

Easthouses Education Consultation**Report by Executive Director Children, Young People & Partnerships****Report for Decision****1 Recommendations**

Council is recommended to approve the following:

- i. The establishment of a new primary school catchment for Easthouses and the realignment of the catchment areas of King's Park, Lawfield, Mayfield, Woodburn and Newtongrange Primary School;
- ii. The establishment of a new primary school with early learning and childcare provision and specialist ASN provision for the proposed Easthouses primary catchment area;
- iii. The opening of the new primary school on its permanent site on the completion of the new building in August 2024 or as soon as possible thereafter;
- iv. The realignment of the Bonnyrigg Primary School Catchment Area and Lasswade High School Catchment Area from August 2023;
- v. The realignment of the catchment areas of Dalkeith High School and Newbattle High School.

2 Purpose of Report

This report advises the outcome of the statutory consultation on the proposal to establish a new primary school and its associated catchment area within the land at Easthouses and realign the catchment areas of Dalkeith High School, Newbattle High School and Lasswade High School.

This report summarises the statutory consultation on the proposal was undertaken in the period from Monday 27 February to Sunday 23 April 2023. The report on the outcome of the consultation was published on 5 June 2023 and provides full details of the process undertaken, representations made and Education Scotland's report on the proposal.

Date: 5 June 2023

Report Contact:

Katy Johnstone, Learning Estate Resource Officer, Education

Katy.Johnstone@midlothian.gov.uk

3 Background

1. The *Education (Scotland) Act 1980* places a legislative duty on the Council to make adequate and efficient provision of school education across its area. This duty applies in respect of both the current school population and anticipated pattern of demand.
2. Section 3D of the *Standards in Scotland's Schools etc. Act 2000* (as inserted by Section 2 of the *Education (Scotland) 2016 Act*) introduces a requirement on education authorities to carry out their duty to ensure the delivery of improvement in the quality of school education which is provided in the schools they manage, with a view to achieving the strategic priorities of the National Improvement Framework. It is, therefore, the duty of the education authority to ensure that the education it provides is directed to the development of the personality, talents and the mental and physical abilities of the children to their fullest potential.
3. In addition, Councils have a statutory duty to secure best value in terms of the *Local Government in Scotland Act 2003* by continuous improvement in performance of the local authority's functions, while maintaining an appropriate balance between quality and cost and having regard to economy, efficiency, effectiveness, equal opportunities and the achievement of sustainable development.
4. As part of Midlothian's Learning Estate Strategy 2017-2047, it was identified that a new two stream primary school would be required to address capacity pressures across the Newbattle High School associated school group.
5. At a meeting of Midlothian Council on 8th May 2018 the Director of Education, Communities and Economy was instructed to undertake a consultation on the establishment of a new school and catchment area at Easthouses.
6. Following review of the possible sites for this new primary school it was proposed that part of the site of the former Newbattle High School be used as a suitable location for this new primary school. An initial feasibility drawing was developed to demonstrate that the site could accommodate a new primary school.
7. At a meeting of Midlothian Council on 12th February 2019 the Director of Education, Communities and Economy was instructed to undertake a statutory consultation on a primary school on the former Newbattle High School site and report back to council.
8. An update to the Learning Estate Strategy was approved at full council December 2022 and also included the Council's strategy for the provision of specialist provisions and services across its estate.
9. The statutory consultation on the proposal was undertaken in the period from Monday 27 February to Sunday 23 April 2023. The report on the outcome of the consultation was published on 5 June 2023,

Appendix B, and provides full details of the process undertaken, representations made and Education Scotland's report on the proposal. The report is available on the Council's Citizen Space Consultation page:

<https://midlothiancouncil.citizenspace.com/education/easthouses-education-consultation>

10. The Education Service offered additional consultation sessions over and above the required statutory public meeting. Further information on these sessions can be found in the consultation report section 4. 9 members of the public attended the public meeting held in Newbattle High School on Wednesday 29 March 2023.
11. A total of 225 responses to the consultation were received during the period of the statutory consultation.
12. 164 responses to the consultation were in favour of the proposal to establish a new primary school at Easthouses, 19 were not in favour and 42 had no opinion.
13. 108 responses to the consultation were in favour of the proposal to create a new catchment area at Easthouses and remove this land from the current King's Park, Lawfield, Mayfield, Newtongrange and Woodburn PS catchment areas, 52 were not in favour and 65 had no opinion.
14. 71 responses to the consultation were in favour of the proposal to remove the area of Cockpen east of the South Esk River from the Bonnyrigg PS catchment area into the Newtongrange PS catchment area, 61 were not in favour and 93 had no opinion.
15. 109 responses to the consultation were in favour of the proposal to realign the catchment areas of Dalkeith, Lasswade and Newbattle High Schools in light of these primary catchment changes 81 were not in favour and 35 had no opinion.
16. During the consultation period, a misunderstanding occurred wherein parents in the Bonnyrigg PS catchment area mistakenly believed the small change in their catchment area would result in all properties in the Bonnyrigg PS catchment area feeding into Newtongrange PS and Newbattle HS. This was clarified, however there were a significant number of responses that were received which indicated they were not in support of this aspect of the proposal based on this misunderstanding.
17. Education Scotland's Her Majesty's Inspectors of Education (HM Inspectors) prepare a report in accordance with the terms of the Schools (Consultation) (Scotland) Act 2010 ("the 2010 Act"). The purpose of the report is to provide an independent and impartial consideration of Midlothian Council's proposal (Appendix C).
18. The Education Scotland report summary states:

“HM Inspectors agree that the proposal to establish a new primary school at Easthouses will bring clear educational benefits for the children attending. The inclusion of an additional early years and additional support needs provision is also welcomed. However, a few parents in the Cockpen area of Newtongrange have ongoing worries regarding the impact of the proposal. Should the proposal go ahead, the council needs to engage with those parents to find ways to address their concerns.”

19. The consultation report was published on 5 June 2023 leaving the required period of at least three weeks for further representations to be made prior to Council’s consideration of the report and its decision regarding the recommendations:

- i. The establishment of a new primary school catchment for Easthouses and the realignment of the catchment areas of King’s Park, Lawfield, Mayfield, Woodburn and Newtongrange Primary School;
- ii. The establishment of a new primary school with early learning and childcare provision and specialist ASN provision for the proposed Easthouses primary catchment area;
- iii. The opening of the new primary school on its permanent site on the completion of the new building in August 2024 or as soon as possible thereafter;
- iv. The realignment of the Bonnyrigg Primary School Catchment Area and Lasswade High School Catchment Area from August 2023;
- v. The realignment of the catchment areas of Dalkeith High School and Newbattle High School.

20. The recommendation of the consultation report is for Council to approve the establishment of a new primary school and its associated catchment area within the land at Easthouses and the realignment of the catchment areas of Dalkeith High School, Newbattle High School and Lasswade High School.

4 Report Implications (Resource, Digital and Risk)

4.1 Resource

1. There is a cost of £22.04 million associated with the new school building, which was agreed at Council in August 2022.
2. New staff posts will be recruited when required following the normal Midlothian Council recruitment procedures. We anticipate the need to recruit will be an incremental process reflecting the increase in the school roll year by year.

4.2 Digital

None

4.3 Risk

None

4.4 Ensuring Equalities (if required a separate IIA must be completed)

An Integrated Impact Assessment has been carried out and published, Appendix D.

4.5 Additional Report Implications

See Appendix A.

Appendices

Appendix A – Additional Report Implications

Appendix B – Consultation Report, June 2023

Appendix C – Education Scotland Report

Appendix D – Integrated Impact Assessment

Appendix E – Consultation Proposal Paper, February 2023

APPENDIX A – Report Implications

A.1 Key Priorities within the Single Midlothian Plan

N/A

A.2 Key Drivers for Change

Key drivers addressed in this report:

- ☐ Holistic Working
- ☐ Hub and Spoke
- ☒ Modern
- ☐ Sustainable
- ☐ Transformational
- ☐ Preventative
- ☐ Asset-based
- ☒ Continuous Improvement
- ☐ One size fits one
- ☐ None of the above

A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- ☐ One Council Working with you, for you
- ☐ Preventative and Sustainable
- ☒ Efficient and Modern

- ☐ Innovative and Ambitious
☐ None of the above

A.4 Delivering Best Value

The implementation of the recommendation of this report will enhance best value in the delivery of Council services.

A.5 Involving Communities and Other Stakeholders

This report provides details of the statutory consultation undertaken with communities and all stakeholders regarding the proposal to establish a new primary school and its associated catchment area within the land at Easthouses and realign the catchment areas of Dalkeith High School, Newbattle High School and Lasswade High School.

A.6 Impact on Performance and Outcomes

The report does not directly impact on Midlothian Council's performance and outcomes

A.7 Adopting a Preventative Approach

N/A

A.8 Supporting Sustainable Development

N/A