



Education Resources
Executive Director Jim Gilhooly

Outcome of the Statutory Consultation Process for the Proposal to relocate Hollandbush Nursery from Mill Road, Hamilton to Irvine Terrace, Hamilton

October 2013

This report has been issued by South Lanarkshire Council in response to the consultation undertaken in terms of the Schools (Consultation) (Scotland) Act 2010. This report includes recommendations of the outcome of the consultation which will be presented to the Executive Committee of South Lanarkshire Council.

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1. Purpose of the report

- 1.1 The purpose of this report is to advise all stakeholders on the outcome of the statutory consultation exercise undertaken in respect of the proposal to relocate Hollandbush Nursery from Mill Road, Hamilton to Irvine Terrace, Hamilton. This includes a report from Education Scotland on the educational aspects of the proposal and Education Resources' responses to all questions and issues raised during the consultation period.

2. Recommendations

- 2.1 It is intended that the Consultation Report along with any relevant documentation will be considered by the Executive Committee of South Lanarkshire Council on 6 November 2013.
- 2.2 It is recommended that the Executive Committee:
- i. Note the content of the report
 - ii. Agree the following proposal, namely that:
 - the new build Hollandbush Nursery be located in Irvine Terrace

3. Background

- 3.1 A Proposal Document was issued as a result of a decision by the Executive Committee of South Lanarkshire Council on 1 May 2013 to consult on the proposal below:
- relocate Hollandbush Nursery from Mill Road, Hamilton to Irvine Terrace, Hamilton
- 3.2 The statutory consultation in terms of the Schools (Consultation) (Scotland) Act 2010 was carried out over the period 10 May 2013 to 28 June 2013 which included a public meeting held on 28 May 2013 from 7pm – 8.30pm in Hollandbush Nursery.
- 3.3 A consultation notice was placed in the Hamilton Advertiser on 9 May 2013. The notice included a summary of the proposal, information on availability of the Proposal Document, how written representations could be made and also details of the public meeting.
- 3.4 A copy of the Proposal Document was issued on 9 May 2013 to the consultees listed in Appendix 1 and it was published on the Council website and a copy was available from all libraries and Q and As.
- 3.5 It was discovered by the Council, after circulation, that Appendix 2 did not make reference to *the parents of any children expected by the education authority to attend any affected school within two years of the date of the publication of the proposal paper*. As this omission was a clerical error and all appropriate statutory consultees were sent a copy of the proposal document, no further action was taken. Although the identification of these consultees is challenging as South Lanarkshire Council nurseries have no catchment area, to attempt to widen the consultation as far as possible, a copy was provided to all parents who had expressed an interest in their child attending the nursery in the future (65 parents).
- 3.6 A public meeting was held 28 May 2013 from 7pm – 8.30pm in Hollandbush Nursery. A summary of oral representations made at the public meeting is included in Appendix 2 of this report.
- 3.7 South Lanarkshire Council sent a copy of the Proposal Document to Education Scotland (formerly HMIE) on 9 May 2013 as a statutory consultee. In addition, on 12 August 2013 Education Scotland received a summary of all relevant written responses and oral representations made during the consultation period.

3.8 South Lanarkshire Council received a copy of Education Scotland's report on 12 September 2013. A summary of this report and Education Resources' response to the key points is included in Section 8 of this consultation report and a copy of the whole document is attached as Appendix 3.

3.9 **Implementation date for the proposal**

Under the terms of the proposal, implementation would commence with the completion of the construction of the new nursery, it being estimated that construction would commence 2014 and be completed early 2015.

3.10 **Ministerial call-in**

It is intended that South Lanarkshire Council will notify Scottish Ministers of the decision on the proposal by 13 November 2013, that is, 6 working days from the date of the decision of the Executive Committee. A copy of the Proposal Document plus addendum issued and the Consultation Report will be provided to Scottish Ministers.

The Scottish Ministers have a 6 week period from the date of that final decision (on 6 November 2013) to decide if they will call in the proposals. Within the first 3 weeks of that 6 week period, any person may make representations to the Scottish Ministers.

No action will be taken to proceed with the implementation of the proposals until the outcome of the decision on whether to call-in has been notified to the Council. If Scottish Ministers call in the proposals they may refuse consent to the proposals or grant their consent with conditions or unconditionally.

4. Distribution of proposal document and summary of responses

Consultation proposal documents were sent to statutory consultees (234) and other stakeholders. A total of 243 documents were distributed to stakeholders (1 document per household). The document was also available on the council website, within libraries and council Q and As.

Total number of consultation response forms received	33
Number of individual names these response forms represented	39

The 33 returns represented 39 named individuals or groups.

Analysis of physical responses received (total 33)

Response	Total	Breakdown of responses	Parent / carer of child attending affected schools	Parent / carer of potential future pupil at affected schools	Parent Council	Pupil	Resident	Other
In favour of proposal	30		17	13	0	0	0	0
Not in favour of proposal	1		0	0	0	0	1	0
Undecided	2		2	0	0	0	0	0

Analysis of physical responses taking into account those returns where there was more than one named individual on the one consultation proposal document (total 39)

Response	Total	Breakdown of responses	Parent / carer of child attending affected schools	Parent / carer of potential future pupil at affected schools	Parent Council	Pupil	Resident	Other
In favour of proposal	34		20	14	0	0	0	0
Not in favour of proposal	2		0	0	0	0	2	0
Undecided	3		3	0	0	0	0	0

Analysis of Statutory consultees' returns

From these 39 responses, the number of responses from statutory consultees totalled **37** and these were as follows

Response	Total	Breakdown of responses	Parent / carer of child attending affected schools	Parent / carer of potential future pupil at affected schools	Parent Council	Pupil	Other
In favour of proposal	34		20	14	0	0	0
Not in favour of proposal	0		0	0	0	0	0
Undecided	3		3	0	0	0	0

Relevant statutory consultees are

- the Parent Councils of affected schools
- parents of pupils attending each affected school as well as the pupils themselves
- parents of pupils likely to attend an affected school
- pupils at each affected school
- staff at each affected school
- any trade union representative of those staff
- any other users whom the authority considers relevant

5. All written responses to the consultation

Designation (Parent etc.)	Date received	Yes	No	Undecided	Comment
Parent	13.5.13			✓	It is good that it is located off the main roads. The only concern I would have is that there would be ample parking. As this is the main problem with the current Nursery.
Parent	13.5.13	✓			As mentioned in the Consultation Proposal Document in point 6.2 that the children attending Hollandbush Nursery travel from all over the Hamilton area and beyond. Will South Lanarkshire Education Resources provide, implement and monitor on a regular basis a safe and workable system for the parking of parents/carers cars? Due to the age of Nursery Children an adult has to accompany them into the building. Therefore, a "drop off zone" is only of use to Taxi's and children accompanied by 2 adults.
Parent	16.5.13	✓			I am happy with the proposed location of a new Hollandbush Nursery. I hope that the outside spaces maintain or better the current facilities.
Possible future parent	20.5.13	✓			I think it's a great idea. Bigger area for a bigger nursery, more parking spaces, off the busy Mill Road, which is very busy in the mornings with the surgery beside it. It's in a safer, bigger location but still only 2 Streets away. It's a win-win situation. Plus the kids don't need to move while being built.
Possible future parent	21.5.13	✓			I think getting the new nursery is a very good thing as the old nursery seemed quite small. It's a good opportunity for staff and children having more space to work in to feel more comfortable especially in warm weather. I definitely welcome the new plans.
Parent	21.5.13	✓			Hope there will be more parking spaces than at the present site.
Parent	14.5.13	✓			As the document details, the educational provision within Hollandbush is excellent but yes, the building and site location are in need of modernisation. The parking facilities at the nursery are at best, woeful and it is a great disadvantage currently to the overall service the nursery provides. I'm sure a new premise will benefit nearby residents and businesses, as well the pupils at the nursery who can look forward to a brand new modern facility.
Parent	22.5.13	✓			When would the new nursery open and is there going to be parking spaces for parents who have cars like myself.

Designation (Parent etc.)	Date received	Yes	No	Undecided	Comment
Possible future parent	28.5.13	✓			I think Hollandbush Nursery would benefit from new premises and I think the proposed site is ideal. However, there would need to be ample parking facilities as this can prove difficult at their current address.
Parent	5.6.13	✓			More information re plans for new proposal would have been helpful. Adequate parking and a dedicated drop off zone are essential. My older son's new primary school was built without this!
Possible future parent	17.6.13	✓			I do prefer the nurseries current site as it is closer and therefore more convenient. However, if the nurseries facilities etc are to be improved - I do understand this.
Local resident	27.6.13		✓		We are pensioners who like it quiet and if this goes ahead we will have a lot of noise at our back garden. We like to hover about and sit outside in the hotter weather.
Parent	27.6.13	✓			Would like to take this opportunity to commend staff of Hollandbush Nursery. If current performance, atmosphere and overall standard of nursery is carried forward to new location then this will be a success.

6. Summary of issues raised by Education Scotland (formerly HMIE) and Education Resources' response.

- 6.1 As part of the statutory consultation process, Education Scotland prepared a report on the consultation proposal by South Lanarkshire Council, addressing educational aspects of the proposal. This report is attached as appendix 3. Education Scotland considered the responses to the consultation and made a number of comments, which are addressed below.
- 6.2 Education Scotland noted the very positive view parents had about the quality of education provided by the staff at Hollandbush Nursery and that the proposal *'is of clear educational benefit and should have a positive impact on children's educational experiences'*.
- 6.3 Education Scotland also requested that the Council's accommodation rationale be set out clearly in this consultation report to reassure stakeholders that the new facility will significantly enhance children's learning experiences within a stimulating learning environment. It was recognised that the proposal offered better opportunities for children to be independent in accessing outdoor play.
- 6.4 Education Scotland also identified that the main area of interest featuring in the written responses from consultees was parking and drop off at the proposed new location.

6.5 Response

South Lanarkshire Council welcomes Education Scotland's recognition of the benefits of a new, modern facility within a larger site.

Education Resources will continue to work on the design of the new facility in conjunction with the Head Teacher and the Early Years Manager, who has a strategic role within the Council to ensure the highest standards in all South Lanarkshire's provision for early years.

The design development phase should provide a scheme that delivers a modernised, Hollandbush Nursery with appropriate facilities and is built to a similar specification to other successful standalone nursery centres.

The ability to provide an improvement to parking and drop-off was one of the main drivers for this proposal. Again, this will be addressed within the design development phase.

7. Review of proposals by South Lanarkshire Council

- 7.1 The Council has reviewed the proposals having regard (in particular) to any relevant written representations received by the Council during the consultation, and representations made at the public meeting, and Education Scotland's report.
- 7.2 The focus of the majority of representations was on ensuring adequate parking and drop off provision at the new site. The ability to provide an improvement to these facilities was one of the main drivers for this proposal and will be addressed within the design for a modernised Hollandbush Nursery.
- 7.3 The Council propose no changes / additions to the original proposal as a result of all representations received and considered.

8. Resource, risk and policy implications

8.1 Resource implications

The costs of the new Hollandbush Nursery are contained within the Council's Primary Schools Modernisation Programme budget. As the existing site has insufficient space to provide a tandem build, alternative accommodation would be required with accompanying costs to provide a decant if this proposal was not implemented.

8.2 Risk implications

The Council has a duty to conduct risk assessments under the Management of Health and Safety at Work Regulation 1989. Any current risk assessments at the nursery would be reviewed if the proposal is implemented.

8.3 Policy implications

8.3.1 Strategy

This report supports Education Resources' priorities for raising educational achievement and attainment and achieving efficient and effective use of resources.

8.3.2 Consultation

This report describes the outcome of the statutory consultation process with the community. Any relocation proposal for a nursery school is subject to the statutory consultation process. South Lanarkshire Council has undertaken this consultation in terms of the Schools (Consultation) (Scotland) Act 2010. Further consultation with staff, parents, Trade Unions and other stakeholders would continue if the proposals are approved.

Appendix 1 Distribution of consultation proposals document

Distribution list and how to access a copy of the proposal document

A copy of this proposal document was provided to the following consultees:

- The parents of children currently at the nursery
- The parents of any children expected by the education authority to attend any affected school within two years of the date of the publication of the proposal paper
- All South Lanarkshire Council employees at the affected nursery
- Trade union representatives
- South Lanarkshire Community Planning Partners

A copy of this proposal document was also made available to:

- All Elected Members of South Lanarkshire Council
- Care Inspectorate
- South Lanarkshire Youth Council
- Education Scotland (formerly Her Majesty's Inspectorate of Education, HMIE)
- The Constituency MSP of the affected schools
- List MSP for the area of the affected nursery
- The MP of the affected nursery
- Police Commander for Lanarkshire Division of Police Scotland
- Chief Executive, NHS Lanarkshire
- Chief Executive, Strathclyde Partnership for Transport
- Area Commander, Scottish Fire and Rescue Services

The steps listed below were also taken to ensure that the proposal document was widely available.

- Notice of the proposals and of publication of this proposal document was placed within the Hamilton Advertiser.
- The proposal document was also published on the South Lanarkshire Council website: www.southlanarkshire.gov.uk.
- This document could be made available in alternative forms or translated by contacting Education Resources on 01698 454102 or at: education@southlanarkshire.gov.uk
- The proposal document was also available at the following locations:
 - a. Council Offices, Education Resources, Almada Street, Hamilton, ML3 0AA. Phone 01698 454102
 - b. All libraries in South Lanarkshire
 - c. All South Lanarkshire Council Q&A Offices
 - d. Hollandbush Nursery

Appendix 2 Oral questions and responses at public meeting

Although publicised via the local press, the Council's website and local libraries and Q and As, this public meeting was very poorly attended.

Only 5 individuals attended (1 Local Church representative, 2 current parents and 2 parents of children who could possibly attend Nursery in future), with only 1 arriving at the start time of 7pm. For this reason, there was no formal, question and answer styled meeting but a one-to-one interface between officers and the individuals to answer their individual queries or concerns. Indicative site plans for the new location were displayed and discussed.

A summary of these discussions are detailed below and their individual written responses are included with all others received during the consultation period.

Church representative asked about the possibility of any surplus land being left for car parking for the Church. The Church currently has an informal arrangement with Hollandbush Nursery to use its car park as overspill. Contact details will be passed to the Council's Estates department to consider if the consultation proposal was to go ahead.

2 current parents were in favour of the new location and were keen to see indicative plans of new facility if the proposal was to go ahead.

2 parents of children who may potentially attend the nursery were in favour of the new location and asked if the new facility would provide more nursery spaces. It was explained that the current plans was to provide enhanced facilities but for the same size of nursery (80/80).

Appendix 3 Report by Education Scotland addressing educational aspects of the proposal to relocate Hollandbush Nursery from Mill Road, Hamilton to Irvine Terrace, Hamilton.

Context

This report from Education Scotland is required under the terms of the *Schools (Consultation) (Scotland) Act 2010*. It has been prepared by HM Inspectors in accordance with the terms of the Act. The purpose of this report is to provide an independent and impartial consideration of the council's consultation proposal. Section 2 of this report sets out the views expressed by consultees during the initial consultation process. Section 3 sets out HM Inspectors' consideration of the educational aspects of the proposal and the 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 it has reviewed the initial proposal, including a summary of points raised during the consultation and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision.

Introduction

- 1.1 South Lanarkshire Council proposes to relocate Hollandbush Nursery from Mill Road, Hamilton to Irvine Terrace, Hamilton in a new, purpose-built facility.
- 1.2 The report from Education Scotland is required under the terms of the *Schools (Consultation) (Scotland) Act 2010*. It has been prepared by HM Inspectors in accordance with the terms of the Act.
- 1.3 HM Inspectors undertook the following activities in considering the educational aspects of the proposal:
 - 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; and
 - visits to the site of Hollandbush Nursery and the proposed new site, including discussion with relevant consultees.
- 1.4 HM Inspectors considered:
 - the likely effects of the proposal for children of the nursery; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children 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
 - benefits which the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

2. Consultation process

- 2.1.1 South Lanarkshire Council undertook the initial consultation on its proposals with reference to the *Schools (Consultation) (Scotland) Act 2010*. The consultation included an invitation for written submissions and a public meeting, held in June 2013.
- 2.1.2 Overall, almost all those consulted welcomed this proposal which would result in a new, purpose built facility in a central location near the current nursery.
- 2.1.3 Parents had a very positive view about the quality of education provided by the staff team. They valued the staff team highly and praised their success in providing children with a high-quality educational experience. Parents were looking for reassurances that the proposed facilities would enable these standards to be maintained and extended. They highlighted staff's skill in providing children with challenging and enjoyable learning experiences. Parents had concerns that the proposal might lead to open-plan play areas which may not be as helpful to staff in managing children's learning and progress.
- 2.2 The headteacher and staff of Hollandbush Nursery School were in favour of the proposal. The current school building is well maintained and provides a stimulating learning environment for all children. However, staff recognise that the building is in need of some improvement. The cloakroom is small and becomes very congested at key times during the day. The staffroom does not have sufficient seating capacity for all staff to use it at the same time. A playroom has to be dismantled for events such as assemblies, concerts and meetings of parents. Staff indicated their preference for the new facility to have individual playrooms to help them maintain and enhance the current high-quality standard of education. They also expressed concern at any possible reduction in the size of playrooms. Parents and staff requested that the new facility provide improved parking for pick-up and drop-off of children. Staff requested clearer clarification that the proposed facility would address these issues. They also would like active involvement in planning the new accommodation.
- 2.2.1 All those consulted feel that the proposal will lead to better opportunities for children to be independent in accessing outdoor play. At present, while there are special features to the design of the outdoor facilities, not all playrooms have free access to these.
- 2.2.2 All those consulted recognised that the existing nursery enables them to have the space and facilities to work with parents and external agencies to support the health and wellbeing of children. Particular reference was made to the dedicated accommodation for supporting parenting skills and the programmes for home-school development of literacy and numeracy skills. It was viewed as very desirable for the proposed accommodation to facilitate these approaches.
- 2.2.3 The headteacher has indicated that there are no community users of the premises who will be affected by the proposal.
- 2.2.4 Children were encouraged to express their opinions on the proposals using age-appropriate methods. Children were able to say what they liked about the nursery. As yet, their understanding of the proposal was limited. They will, however continue to be involved in the proposed move.

3. Educational aspects of the proposal

- 3.1 Hollandbush Nursery is an established facility providing early education in the community. It is not aligned to any catchment area and has a capacity for up to 160 children over two sessions. The current arrangements for admission would continue. Hollandbush Nursery's accommodation and grounds are well-maintained. The playrooms and outdoor playing area are spacious and afford a wide-range of opportunities for learning through play. The council's proposal is based on its commitment to modernising facilities. The council conducted an assessment of possible sites for relocation which included how well sites linked to transport routes. From this, the proposed site was identified as the most appropriate for the new location of the nursery. The proposal would enable children to continue to access early years educational provision in a more modern facility.
- 3.2 The move to new and purpose built accommodation will bring clear educational benefit. It will benefit the children and their parents who are likely to use the nursery within two years of the date of publication of the proposal paper. The current users of the nursery will not be affected. However, the educational benefit statement given by the authority is based on the scope to significantly enhance children's learning experiences within a stimulating learning environment. In taking forward the proposal, the council's final consultation report needs to set out how this will be achieved. The proposal also needs to specify more clearly how the accommodation will be suitable for a full range of purposes linked to the delivery of the curriculum at Hollandbush Nursery. This includes to enable the continuation of the work on the *Early Years Framework* and *Getting it right for every child*.
- 3.3 During the consultation, stakeholders also raised legitimate concerns about traffic management issues. In taking forward the proposal, the council needs to work closely with those consulted to reassure them and address these issues.

4. Summary

- 4.1 The proposal from South Lanarkshire Council to build a new nursery on a site near the current nursery school is of clear educational benefit and should have a positive impact on children's educational experiences. It will offer more modern and up-to-date accommodation for learning. The council needs to include more specific detail in its final consultation report to demonstrate how the new facility would continue to secure high-quality education. The council also needs to ensure ongoing communication and involvement in planning to continue to build on stakeholders' confidence in the proposal, particularly in addressing concerns with regard to traffic management.

**HM Inspectors
Education Scotland
September 2013**