discuss the proposals which were being consulted upon and to hear stakeholder views and concerns.

(b) Comments Received

The following written submissions were received:

<i>Format</i>	<i>Number of submissions</i>
E-mail	16
Written	27
Comment Cards	16
Public Meeting Comment Cards	17

Paper copies of the submission were made available in the Members Library and have been circulated to external members of the Education and Children's Services Committee. The submission, anonymised as necessary, was also made available on the Council website.

(c) Issues Raised

Public Meetings – 10 and 24 March 2015

As well as discussing the proposals for the future rezoning of Cults Academy's school zone, 17 stakeholders provided their feedback in the form of completed Comment Cards. The comments submitted in this way are summarised below:

General Comments

All 17 submissions at the public meeting of 10 March were opposed to the proposed rezoning. The following paragraphs detail the reasons for this viewpoint.

The proposal would have limited effect due to the small number of pupils who would be affected by the rezoning

- Those in attendance at the public meetings commented that the number of pupils transferring each year from Lairhillock School to Cults Academy was small compared to the annual intake of S1 pupils, and that cumulatively the proposal to remove the Lairhillock School zone from Cults Academy would not significantly reduce the overall pupil roll.

Siblings of pupils attending Cults Academy should be guaranteed a place at the school

- Respondents commented that siblings of pupils already attending Cults Academy should be guaranteed a place at the school. Several submissions and verbal responses at the public meetings commented on the potential disruption on peer networks and family groups if pupils were forced to attend different schools.

The Proposal Document was fundamentally flawed

- Several parents took issue with the accuracy of data within the Proposal Document. This included questioning the projected roll data for Cults Academy and the number of children identified as coming from Lairhillock School in the future. One parent commented that the Educational Benefits Statements were poor and contained only one realistic benefit.

The rezoning proposal would have a negative impact on peer, social and family groups

- Those in attendance at the meeting commented on the potential disruption to family life should siblings not be able to attend the same secondary schools. As the community was also relatively small splitting peer groups to different secondary schools would result in the loss of close, established social and peer groups.

- Comment was also received that the established community and social links that pupils and families had made with nearby communities in Cults, Milltimber and Peterculter would be lost if pupils from Lairhillock School were required to attend an alternative secondary school.

There was a lack of consultation with Aberdeenshire Council before the Proposal Document was issued

- Comment was received which criticised the apparent lack of consultation with colleagues from Aberdeenshire Council. Of specific concern was the lack of an alternative secondary school provision, should the rezoning proposal be implemented. In addition, a number of parents also commented on the lack of available capacity in nearby Aberdeenshire Council secondary schools.

Cults Academy was geographically closer to Lairhillock School

- Representation was also made about the geographic proximity of Cults Academy to the pupils from Lairhillock School and that secondary school in the Aberdeenshire Council area would be further away and would also result in travelling on more dangerous roads. It was also believed that the road safety issue would be exacerbated by the construction of the Aberdeen Western Peripheral Route.

Alternative Proposals

- A number of alternatives to the rezoning proposal were raised by those in attendance at the meeting. These included rezoning ground in the north of the Cults Academy zone to Westhills Academy and to rezone any new residential developments in the affected area to an alternative secondary school in Aberdeenshire Council.

Parent Council of Lairhillock School

The Parent Council of Lairhillock School submitted a written response which commented on a number of aspects which they believed were pertinent to the consultation. In considering their response, the Parent Council noted the disruption to pupils as a result of there being no clear alternative secondary school provision should the rezoning proposals be implemented. The response also commented on the capacity issues faced by secondary schools within Aberdeenshire Council. It was also noted that the rezoning may place difficulties for families if their children were educated in different secondary schools and the Parent Council stated their desire that siblings of pupils currently attending Cults Academy would be eligible to attend the school.

The Parent Council also expressed their grave fears that the proposed changes would fracture the established peer groups in such a small community. They argue that parents and children have an expectation that peers should be educated together.

The response provided comment on road safety and the AWPR, noting that the latter would place greater difficulty in terms of travel arrangements and that the AWPR would also have a detrimental impact on families at home. The Parent Council state that many parents are unhappy at the prospect of children having to attend Mackie Academy in Stonehaven and travelling on roads which will have increased traffic volume arising from the construction of the AWPR.

The Parent Council also commented on the format of the public meeting, stating that they felt a more formal approach with a presentation to all present would have been far more beneficial.

The Parent Council also noted that the standard room occupancy rate is set at 84% and that if this was extended to 90% then additional capacity could be generated.

As an alternative to the rezoning proposal, the Parent Council proposed that the Blairs development and any additional large housing developments be excluded from Cults Academy. This would then allow for all children currently in the Cults Academy zone to remain in zone, with children from the Blairs development and any future housing development being zoned to another school.

Aberdeenshire Council

Aberdeenshire Council submitted a response to the consultation proposals which had been approved by their Education, Learning and Leisure Committee at their meeting of 26 March 2015. The settled view of Aberdeenshire Council was that no changes should be made to the current zoning arrangements.

If change was necessary, Aberdeenshire Council's preference would be for all children attending Lairhillock School, including pre-school aged children, to attend Cults Academy for their secondary education and any siblings of these children should also be allowed to attend Cults Academy.

Community Council

The North Kincardine Rural Community Council submitted a response which supported the response submitted by the Parent Council of Lairhillock School.

Individuals

Twenty four (24) letters and sixteen (16) e-mail and sixteen (16) Comment Card responses were received from individuals. The detail of these submissions is set out in the following paragraphs.

- Maureen Watt, MSP, submitted a response to the consultation having been contacted by a constituent. Ms Watt advised that Cults Academy was the closest secondary school for pupils from Lairhillock School and she implored the Council to review the proposal to exclude Lairhillock School from the Cults Academy zone at this time. Ms Watt intimated that the Parent Council of Lairhillock School understood that rezoning was necessary but that the timing

was “strange” with the forthcoming changes to the area such as the AWPR and developments such as Chapelton of Elsick.

Ms Watt also commented on the perceived lack of consultation with colleagues from Aberdeenshire Council.

- Sir Robert Smith, former MP, submitted 7 letters to the Chief Executive’s Office on behalf of his then constituents. Although each of the letters forwarded by Sir Robert were individual they contained many similar points.
 - As the number of pupils arriving at Cults Academy from Lairhillock School was so small, any rezoning impact would be negligible.
 - Rezoning would have a detrimental impact on Lairhillock School which had established a strong sense of identity.
 - Rezoning would cause transport disruption to pupils in the form of longer transport time from home to school on more difficult roads. In addition, the AWPR development was expected to cause further transport disruption.
 - The downturn in the oil industry has had an effect on families resident in Aberdeen and surrounding areas who have returned home to search for work. It is believed that this will lead to a reduction in the pupil roll at schools, including Cults Academy.
 - Due to the consultation legislation, Aberdeenshire Council would be unable to start any necessary consultation process until after the rezoning proposal had been determined by the Education and Children’s Services Committee of Aberdeen City Council. This means that there is no clear alternative available for parents to consider and would mean that any subsequent consultation by Aberdeenshire Council would not be complete until December 2015.
 - Pupils from the existing Lairhillock School zone should remain within the Cults Academy zone and any new housing developments should be zoned to an appropriate Aberdeenshire Council secondary school.
- Comments from stakeholders stated that siblings of pupils already attending Cults Academy should be guaranteed a place at the school and that it was unfair to split Lairhillock pupils. It was also reported that the pupils of Lairhillock School, particularly those in the upper school, expected, and had planned, to attend secondary school at Cults Academy.
- Parents of pupils at Lairhillock School stated their belief that the rezoning proposal would impact on the social network for their children. An example provided was the difficulty for pupils of obtaining out of school care activities with their friends, should they attend separate secondary schools. It was also commented that as parents frequently worked within the Aberdeen city centre, having their children attend Cults Academy made it easier logically for them to collect children from school or take them to after school activities.

- Respondents remarked that there appeared to have been little communication between colleagues from Aberdeenshire Council and Aberdeen City Council in preparing the rezoning proposal issued for consultation purposes. Of major concern was the failure of the Proposal Document to provide any indication of what the alternative secondary school provision would be should the rezoning be implemented. Respondents stated that the nearest secondary schools in Aberdeenshire at Stonehaven, Portlethen and Banchory all had capacity issues and would therefore not be able to provide suitable alternatives to Cults Academy.
- Several respondents commented on the insufficient timescale for alternatives to be implemented should the Council go ahead with the rezoning proposal from August 2016. One response stated that the proposals were short term boundary adjustments and that a long term strategy should be developed.
- Respondents expressed concern at the format of the public meeting held on 10 March, with one submission describing the meeting as “shambolic”, suggesting that officers from Aberdeen City Council did not wear name tags or have any other form of identification. The respondent concerned expressed dismay was that no record was taken of the comments expressed by interested parties on the night.
- The issue of safe travel arrangements to an Aberdeenshire secondary school were also raised. This included the distance to the nearest Aberdeenshire secondary school which was twice the travel distance to Cults Academy. Also of concern was the safety of the roads as they were classed as “B” roads and the length of time it would take for pupils to be transported to school. Further submissions received commented on the likely impact of the Aberdeen Western Peripheral Route which would increase traffic to Stonehaven.
- Responses commented on the impact of the oil industry’s downturn on pupil rolls at Cults Academy. It was claimed that this would reduce pupil rolls as families relocate to other places in search of work.
- Responses also commented on the number and scale of housing developments which were being built or had been approved within the Cults Academy zone to the north of the River Dee. Submissions commented on the number of pupils who would be generated by these developments.
- Two respondents commented on the impact that the proposed Aberdeen Western Peripheral Route and the rezoning proposal would have on house prices in the Maryculter area.
- Two submissions expressed support for the rezoning proposals, noting the capacity issues which required to be addressed at Cults Academy. This response suggested that it was fair for those with a Cults address to be favoured over those out with the area.

- One response asked why the Council had not included a change to the Cults Academy zone as a result of the Countesswells development, asking why the Proposal Document was being issued at this particular time.
- One submission made by a resident in the affected area commented on the number of pupils likely to be generated by the Oldfold Farm development, asking how these pupils would be accommodated in Cults Academy. The response also stated that the individual concerned “had paid a premium” for his home as it was in the Cults Academy catchment area, asking “who will compensate us for the loss” should the rezoning proposal be implemented.
- Many submissions submitted alternative rezoning proposals such as rezoning other areas within the Cults Academy zone to other schools within the Aberdeen City Council area or to Westhill Academy and to limit the out of zone placing requests. Several attendees at the public meeting of 10 March 2015 commented that Westhill Academy had sufficient spare capacity to accommodate a significant intake of pupils from the Cults Academy zone. Three responses suggested that the Police Station within Cults Academy be relocated to create additional classrooms.

Education Scotland Report

An essential element of the statutory consultation process is involvement of Education Scotland whose report is provided as Annex A of this Consultation Report.

Education Scotland comment on the fact that, having reviewed submissions and considered both verbal and written comment, that Council officers would recommend that no changes would be made to the current Cults Academy zone which is south of the River Dee. Those pupils attending Lairhillock School, and those who reside in the Cults Academy zone but who attend a different primary school, and who would normally transfer to Cults Academy would therefore be remain entitled to attend Cults Academy as in zone pupils.

Education Scotland believe that this will deliver educational benefits such as attending the same school as older siblings and being educated in a positive learning environment which is within operational capacity. Education Scotland comment on the need for the Council to respond to alleged inaccuracies within the Proposal Document and consultation process. The Council’s response to these matters is set out in Section 4 of this document.

3. THE COUNCIL’S RESPONSE TO ISSUES RAISED DURING THE CONSULTATION PERIOD AND CONTINUED WITHIN THE EDUCATION SCOTLAND REPORT

The following paragraphs will provide detailed comment on the comments and written submissions received during the consultation period. It is noted that many respondents provided comment on many of the same matters and the Council’s response to these points is set out below.

The Proposal Document and Consultation Process was Flawed

Several respondents provided comment that the Proposal Document and consultation process were flawed. The data contained within the Proposal Document was prepared by officers with significant experience in preparing for and conducting school consultations. The pupil roll projection data took account of all known data at the time of publishing the Proposal Document, which included a projection of pupils coming to Lairhillock School and Cults Academy from the Blairs development. These pupils were excluded from the pupil figures provided to parents from the Head Teacher of Lairhillock School.

Stakeholders were advised that there had been no noticeable impact of the downturn in the oil industry on the pupil rolls at any Aberdeen City Council school and to make an adjustment for this unknown would be to determine an arbitrary figure which could not be justified on experiential grounds.

The Education Benefits Statement was clear that the main benefit, and the driver for this consultation exercise, was the projected over capacity issue at Cults Academy. It is recognised that through implementation of the rezoning proposal that not all of the overcrowding could be addressed but that it would make a significant contribution.

Officers were mindful that approximately 60% of the Lairhillock School pupil cohort transfer to Cults Academy for secondary education. The remaining pupils transfer to other secondary schools, including Mackie Academy in Stonehaven and it was believed that an educational benefit would be achieved by having the entire pupil cohort transfer to one secondary school, rather than two secondary schools as is the case at present.

The consultation process followed the set norms of Aberdeen City Council, which has never before been criticised. It is also noticeable that Education Scotland have not raised any concern about the format of public consultation meetings in this or any previous reports on school consultations.

Officers were clearly identifiable and the majority of those present at the 10March meeting did in fact have their identification badges on display. Comments were received to thank officers for their clear explanation of issues that required clarification at the meeting.

It is acknowledged that the document did contain two typos, which when notified of by stakeholders, were rectified by officers and the amended Proposal Document was placed on the Council website.

Further commentary on the Proposal Document and the consultation process is detailed in section 4 of this report.

The Proposal Document Contained Conflicting Information from Other Council Sources

It is accepted that the Proposal Document contained information regarding the placing of siblings in Cults Academy which differed from that stated within the Guide to Education document. It is therefore accepted that, should the Education and Children's Service decide to implement the original rezoning proposal, siblings of pupils already being educated at Cults Academy would be entitled to attend the school.

Effective Consultation with Aberdeenshire Council

Respondents commented on the apparent lack of consultation with Aberdeenshire Council. In fact, discussions had taken place over a number of years on this matter and these discussions included input from senior and chief officers.

It is recognised that Aberdeen City Council were unable to provide any information on alternative secondary provision within the Proposal Document as this would be the responsibility of Aberdeenshire Council. It is also recognised that any decision by Aberdeenshire Council to consult on this alternative provision during the current consultation period could have been seen to prejudice the impartiality of the consultation and led stakeholders to believe that there was already a determined outcome. This would have been contrary to the letter and spirit of the applicable legislation.

Distance from and Access to Cults Academy

Parents submitted the point that Cults Academy was geographically closer to Lairhillock, with easier access, than any of the neighbouring secondary schools in Aberdeenshire. This point is accepted, as is the fact that a significant proportion of parents work in Aberdeen. Having children educated at Cults Academy does provide easier access for parents to transport pupils to and from school and allow them to participate in the range of after school activities on offer at Cults Academy.

It is also accepted that good community and pupil relations have been established with neighbouring communities on the north side of the River Dee.

Impact of the Aberdeen Western Peripheral Route

It was a coincidence that the consultation exercise was conducted at the same time as work on the AWPR. It was made apparent that this infrastructure investment was causing significant concern for families in the Maryculter area and although not related to the rezoning consultation it is accepted that increased disruption to travel may arise during the construction of the road and that increases in traffic volume are expected once the road is complete.

It would be inappropriate for the Council to comment on the AWPR's or the rezoning proposal's impact on house prices in the area.

Alternative Proposals

As described in the previous Section, there were several alternative proposals submitted during the consultation process. Having considered their merits and practicalities, it is believed that it would not be appropriate to seek to rezone pupils from the Aberdeen City Council area to an alternative school out with the authority's boundary.

It should be noted that Police Scotland have leased their premises within Cults Academy for the period of the school's operational contract.

Several comments received stated that the Council should consider excluding new developments in the affected area. It was stated that this would reduce the number of future pupils attending Cults Academy from Lairhillock School.

Taking the comments contained in responses, officers believe that it would be appropriate for a revised proposal to be implemented. This is set out in the following paragraph.

Revised Proposal

Having considered the comments received during the consultation process, officers have concluded that it is appropriate for:

- (i) The area affected by the consultation process to remain within the Cults Academy zone; and
- (ii) Aberdeenshire Council to make secondary school provision for any children who arrive as a result of new housing developments in the area, including the Blairs development.

This will allow Aberdeen City Council to mitigate the increase in pupil numbers who arrive from such housing developments and which will assist in the process of sustainably managing the Cults Academy pupil roll. This will also allow Aberdeenshire Council to seek Section 75 contributions for any necessary expansion to their school estate arising from new housing developments.

4. ALLEGED OMISSIONS OF RELEVANT INFORMATION AND ALLEGED INACCURACIES CONTAINED WITHIN THE PROPOSAL DOCUMENT

A number of comments were received which alleged inaccuracies in the Proposal Document or within the consultation process. These are detailed in the following paragraphs.

Incorrect Data on Pupil Roll Projections

Comments received intimated that the rationale used to justify the rezoning proposal was flawed and that the Proposal Document had identified the incorrect year that the projected pupil roll would go above the capacity at Cults Academy. Respondents also commented that the projected pupil roll should be adjusted to take account of the

current downturn in the oil industry as this would impact on the number of pupils attending Cults Academy.

In reviewing the data used to project pupil rolls there was no evidence of the oil industry downturn affecting pupil rolls at any Aberdeen City Council schools. The Proposal Document also identifies that roll projections are based on all of the available information at a given point and as such they cannot take account of uncertainties. The impact of the economic situation is such an uncertainty and there is no way of foretelling how this may impact on the pupil roll at Cults Academy.

It was acknowledged that the Proposal Document contained a typo at paragraph 8 as it had identified 2016 as the year when the pupil roll would be above the school's stated capacity. In fact, the correct year was 2019, as identified in Table 1 to which paragraph 8 related. The document was subsequently updated, but as this had no effect on the rationale for the proposal no further action was deemed necessary by officers. The Proposal Document was clear in the fact that the pupil roll of Cults Academy was projected to go beyond the school's capacity and as such action had to be taken.

This allegation is therefore refuted.

No Defined Educational Benefits

Responses to the consultation stated that there were no educational benefits to be derived from the implementation of the proposal.

The proposal identified that action would be required to manage the capacity at Cults Academy or the school would be unable to offer the full breadth of the curriculum. This would affect all pupils at the school, particularly in the delivery of practical subjects. In addition, it is noted that a significant minority of pupils from Lairhillock School currently attend an Aberdeenshire Council secondary school. The proposal, if implemented, would have ensured that all pupils from Lairhillock School would have attended the same secondary school, therefore maintaining the pupil relationships which had been established in primary school.

This allegation is therefore refuted.

No Consideration of Alternative Proposals or Liaison with Aberdeenshire Council

A number of respondents commented that there was little or no communication between officers of Aberdeenshire Council and Aberdeen City Council prior to the Proposal Document being issued. In addition, verbal and written submissions commented on the lack of alternative proposals to deal with the capacity issues at Cults Academy.

Officers are content that the dialogue between representatives of the two authorities was conducted in a spirit of openness and partnership prior to the consultation process starting. The level of contact was between senior Council officials and was maintained throughout the consultation period.

The Schools (Consultation) (Scotland) Act 2010 requires authorities to issue a proposal for public consultation. Officers are content the Council complied with Section 2 of the Act in issuing a relevant proposal for consultation. As part of the consultation process, officers encouraged stakeholders to submit alternatives which would be considered at the stage of preparing this Consultation Report. Commentary on the alternative proposals has been detailed above.

This allegation is therefore refuted.

Format of the Public Meeting

Several respondents commented that the format of the public meeting held on 10 March 2015 did not provide for meaningful consultation or recording of comments from those present.

The format used was similar to those undertaken by the Council at school consultation meetings. Those present were able to discuss, at length, the many concerns they had for their children's secondary education and the potential implications should the proposal be implemented. In addition to the verbal comments heard by officers, those present were asked to submit written submissions during the consultation meeting that officers could subsequently review. It is believed that this format is beneficial as concerns can be expressed in writing rather than having to rely on a Council officer trying to record every point of view heard at the meeting. The comments received on the Comment Forms at the public meeting are discussed in Section 2 (above).

This allegation is therefore refuted.

5. COMPLIANCE WITH SECTION 9(1) OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010 AND CONSIDERATION OF THE PROPOSALS

Following the conclusion of the consultation period, Section 9(1) of the Schools (Consultation) (Scotland) Act 2010, requires the Council to review the relevant proposal, having had regard to the written representations that have been received by it during the consultation period; oral representations made to it at the public meetings held on 4 March 2015 and 5 March 2015 and Education Scotland's report.

In terms of Section 10(2) (e) of the said Schools (Consultation) (Scotland) Act 2010, the Consultation Report requires to contain a statement explaining how the Council complied with its duty under the above Section 9(1) of the Act.

With relation to Section 9(1) of the 2010 Act and having considered all of the information received during the consultation process, officers have revised the original proposal which was issued for public consultation and recommend that pupils attending Lairhillock School, and those children resident in the Lairhillock School zone but attending other primary schools, who are currently zoned to Cults Academy remain entitled to attend Cults Academy. Any future housing developments in the Lairhillock School zone, including the Blairs development, will be rezoned to an Aberdeenshire Council secondary school.

6. RECOMMENDATION

It is recommended that the Education and Children's Services Committee agree to implement the proposals to:

- (i) Retain the area of the Lairhillock School zone, which is currently within the Cults Academy zone and which was the focus of this consultation exercise, as part of the Cults Academy zone; and
- (ii) Advise Aberdeenshire Council that any future new housing developments in their Council area which are currently zoned to Cults Academy, including the Blairs development, will require to be rezoned to an Aberdeenshire Council secondary school following a public consultation.

**Gayle Gorman
Director of Education and Children's Services
May 2015**

ANNEX A

REPORT FROM EDUCATION SCOTLAND

Report by Education Scotland addressing educational aspects of the proposal by Aberdeen City Council to amend the Cults Academy catchment area to exclude ground to the south of the River Dee currently within the Cults Academy zone, with effect from August 2016.

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 Aberdeen City Council's proposal to amend the Cults Academy catchment area to exclude ground to the south of the River Dee currently within the Cults Academy zone, with effect from August 2016. 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.

1.2.1 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;
- consideration of further representations made directly to Education Scotland on relevant educational aspects of the proposal;
- consideration of further information on all schools affected; and
- visits to the site of Cults Academy and Lairhillock School, including discussion with relevant consultees.

2. Consultation Process

- 2.1 Aberdeen City Council undertook the consultation on its proposal 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 period lasted from 19 February 2015 until 2 April 2015. A public meeting to explain the proposal to stakeholders was held in Cults Academy on 10 March 2015. The meeting was very well attended by a range of stakeholders. Pupils and staff from both schools were not directly consulted. The consultation proposal documents were available on Aberdeen City Council's website. Hard copies were available in various locations across the city. A total of 93 responses were received, including responses from the Parent Councils of both schools and from Aberdeenshire Council. During the consultation an officer of the council met with members of the Lairhillock School Parent Council to discuss their concerns. Two responses were in favour of the proposal. Ninety-one responses were against the original proposal.
- 2.3 After the consultation period closed, the council took into consideration the concerns expressed in submissions and, in discussion with Aberdeenshire Council, officers of Aberdeen City Council decided to amend its proposal. It decided not to alter the current Cults Academy catchment area for pupils from Lairhillock School. Any new housing developments, including those currently under construction, will be rezoned at a future date to an Aberdeenshire Council secondary school.

3. Educational Aspects of Proposal

- 3.1 The amended proposal means that pupils from Lairhillock School, who live in the current Cults Academy catchment area, will continue to attend the same secondary school as their siblings and more easily benefit from the support of their whole family. Rezoning new housing developments will help the Cults Academy roll to remain below its operational capacity of 1141 pupils, supporting young people to learn effectively. The amended proposal will assist Aberdeen City Council to deliver education in schools which are not overcrowded.
- 3.2 All pupils, parents and staff who spoke with HM Inspectors were positive about the amended proposal. They saw it as an effective compromise which allowed

siblings to be educated in the same secondary school while ensuring the roll at Cults Academy remained at a sustainable level. A few parents would like clarification regarding the position of children who live in the Lairhillock School catchment area but are educated in another primary school within the Cults Academy catchment area. In finalising its consultation report, the council needs to continue to work with stakeholders to clarify aspects of the amended proposal.

- 3.3 During the consultation period the council was notified of alleged inaccuracies in the proposal. The council will need to ensure that it takes the necessary steps to investigate these alleged inaccuracies. In its final consultation report, the council will need to set out the actions it has taken to address any alleged inaccuracies notified to it.

4. Summary

The amended proposal has a number of educational benefits. Young people attending Cults Academy will continue to benefit from a positive learning environment within its operational capacity. Children attending Lairhillock School will still be able to attend the same secondary school as their older siblings. In its final consultation report, the council needs to set out the actions it has taken to address any alleged inaccuracies notified to it. It also needs to continue to work with stakeholders to ensure they are clear about all aspects of the final proposal.

**HM Inspectors
Education Scotland
April 2015**



CONSULTATION REPORT

This Consultation Report has been compiled in responses to the recent public consultation on the future of the existing Stoneywood School buildings and the school's zone. The document summarises the responses received on the proposals set out below and Aberdeen City Council's response to the verbal and written comments submitted by interested parties, in compliance with the Schools (Consultation) (Scotland) Act 2010 and the Children and Young People (Scotland) Act 2014.

Proposal:

- To create a new school building for Stoneywood School, which will be operational with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter;

Further

- To locate the new Stoneywood School building on ground to be confirmed following the completion of this statutory consultation exercise;

Further

- To rezone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015

1. METHODOLOGY

This consultation was conducted in accordance with the Schools (Consultation) (Scotland) Act 2010 and the Children and Young People (Scotland) Act 2014. All requirements of the legislation have been met.

2. INVOLVEMENT OF STAKEHOLDERS

(a) Public Events

Two public consultation events were held on Tuesday 4 March and Wednesday 5 March 2015 to discuss the proposals issued for public consultation. The table below details the number of attendees at the public meetings:

<i>Date</i>	<i>Time</i>	<i>Venue</i>	<i>Number of Recorded Attendees</i>
4 March 2015	7- 8 pm	Stoneywood School	25 parents/ members of the public plus officers and Elected Members
5 March 2015	7- 8 pm	Brimmond School	4 parents plus officers and representatives from Education Scotland

Officers also met separately with the staff and Parent Council of Stoneywood School to discuss the proposals which were being consulted upon.

(b) Comments Received

The following written submissions were received:

<i>Format</i>	<i>Number of submissions</i>
E-mail	3 (from 1 individual)
Written	0
Comment Cards	1
Public Meeting Comment Cards	15

Paper copies of the submission were made available in the Members Library and have been circulated to external members of the Education and Children's Services Committee. The submission, anonymised as necessary, was also made available on the Council website.

Two public meetings were held at Stoneywood School and Brimmond School and were attended by 25 individuals and 4 individuals respectively. Representatives from Education Scotland were also present at the meeting in Brimmond School.

(d) Issues Raised

Public Meetings – 4/5 March 2015

As well as discussing the proposals for the future of Stoneywood School's existing buildings and it's possible future location, 15 stakeholders provided their feedback in the form of completed Comment Cards. The comments submitted in this way are summarised below:

New Build

- Fourteen of the fifteen responses indicated support for the creation of a new 2 stream school building. Reasons provided included the need for modern educational facilities and to accommodate the projected increase in the pupil roll from new housing developments.
- One respondent was against the proposal for a new school building, commenting that the school should be single stream on two sites, given the size of the school zone.

Site of a New School

- The vast majority of those in favour of a new build school expressed support for the site of the former Bankhead Academy. One individual expressed no preference, while one submission commented on the desire to keep the school in its existing location but if that was not feasible due to the size of the site then the former Bankhead Academy site was the preferred choice of site.
- Respondents commented on the suitable size of the site and its ability to deliver the highest standards of Curriculum for Excellence. It was also seen as being more central within the school zone and the potential loss of the playing fields was considered to be detrimental to the community.
- The submission against a new school building suggested a site to the east of Stoneywood Road, where the majority of pupils attending the school would reside. The submission also commented on the need for the Council to use its power to secure a new school site within new residential developments.

School Zone Amendment

- Thirteen responses supported the rezoning proposal. Comments included the need to ensure the school could accommodate any increase in pupil roll caused by the increase in the school zone and that residents on the north side of the A96 would be best served sending their children to Stoneywood School.
- Two submissions were opposed to the rezoning proposals due to the size of the future pupil roll being too large. Comments were also made on the possibility for school transport for those pupils residing on the edge of any revised school zone.

Other Comments

- Several responses commented on the need for road calming measures in the proximity of any new school building and secure drop off points for school pupils. The need for safe walking routes to a new school building was also raised as an issue to be addressed.
- One respondent stated that the Council had not used its powers to create an underpass in the vicinity of the existing school, which could be used by pupils rather than them having to cross the road. Further, a potential site within the Dandara development could be secured for a new school site.
- One submission expressed concern as to how the existing school buildings would be dealt with, should the school be relocated into a new build on another site.
- One stakeholder commented that the proposals were coming forward at an optimum time to establish a new, modern educational facility which would be forward looking.

Stoneywood School Pupils

Staff at Stoneywood School consulted with their pupils in a way that was appropriate for each age and stage of the school. Of the 136 pupils who were consulted, 98 (72%) were in favour of a new school building and 38 were against the proposal.

47% of pupils (64) were in favour of the new school being constructed on the former Bankhead Academ site, while 37 (27%) wanted the school to stay in its existing location and 35 (26%) chose the former Bankhead Academy playingfields.

Pupils wanted to see the new school having bigger classrooms, better ICT equipment and quiet areas. They also wanted each class to have smartboards, more PE space with dedicated changing areas and better outdoor areas such as sporting areas, and play equipment in the playground.

Parent Council

The Parent Councils of Stoneywood School and Brimmond School did not submit any written response to the consultation. In the meeting attended by officers, the Parent Council of Stoneywood School expressed support for a new build school and the proposed rezoning.

Individuals

Two responses were received from individuals to the proposals.

- Mark McDonald, MSP, supported the proposal for a new build school given the age of the existing school building, the growth of the Stoneywood community and the financial support on offer from the Scottish Government for a new school building. Mr McDonald also supported the construction of a new school on the site of the former Bankhead Academy and the rezoning proposals.

- E-mail correspondence was received from the owner of the former janitor's house which is adjoined to Stoneywood School. Concerns were raised regarding the accuracy of the Council's electronic mapping system which appeared to show the house as part of the Education property portfolio. Having reviewed the matter, officers made adjustments to the system to reflect the actual property boundaries.

Education Scotland Report

An essential element of the statutory consultation process is involvement of Education Scotland whose report is provided as Annex A of this Consultation Report.

Education Scotland state in their report that the proposal to construct a new Stoneywood School building has clear educational benefit, noting the condition and suitability of the existing school building. Education Scotland also comment that the new build proposals have the support of the majority of parents and that the Council should ensure on-going communication regarding the capacity of the new school and projected pupils rolls.

On the matter of the proposed rezoning, Education Scotland note that the proposal will alleviate the issue of having to cross the A96 trunk road to attend Brimmond School and also supports pupils from Stoneywood and Bankhead areas attending the same school. Clarity is required on how this will apply to siblings of current pupils of Brimmond School who live in the affected area.

Finally, Education Scotland comment that the Council will need to set out the actions it has taken to address alleged inaccuracies notified to it in relation to the electronic mapping system, which has also been outlined in the second bullet point of the Individual responses (above).

3. THE COUNCIL'S RESPONSE TO ISSUES RAISED DURING THE CONSULTATION PERIOD AND CONTAINED WITHIN THE EDUCATION SCOTLAND REPORT

The following paragraphs will summarise the Council's response to the comments and written submissions received during the consultation period.

The Need for a New School

In developing long term plans for the primary estate, it should be noted that a strategic review was considered by the former Education, Culture and Sport Committee on 7 February 2013. It was at this Committee that the need for consultation for a new Stoneywood School, with rezoning of the area north of the A96 to the Stoneywood School zone, was agreed.

The physical condition of Stoneywood School is rated as "C" and the Council's desire to create purpose built, modern education facilities is supported by Education

Scotland. A state of the art building will deliver many educational benefits for pupils and staff.

Choice of New Build School Location

The majority of respondents chose the former Bankhead Academy site as their preferred location of a new Stoneywood School building. This site, which is 2.4 hectares in area, is large enough to accommodate a 2 stream school, under the School Premises Regulations of 1967. Having previously been used as a school site, it has the added advantage of being within the Education property portfolio and initial discussions with colleagues in the Planning Service have not raised any issues.

School Capacity and Pupil Roll Projections

Using the maximum class sizes of 25 pupils in P1, 30 pupils in P2 and P3, and 33 pupils in P4 to P7, the new building will have capacity to accommodate 434 pupils. As noted in the Education Scotland report the projected pupil roll will be monitored closely and staff and parents will be kept informed should the capacity of the school require to be adjusted to accommodate actual pupil numbers. It should be noted that the proposed capacity will be sufficient to accommodate the maximum projected roll of 382 pupils at 2021.

The capacity at the nursery class will also be increased to meet the projected demand for places and space will also be created for the Out of School provision currently delivered from Stoneywood School.

Rezoning Implications

The proposal to rezone the school's delineated area from August 2015 was to allow those pupils residing in the affected area to attend Stoneywood School prior to the new school being constructed. It is, however, recognised that a number of pupils currently attend Brimmond School and it is proposed that this arrangement should continue. In addition, any younger siblings of pupils attending Brimmond School from the affected area will have the right to attend Brimmond School, if their elder siblings will be in continuing education at the school at the time of the younger siblings admission, without the need to make a placing request. Should parents from the affected area wish to enrol their children into the current Stoneywood School from August 2015, this will be facilitated wherever possible.

Should the Education and Children's Services Committee agree to implement the rezoning proposals from August 2015, the parents of pupils living in the affected area will be informed of their right to keep children (and their younger siblings) at Brimmond School or to enrol them into Stoneywood School from August 2015, provided there is sufficient capacity in each of the classes.

An Alternative Site Within the Dandara Development

As the Section 75 agreement for this particular residential development was concluded some time ago, it is not possible to re-enter into negotiations. As such the Council would require to enter into negotiations with Dandara to acquire the

necessary ground which would significantly increase the cost of the new school building. The ground is also not zoned for an education facility on the local plan which may also result in issues with the Planning Authority.

The time to negotiate purchase of ground and the necessary planning consent may result in additional time for the new school project. A condition of the Scottish Government's funding support is that the new school building is completed in 2017.

Traffic Calming and Safe Walking Routes

In developing the new school building and its surrounding environment, officers will consult with colleagues from the Roads Service to determine what measures need to be put in place to ensure that staff, parents and pupils can safely access the school on foot or by car. A school travel plan will be prepared with input from appropriate stakeholders and it is likely that any planning approval will include traffic calming conditions which must be met in full.

The Future of the Existing School Building

Consideration will require to be given to the future of the school building once the new school building becomes operational. In normal circumstances, the building would be declared surplus to educational requirements and transferred to the corporate Estates team to review how it could be utilised, or failing that how it could be disposed of. Cognisance will need to be given to the fact that one of the school buildings is linked to the former janitor's house which is now in private ownership. It will be necessary for clear communication channels to be established with the owner of this property in the event that the building is to be marketed for sale.

4. ALLEGED OMISSIONS OF RELEVANT INFORMATION AND ALLEGED INACCURACIES CONTAINED WITHIN THE PROPOSAL DOCUMENT

One response was received commenting on the accuracy of the data held within the Council's electronic mapping system which had identified the former janitor's house as being within the Education property portfolio. Following correspondence with the house owner, the mapping system has been updated to remove the former janitor's house from the service portfolio.

As this issue did not impact on the rationale for any aspect of the three elements being consulted upon the proposals all remained valid for the purposes of consultation.

5. COMPLIANCE WITH SECTION 9(1) OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010 AND CONSIDERATION OF THE PROPOSALS

Following the conclusion of the consultation period, Section 9(1) of the Schools (Consultation) (Scotland) Act 2010, requires the Council to review the relevant proposal, having had regard to the written representations that have been received

by it during the consultation period; oral representations made to it at the public meetings held on 4 March 2015 and 5 March 2015 and Education Scotland's report.

In terms of Section 10(2) (e) of the said Schools (Consultation) (Scotland) Act 2010, the Consultation Report requires to contain a statement explaining how the Council complied with its duty under the above Section 9(1) of the Act.

With relation to Section 9(1) of the 2010 Act and having considered all of the information received during the consultation process, officers are satisfied that no comments have been received which would have caused them to review the merits of the proposal to construct a new two stream school building for Stoneywood School, to locate the new school building on the site of the former Bankhead Academy and to rezone the ground north of the A96 to Stoneywood School from Brimmond School, with effect from August 2015.

6. RECOMMENDATION

It is recommended that the Education and Children's Services Committee agree to implement the proposals to:

- (iii) Create a new Stoneywood School building, which will accommodate a two stream primary school, accommodate an increased nursery class and host out of school care provision;
- (iv) Locate the new school building on the site of the former Bankhead Academy; and
- (v) Implement the proposal to rezone ground north of the A96 to the Stoneywood School zone from that of the Brimmond School zone, with effect from August 2015.

**Gayle Gorman
Director of Education and Children's Services
May 2015**

REPORT FROM EDUCATION SCOTLAND

Report by Education Scotland addressing educational aspects of the proposal by Aberdeen City Council to create a new school building for Stoneywood School, which will be operational with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter; further to locate the new Stoneywood School building on ground to be confirmed following the completion of this statutory consultation exercise; further to rezone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015.

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 Aberdeen City Council's proposal to create a new school building for Stoneywood School, which will be operational with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter; further to locate the new Stoneywood School building on ground to be confirmed following the completion of this statutory consultation exercise; further to rezone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015. 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 school; 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 5 March 2015 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;
- visits to the sites of Stoneywood School and Brimmond School, including discussions with staff, parents and children; and
- visit to the site of the former Bankhead Academy and playing fields.

2. Consultation Process

Aberdeen City Council undertook the consultation on its proposals with reference to the *Schools (Consultation) (Scotland) Act 2010* and the amendments in the *Children and Young People (Scotland) Act 2014*. The statutory consultation period ran from 6 February to 27 March 2015. The council held two public meetings on 4 March 2015 at Stoneywood School and 5 March 2015 at Brimmond School. The council received 17 written responses to the proposal. Almost all of the responses supported the proposal for the creation of a new school building for Stoneywood School and for the rezoning of the catchment area to include ground north of the A96 which is currently in the Brimmond School catchment area. Almost all responses supported the location of the proposed new Stoneywood School being at the site of the former Bankhead Academy. Pupils in each class of Stoneywood School were consulted. Most children were in favour of a new school building for Stoneywood.

3. Educational Aspects of Proposal

3.1 The proposal to create a new school building for Stoneywood School has clear educational benefits. The current school is located in two buildings and is not in a good condition. The proposal has the potential to deliver Curriculum for Excellence within modern, purpose-built accommodation creating a more positive environment with more flexible learning spaces. The proposed new school building for Stoneywood School will be larger than the current school. This has the potential to broaden the range of curriculum opportunities for children, including the opportunities to interact with a wider range of peers,

both educationally and socially. The proposal has the potential to provide a larger number of teaching staff with a wider range of skills and interests and the opportunity to share and develop practice. The proposal for a new building for Stoneywood School has the potential to support best value to benefit children and young people across the council. The council has indicated that significant capital investment would be required to keep the current Stoneywood School buildings operational and that the proposal would support freeing up of resources to improve the council's school estate.

- 3.2 Almost all stakeholders who submitted written responses and almost all staff, parents and children who met with HM Inspectors were strongly in favour of the proposal for a new building for Stoneywood School. They felt a new school building would have a positive impact on children's learning. Some parents and staff raised concerns regarding the move to a larger school, including losing the identity of 'Stoneywood'.
- 3.3 Some stakeholders who met with HM Inspectors raised perceived concerns about potential traffic management at a new school as there are already traffic problems in the area surrounding the current school. In taking forward the proposal the council needs to ensure that current challenges in terms of traffic management outside the school, parking and drop-off areas and safe road crossings are addressed in planning for a new school building.
- 3.4 Almost all of the stakeholders who met HM Inspectors preferred the former Bankhead Academy site as the possible location for the proposed new Stoneywood School building. This is the site of a former school and has many potential advantages, including being located in a residential area and on a public transport/bus route. The proposal to re-zone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015, will alleviate the issue of having to cross the A96 trunk road to attend Brimmond School. This also supports pupils from Stoneywood and Bankhead areas attending the same school.
- 3.5 Some stakeholders who met with HM Inspectors were concerned about the placing of siblings of children who are currently attending Brimmond School, who would be re-zoned to attend Stoneywood School should the proposal go ahead. In its final consultation report, the council needs to clarify plans for siblings of current Brimmond School pupils who live in the area affected by the proposed re-zoning.
- 3.6 The council proposes to make changes to the catchment areas for Brimmond School and Stoneywood School with effect from August 2015, and, as a result, there may be a very short notification period to families who may be affected by the proposed re-zoning from Brimmond School to Stoneywood School. The council will need to address concerns regarding the proposed timescale and ensure appropriate arrangements are put in place which support continuity in learning; it also needs to clarify arrangements for siblings of pupils who currently attend Brimmond School and may be affected by the re-zoning.

- 3.7 Some stakeholders who met with HM Inspectors queried the numbers indicated for the new housing area and school roll, along with the proposed additional area from the re-zoning from Brimmond School. Concern was that the new Stoneywood School may not be big enough for the number of houses being planned for the area. If the proposal goes ahead, the council should ensure clear communication with stakeholders to alleviate concerns about projected rolls.
- 3.8 During the consultation period an alleged inaccuracy in the proposal was identified relating to maps being outdated. The council responded to this query during the consultation, updating the maps on their consultation website. In its final consultation report, the council will need to set out the actions it has taken to address any alleged inaccuracies notified to it.

4. Summary

- 4.1 The proposal to create a new school building for Stoneywood School is of clear educational benefit. The proposal has the support of almost all parents and staff and most children. The current school is located in two buildings, with several sets of stairs in each, and is not in a good condition. The proposal has the potential to improve the quality of the curriculum and deliver Curriculum for Excellence within modern, purpose-built accommodation, creating a more positive environment for effective learning and teaching. Implementation of the proposal has the potential to support best value to benefit children and young people across the council. The council has indicated that significant capital investment would be required to keep the current Stoneywood School buildings operational. If this proposal is taken forward the council should ensure that there is clear communication with stakeholders regarding projected rolls and capacity in the new Stoneywood School.
- 4.2 The proposal to re-zone ground to the north of the A96 trunk road which is currently within the Brimmond School zone to Stoneywood School, with effect from August 2015, will alleviate the issue of having to cross the A96 trunk road to attend Brimmond School. This also supports pupils from Stoneywood and Bankhead areas attending the same school. It is not clear from the proposal paper how this will apply to siblings of current pupils of Brimmond School. In its final consultation report, the council will need to clarify plans for siblings of current Brimmond School pupils who live in the area affected by the proposed re-zoning. The council indicates the proposal will be implemented from August 2015. The council will need to address concerns regarding the proposed timescale and outline transition arrangements for those children affected by the proposal. In its final consultation report, the council will need to set out the actions it has taken to address alleged inaccuracies notified to it.