

EAST AYRSHIRE COUNCIL

CABINET – 4 MAY 2011

FLOWERBANK NURSERY AND FAMILY CENTRE – STATUTORY CONSULTATION DOCUMENT

Report by Executive Director of Educational & Social Services

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek Cabinet approval to issue a statutory consultation document for public consultation on the future of educational and care provision for children on the current site of Flowerbank Nursery and Family Centre.

2. BACKGROUND

- 2.1 At its meeting of 19 December 2007 Cabinet agreed to the recommendation that £1.75m should be set aside as part of the Capital Programme in 2010/11 to either refurbish or replace Flowerbank Nursery and Family Centre. At Cabinet of 1 December 2011 agreement was reached that the preferred replacement Flowerbank Nursery and Family Centre should be on the present Woodstock School Site.
- 2.2 A further report was presented to Cabinet on 26 January 2011 which set out the outcome of an option appraisal exercise considering the possible building configuration for both a replacement Flowerbank Nursery and Family Centre and a new Adult Day Service Facility on the sites of the current Woodstock Special School and the Woodstock Centre. The outcome of this was approval to build a new Adult Day Service Facility on the current Woodstock Centre site and, pending consideration of the outcome of a statutory consultation a new Flowerbank Nursery and Family Centre on the existing Woodstock Special School site.
- 2.3 The Nursery and Family Centre provides 9 whole time equivalent places for children 0-2 years; 15 whole time equivalent places for children 2-3 years and 32 whole time equivalent places for children 3-5 years.

3. PROPOSAL DOCUMENT

- 3.1 The proposal document, which will be issued to stakeholders, is attached as Annex A. The proposal document sets out the physical issues relating to the current education and care provision at Flowerbank Nursery and Family Centre.

4. LEGAL AND POLICY IMPLICATIONS

- 4.1 The format of the consultation document and the nature of the public consultation exercise will ensure compliance with Schools (Consultation)(Scotland) Act 2010.
- 4.2 Statutory consultation must be a minimum of six weeks to include at least 30 school days.
- 4.3 Once the exercise has been completed a further consultation report will be published and the results reported to Cabinet.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications arising from this particular report.

6. HUMAN RESOURCE IMPLICATIONS

- 6.1 Nil.

7. COMMUNITY PLANNING IMPLICATIONS

- 7.1 Conducting this consultation exercise supports the Council's general approach of seeking consultation and engagement on a major development in respect of educational and care provision for very young children.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1 Nil.

9. RECOMMENDATIONS

- 9.1 Cabinet is asked to:
 - (i) approve the proposal document as attached as Annex A for consultation;
 - (ii) remit the Executive Director of Educational and Social Services to issue the proposal document for statutory consultation in accordance with statutory requirements;
 - (iii) agree that the statutory consultation document be issued ahead of any consideration by Governance and Scrutiny Committee due to the timescale required for the statutory consultation period and potential subsequent timescale for the tender process, thereafter, notwithstanding the outcome of the statutory consultation; and
 - (iv) otherwise note the contents of the report.

Graham Short
Executive Director of Educational and Social Services

15 April 2011
KG/SR

LIST OF BACKGROUND PAPERS

- 1. Cabinet, 19 December 2007**
- 2. Cabinet, 1 December 2010**
- 3. Cabinet, 26 January 2011**

Members seeking further information should contact Kay Gilmour, Head of Service:
Community Support, Tel: 01563 576104.

IMPLEMENTATION OFFICER: KAY GILMOUR



DEPARTMENT OF EDUCATIONAL & SOCIAL SERVICES

A PROPOSAL DOCUMENT

The following educational establishment is affected by this Proposal Document:

- Flowerbank Nursery and Family Centre

This document has been issued by East Ayrshire Council for Proposal in terms of the Schools (Consultation)(Scotland) Act 2010.

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DISTRIBUTION

A copy of this document is available on the East Ayrshire Council web-site:
www.east-ayrshire.gov.uk

A copy of this document will be provided to:

- The parents/carers of the children of the establishment
- The children using the facility
- The staff, at the affected establishment
- The trade unions representatives of the above staff
- The Community Councils
- Relevant users of the affected establishment
- The constituency MSP
- List MSPs for the area⁽ⁱ⁾
- The Constituency MP
- Sub-Divisional Commander, Strathclyde Police
- Chief Executive, NHS Ayrshire and Arran
- Chief Executive Strathclyde Partnership for Transport (SPT)
- Area Commander, Strathclyde Fire and Rescue
- Executive Director of Neighbourhood Services, East Ayrshire Council
- Executive Director of Finance and Corporate Support, East Ayrshire Council

A copy of this document is also available from:
Council Headquarters, London Road, Kilmarnock, KA3 7BU
Public libraries in the vicinity of the nursery affected
Local area offices in the vicinity of the nursery affected
The nurseries affected by the proposal

This document is available in alternative formats or in translated form for readers whose first language is not English. Please apply to the Department of Educational and Social Services, Council Headquarters, London Road, Kilmarnock, KA3 7BU, by telephone on 01563-576109; or by e-mail: **education.consultation@east-ayrshire.gov.uk**

(i) MSP copies will be issued post election.

SUMMARY OF PROCESS FOR THIS PROPOSAL DOCUMENT

1. CONSIDERATION BY THE CABINET (EDUCATION)

This Proposal Document has been issued as a result of a decision by the Cabinet (Education) of East Ayrshire Council. This is to seek views on the proposals in this paper.

2. PROPOSAL DOCUMENT ISSUED TO CONSULTEES AND PUBLISHED ON COUNCIL WEB-SITE

A copy of this document will then be issued free of charge to the consultees listed on the preceding page, and it will also be published on the Council website : www.east-ayrshire.gov.uk.

3. PUBLICATION OF ADVERTISEMENT IN LOCAL NEWSPAPERS

An advertisement will be placed in the relevant local newspapers and if necessary any national newspaper. In addition, there may be announcements related to the Proposal process on the local radio station, West Sound / West FM.

4. LENGTH OF CONSULTATION PERIOD

Letters to all stakeholders will be issued on 5 May 2011. The formal consultation period commences Friday 6 May 2011 and will thereafter run until close of business on Monday 20 June 2011, which includes a period of 30 ante and pre-school days.

5. PUBLIC MEETING

A public meeting will be held, the details of which are given on the following page.

6. INVOLVEMENT OF HMIE

When the Proposal Document is published, a copy will also be sent to HMIE by East Ayrshire Council. HMIE will also receive a copy of any relevant written representations that are received by the Council from any person during the consultation period or, if HMIE agree, a summary of them. HMIE will further receive a summary of any oral representation made to the Council at the public meeting that will be held and, as available (and so far as otherwise practicable), a copy of any other relevant documentation. HMIE will then prepare a report on the educational aspects of the proposal not later than 3 weeks after the Council has sent them all representations and documents mentioned above. However, for the avoidance of doubt, the 3 week period will not start until after the consultation period has ended. In preparing their report, HMIE may enter the affected establishment and make such reasonable enquiries of such people there as they consider appropriate and

may make such reasonable enquiries of such other people as they consider appropriate.

7. PREPARATION OF CONSULTATION REPORT

The Council will review the proposal having regard to the HMIE Report, written representations that it has received and oral representations made to it by any person at the public meeting. It will then prepare a Consultation Report. This report will be published in electronic and printed formats and will be advertised in local newspapers and, if necessary, any national newspaper. It will be available on the Council web-site and from Council Headquarters, public libraries in the vicinity of the affected establishment, local offices in the vicinity of the affected establishment as well as the affected establishment itself, free of charge. Anyone who made written representations during the consultation period will also be informed about the report. The report will include a record of the total number of written representations made during the consultation period, a summary of the written representations, a summary of the oral representations made at the public meeting, the Authority's response to the HMIE Report as well as any written or oral representations it has received, together with a copy of the HMIE Report and any other relevant information, including details of any alleged inaccuracies and how these have been handled. The Report will also contain a statement explaining how it complied with the requirement to review the proposal in light of the HMIE Report and representations (both written and oral) that it received. The Consultation Report will be published and available for further consideration for a period of 3 weeks.

8. CONSULTATION WITH CHILDREN

The views of children currently attending the affected establishment will be sought.

9. DECISION

This report together with any other relevant documentation will be considered by the Cabinet (Education) who will make a decision. This decision is then subject to the Council's call-in procedures.

NOTE ON CORRECTIONS

If any inaccuracy or omission is discovered in this Proposal Document either by the Council or any person, the Council will determine if relevant information has been omitted or, there has been an inaccuracy. It will then take appropriate action which may include the issue of a correction or the reissuing of the Proposal paper or the revision of the timescale for the consultation period if appropriate. In that event, relevant consultees and HMIE will be advised.

PUBLIC MEETING

Public Meetings will be held to discuss these proposals. Anyone wishing to attend the public meeting is invited to do so. The meeting will be convened by East Ayrshire Council and will be addressed by the Executive Director of Educational and Social Services, or other senior officers of the Council, as appropriate.

The meetings will be an opportunity to:

- Hear more about the proposal
- Ask questions about the proposal
- Have your views recorded so that they can be taken into account as part of the Proposal process.

The meetings will be held on:

Venue – Woodstock School (*Crèche available*)
Date – Wednesday 18 May 2011
Time – 4.00 pm – 5.30 pm

Venue – Woodstock School
Date – Wednesday 18 May 2011
Time – 6.30pm – 8.00 pm

A note will be taken at the meeting of questions and views. This note will be published on the Council web-site, and a copy will be made available on request.

**EAST AYRSHIRE COUNCIL
DEPARTMENT OF EDUCATIONAL & SOCIAL SERVICES**

THIS IS A PROPOSAL DOCUMENT

Proposal:

That subject to the outcome of this Proposal exercise :

- Educational provision and care at the existing Flowerbank Nursery and Family Centre buildings be discontinued with effect from 19 August 2013, or as soon as possible thereafter and reopened in a refurbished and extended building on the present Woodstock School Site with effect from 19 August 2013 or as soon as possible thereafter.

1. BACKGROUND

1.1 As at 31 March 2011, there were 92 children attending Flowerbank Nursery and Family Centre.

16 children were 0-2 years of age; 24 were 2-3 years of age and 52 were 3-5 years of age.

1.2 The current building is a substantial two-storey sandstone former villa with slated pitched roofs sited close to Kilmarnock town centre. It has occupied this site, in some form, since at least 1843, and became a Day Nursery in 1946.

1.3 The main building has had a major two-storey extension added to the rear some years ago, believed to be pre 1939.

1.4 Two separate smaller buildings are also located on the site; one is currently used by the day carer service and one as a laundry.

1.5 The site boundary drawing, attached as Appendix 1, shows the extent of the site and the location plan, attached as Appendix 2, shows the site in relation to neighbouring properties.

1.6 At its meeting of 4 May 2011 the Cabinet (Education) agreed to initiate a full public consultation exercise to consider the future of the existing Flowerbank Nursery and Family Centre buildings.

2. PROPOSAL

2.1 It is proposed that:

Proposal:

That subject to the outcome of this Proposal exercise :

- Educational provision and care at the existing Flowerbank Nursery and Family Centre buildings be discontinued with effect from 19 August 2013, or as soon as possible thereafter and reopened in a refurbished and extended building on the present Woodstock School Site with effect from 19 August 2013 or as soon as possible thereafter.

3. VISION

3.1 East Ayrshire Council has an established vision for its school estate which will ensure the delivery of a modern curriculum in education buildings which are suitable for purpose. This vision further states:

“East Ayrshire Council’s Department of Educational and Social Services : committed to providing choice, maximising opportunity for all, developing the potential of individuals and meeting needs through inclusion”

3.2 This statement covers every aspect of the Department’s work including the management and development of educational establishments. The Council’s School Estate Management Plan states that development and improvement in the fabric of its buildings is a key component in the facilitation of the learning and teaching process.

3.3 The Council has also approved the Department’s objectives for achieving its aims. These are detailed below:

- reducing surplus capacity
- addressing maintenance issues
- meeting statutory requirements of DDA legislation
- improving property flexibility

3.4 The Scottish Government issued its Building Better Schools : Investing in Scotland’s Future Strategy in September 2009. This document sets out the Government’s aspirations for the school estate. In this context nurseries are included.

- “All children and young people will be educated in, and community users will use, schools that are 'fit for purpose' in terms of condition, suitability and sufficiency;
- Schools are well-designed, accessible, inclusive learning environments that inspire and drive new thinking and change and which support the

delivery of high quality educational experiences through *Curriculum for Excellence*;

- Schools are integral parts of the communities they serve, with pupils making use of community facilities and communities accessing school facilities;
- Schools accommodate and provide a range of services, activities and facilities that make a difference to people's health and well being, to sustaining economic growth and to the strength and vibrancy of communities;
- A sustainable school estate whose design, construction and operation is environmentally and energy efficient; contributes directly to delivering the year-on-year reductions in greenhouse gas emissions introduced by the Climate Change (Scotland) Act 2009, which is resilient to the impact of climate change and which leads by example in matters of environmental performance;
- A school estate that is efficiently run and that delivers maximum value for money;
- A school estate which is flexible and responsive - both to changes in demand for school places and to learners' and teachers' requirements and wishes, and where the beneficial impact of change is maximised by thorough Proposal and engagement with users and stakeholders”.

3.5 The Government's Early Years Framework sets out its ambitions for Scotland's children. It states that *'What happens to children in their earliest years says much about our society and is key to outcomes in adult life'*. Day care provision for children under 3 years of age needs to be provided in an appropriate, quality environment which meets the educational and care needs of very young children and their families.

3.6 This document has been framed taking account of the Scottish Government's aspirations.

4. PRESENT POSITION

4.1 Flowerbank Nursery and Family Centre provides care and education for children 0-5 years of age. Children who use the service predominantly come from the Kilmarnock area as follows:

| | |
|----|---|
| 13 | New Farm Loch and Wellpark |
| 11 | Bellfield, Riccarton and Shortlees |
| 18 | Bonnyton |
| 8 | Onthank and Southcraigs |
| 18 | Newmilns, Hurlford, Galston and Crookedholm |
| 17 | Town centre |
| 7 | others |

4.2 The Nursery and Family Centre is registered with the Care Commission to provide 9 whole time equivalent places for children 0-2 years; 15 whole time equivalent places for children 2-3 years and 32 whole time equivalent places for children 3-5 years.

4.3 The undernoted sets out the uptake of places over the last five years:

| YEAR | PLACES |
|-------------|--|
| 2006/7 | Total 84 0-2 20 2-3 11 3-5 53 |
| 2007/8 | Total 96 0-2 18 2-3 31 3-5 47 |
| 2008/9 | Total 90 0-2 13 2-3 23 3-5 54 |
| 2009/10 | Total 82 0-2 18 2-3 22 3-5 42 |
| 2010/11 | Total 92 (31 March 2011) 0-2 16 2-3 24 3-5 52 |

4.4 Children in receipt of a place at Flowerbank Nursery and Family Centre, who are under three years of age, are admitted through the Council's 0-3 Admissions Policy. Places for children 3-5 years are allocated through the Council's Pre-school Admissions Policy.

4.5 At any one time, Flowerbank Nursery and Family Centre can have a number of visiting specialists supporting children, namely:

- Peripatetic Early Years Teacher;
- Physiotherapists
- Speech and Language Therapists
- Hearing Impairment Specialist
- Educational Psychologist
- Social Workers

Currently there are 8 children with additional support needs. 3 who have a physical disability and 1 who has a sensory impairment.

4.6 The Nursery and Family Centre has the following facilities and accommodation:

- 1 playroom for children aged 0-2 years
- 1 playroom for children aged 2-3 years
- 2 large playrooms for children aged 3-5 years

- Library
- Family room
- Multipurpose room/dinner room
- Family Care Workers office
- Staffroom with kitchen area
- Head of Centre Office
- Office for admin/depute manager/seniors
- Large kitchen
- Utility room
- Outhouse
- 2 large resource cupboards
- 2 staff toilets
- Children's toilets
- Small cupboard under stairs
- Large outdoor area (front and rear of building)

4.7 A bungalow, used as office accommodation for three staff in the Day Carer Service, is situated at the back of the building.

4.8 The present accommodation presents a number of issues.

- It is a two storey building and presents considerable issues in respect of access for children and adults with disabilities.
- It does not incorporate the design principles of a modern education and care facility for very young children.
- The flow of children between play areas is restricted.

4.9 Flowerbank Nursery and Family Centre has been rated as "B" condition (as defined by the Condition Core Fact, Building Our Future: Scotland's School Estate, issued by the Scottish Government). A 'B' rating means minor repairs are required in relation to the physical condition of the building and doesn't relate to the suitability of the building for early education and childcare.

4.10 The following table lists the main component renewals for the buildings on the site and their estimated costs (Note :- the estimated costs, extracted from the Asset Management Portal, are based on prices current at February 2010)

| Element | Costs |
|---|--------------------|
| Roofs | £94,137.80 |
| External Walls, Windows and Doors | £26,278.54 |
| Floors and Stairs | £22,193.00 |
| Ceilings | £626.40 |
| Internal Walls and Doors | £20,118.00 |
| Fixed Internal Facilities, Furniture and Fittings | £2,950.00 |
| Sanitary Fittings | £12,405.50 |
| Mechanical Engineering Installations | £67,389.50 |
| Electrical Installations | £37,368.55 |
| | |
| TOTAL COST | £283,467.29 |

5. OPTIONS FOR CONSULTATION

5.1 OPTION 1 - Status Quo

Advantages

- Retains a town centre location for parents and carers

Disadvantages

- Playrooms do not support Curriculum for Excellence and a modern approach to learning
- The GIRFEC practice model cannot be fully developed in the most flexible and child centered way due to physical limitations
- Children with disabilities cannot fully access the building
- Parents/carers with a disability cannot fully access the building

5.2 OPTION 2 – Refurbish and extend the existing Woodstock Special School and relocate Flowerbank Nursery and Family Centre there.

Advantages

- The children of Flowerbank Nursery and Family Centre would benefit from access to play rooms designed to facilitate child centered learning and development.
- Children aged 0-5 years would be educated and cared for in a modern building designed for the care and education of the very youngest children in the 21st century.
- The building would be fully accessible for children, parents/carers and staff who may have a disability.
- Retains a town centre location for parents and carers
- Will promote greater access for child/parent placements by providing an environment which is fit for purpose
- Will better support joint and interagency approaches to working with very young children in line with the GIRFEC practice model.

Disadvantages

- None

5.3 PREFERRED OPTION AND CARE AND EDUCATIONAL BENEFITS STATEMENT

5.3.1 Preferred Option

The Cabinet of East Ayrshire Council agreed at its meeting of 4 May 2011 to adopt Option 2 as its preferred option. The educational benefits of this preferred option, if implemented, are set out below.

5.3.2 Educational Benefits Statement

- (i)** The children of Flowerbank Nursery and Family Centre will benefit from greater access to play rooms designed to facilitate child centered learning and development in line with Curriculum for Excellence.
- (ii)** Parents/carers will benefit from a quality environment which will promote support for parents/carers to build nurturing relationships with their children.
- (iii)** Fully accessible for children, parents/carers and staff who may have a disability. Proportionately, more children with complex physical disabilities attend Hillbank Nursery and Family Centre due to the limitations at Flowerbank Nursery & Family Centre. Re-locating to a purpose built refurbished building will enable a more equitable provision for children referred.
- (iv)** Will support improved joint and interagency approaches to working with very young children by enabling easier access for health visitors; social workers and other professionals.
- (v)** If implemented, the Council will minimise disruption by establishing a comprehensive transition programme for all children, their parents/carers and staff members. Careful consideration will be given to 'lead in' time and to ensure that all stakeholders are fully consulted and understand all of the steps of the transition programme. The prime consideration will be to minimise any adverse impact on the learning and care of children and their parent/carers attending Flowerbank Nursery and Family Centre.

6. CONSEQUENCES OF THE PREFERRED OPTION

- 6.1** Where necessary, any aspect of the implementation of these proposals that impacts on staff will result in consultation with the relevant trade unions and the individuals concerned.
- 6.2** If implemented, the proposal will result in the current Flowerbank Nursery and Family Centre being declared surplus to the operational requirements of the Department of Educational and Social Services.

7. FINANCIAL IMPLICATIONS

- 7.1** The 10 year Capital Programme 2009-10 to 2019/19 includes an allocation of £1.750m in respect of Flowerbank Nursery and Family Centre. Following completion of the option appraisal exercise it is estimated that the recommended proposals to refurbish and extend the current Woodstock School for the relocation of the Flowerbank Nursery and Family Centre can be accommodated within this approved budget allocation.

7.2 The benefits derived from the new facility in terms of the Council's Asset Management aspirations to improve the school estate are significant, and will also allow central maintenance resources to be redirected toward other facilities within the school estate.

8. RESPONDING TO THE PROPOSAL

8.1 Interested parties are invited to respond to the Proposal by making written or electronic submissions on the proposal to the Executive Director of Educational & Social Services, East Ayrshire Council, Council Headquarters, London Road, Kilmarnock KA3 7BU, and E-mail: education.consultation@east-ayrshire.gov.uk

8.2 A form is provided at Appendix 3 for the convenience of those wishing to respond. Its use is not compulsory, however, those wishing to respond are invited to state their relationship with Flowerbank Nursery and Family Centre – for example, “parent”, “grandparent”, “staff member”, “member of the Community” etc. Responses from the parents of children currently attending Flowerbank Nursery and Family Centre and staff members are particularly welcome.

8.3 Those sending in a response, whether by letter or electronically should know that their response will be open to public scrutiny and may have to be supplied to anyone making a reasonable request to see it. If they do not wish their response to be publicly available, they should clearly write on the document: “I wish my response to be considered as confidential with access restricted to elected members and council officers of East Ayrshire Council.” Otherwise, it will be assumed that the person making the response agrees to it being made publicly available.

9. RECOMMENDATIONS

9.1 On 4 May 2011 the Cabinet of East Ayrshire Council agreed to adopt, for the purpose of consultation, the proposal that:

- Educational provision and care at the existing Flowerbank Nursery and Family Centre buildings be discontinued with effect from 19 August 2013, or as soon as possible thereafter and reopened in a refurbished and extended building on the Woodstock School Site with effect from 19 August 2013 or as soon as possible thereafter.

9.2 It is also recommended that:

- i) interested parties be invited to make written submissions on the proposal to:

The Executive Director of Educational & Social Services, East Ayrshire Council, Council Headquarters, London Road, Kilmarnock KA3 7BU

or by e-mail to:

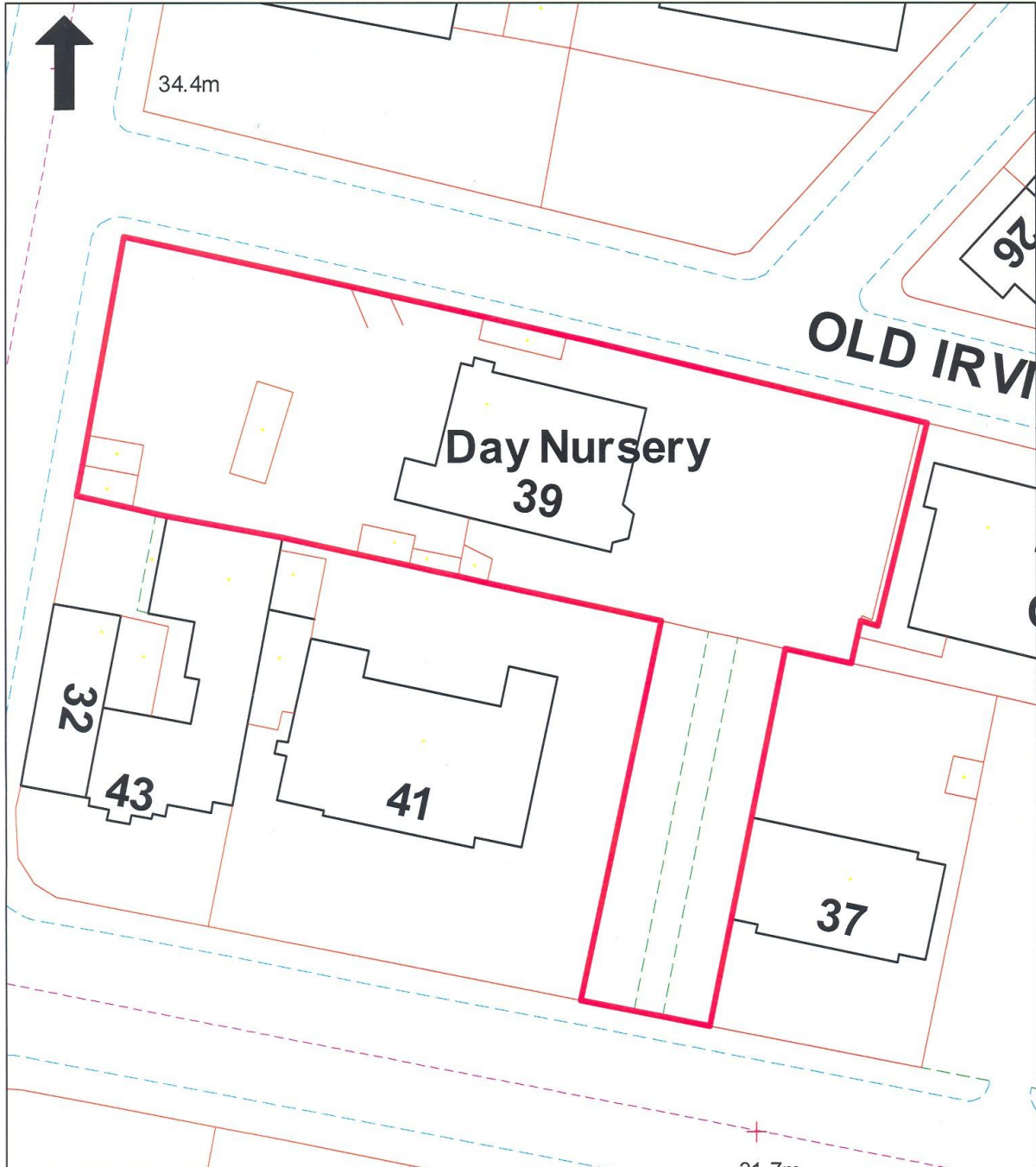
education.consultation@east-ayrshire.gov.uk no later than close of business on Monday 20 June 2011.

- ii) the Executive Director of Educational & Social Services prepares a report on the results of the Proposal process for consideration at a future meeting of the Cabinet.

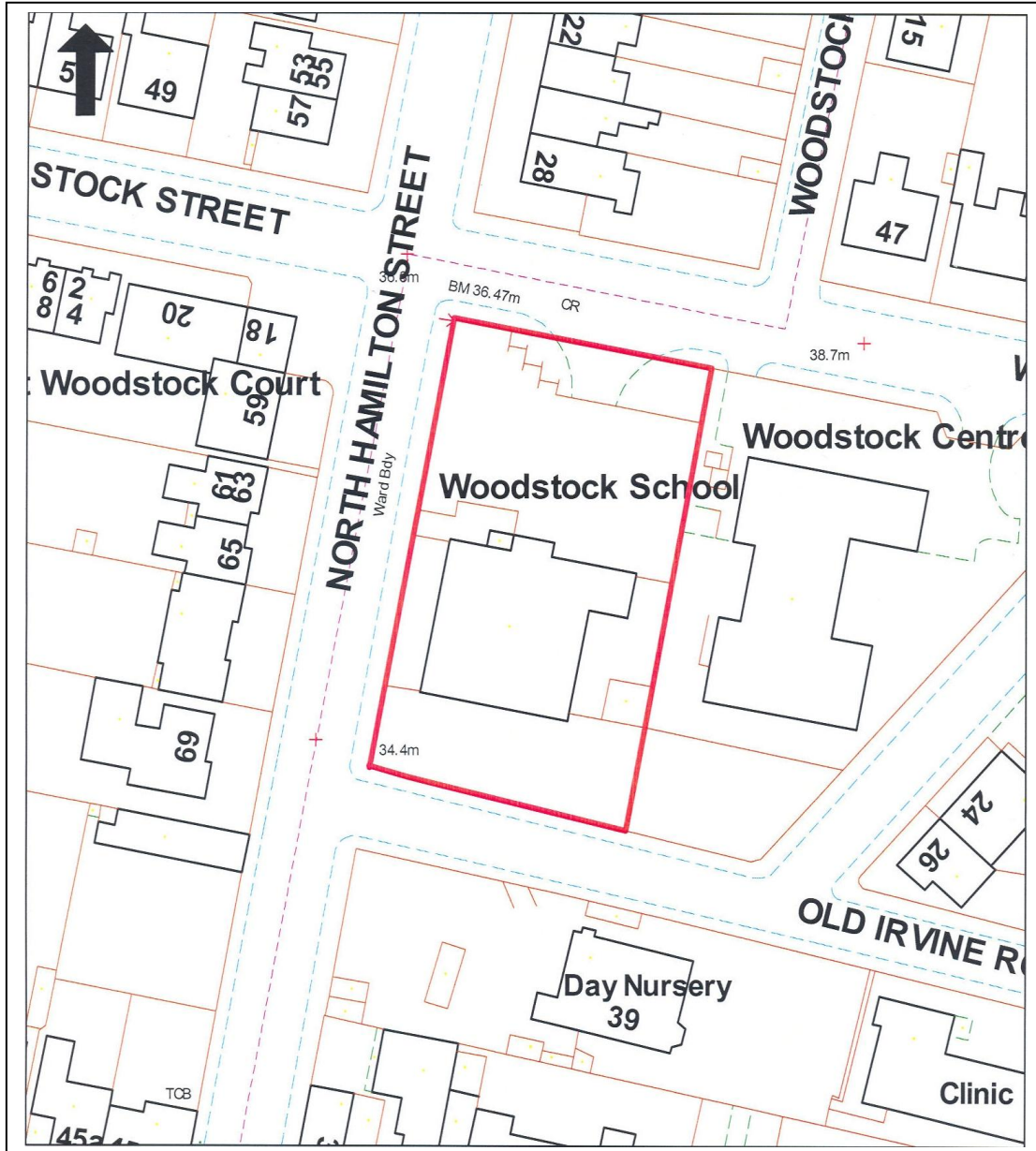
15 April 2011

Graham Short
Executive Director of Educational and Social Services

SITE BOUNDARY OF FLOWERBANK NURSERY & FAMILY CENTRE



OUTLINE WOODSTOCK SCHOOL AND ITS GROUNDS



DEPARTMENT OF EDUCATIONAL AND SOCIAL SERVICES

RESPONSE FORM

I wish my response to be considered as confidential with access restricted to Elected Members and Council Officers of East Ayrshire Council.

Proposal

- Educational provision and care at the existing Flowerbank Nursery and Family Centre buildings be discontinued with effect from 19 August 2013, or as soon as possible thereafter and reopened in a refurbished and extended building on the present Woodstock School Site with effect from 19 August 2013 or as soon as possible thereafter

This part of the form must be completed for a valid response:

Name: (please print)

Address:

Post Code:

I agree/do not agree (delete which does not apply) that my response can be made publicly available

Signature:

Date:

YOUR INTEREST: (please tick)

Parent

Child /
Young Person

Staff

Other *

Elected Member / MSP / MP

Member of Community Council

*Other: (please specify)

Please state your views on the proposal (continue overleaf if necessary)

Office Use: