

EAST AYRSHIRE COUNCIL

DEPARTMENT OF EDUCATIONAL AND SOCIAL SERVICES

THE RESULT OF THE CONSULTATION ON THE PROPOSAL :

- **That pre-5 education at the existing Darvel Nursery School building will be discontinued with effect from 30 June 2011 or as soon as possible thereafter.**
- **Further, that Darvel Nursery School, staff and children should relocate to the site of a newly extended and refurbished Darvel Primary School building from 01 July 2011, or as soon as possible thereafter.**

**APPENDIX 1 - THE CONSULTATIVE DOCUMENT
APPENDIX 2 - LIST OF RESPONDENTS**

**WRITTEN SUBMISSIONS FROM INTERESTED PARTIES ON THE
CONSULTATIVE PROCESS ARE AVAILABLE FOR INSPECTION IN THE
MEMBERS' INFORMATION POINT.**

EAST AYRSHIRE COUNCIL

DEPARTMENT OF EDUCATIONAL AND SOCIAL SERVICES

Report by the Executive Director of Educational and Social Services

1. INTRODUCTION

1.1 The purpose of this report is to set out the views expressed and the issues raised resulting from the public consultation exercise on

1.2 On 20 May 2009 East Ayrshire Council's Cabinet approved the issue of a consultative document which proposed :

- That pre-5 education at the existing Darvel Nursery School building will be discontinued with effect from 30 June 2011 or as soon as possible thereafter.
- Further, that Darvel Nursery School, staff and children should relocate to the site of a newly extended and refurbished Darvel Primary School building from 01 July 2011, or as soon as possible thereafter.

A copy of the consultative document is attached as Appendix 1.

1.3 The main issues raised in the consultative document were:-

- The poor quality of accommodation presently offered at Darvel Nursery School.
- The accommodation issues presently faced at Darvel Primary School
- The possibilities that would be presented by a new joint campus at Darvel Primary School.
- The educational benefits that would arise from a joint campus arrangement.

1.4 The Consultative Document, approved by Cabinet, offered the community of Darvel:

- A refurbished set of school buildings on the site of the present Darvel Primary School.
- A move of Darvel Nursery School from its present site to the site of Darvel Primary School

2. DARVEL NURSERY SCHOOL

2.1 Area Served

It is the policy of East Ayrshire Council that Nursery Schools do not serve a delineated area. The children who attend Darvel Nursery School mainly come from the small town of Darvel and its rural hinterland. Children from the Nursery School mainly move on to Darvel Primary School.

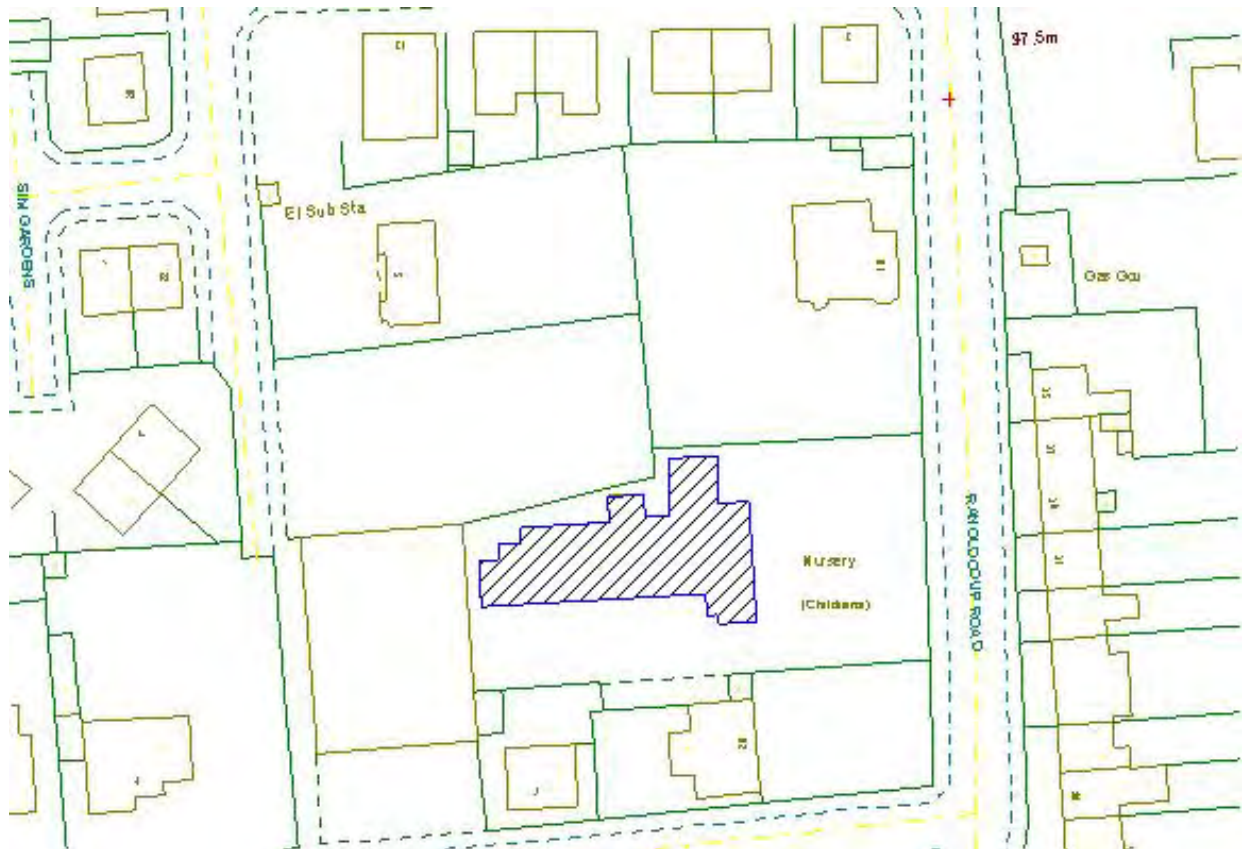
2.2 Accommodation and Capacity

2.2.1 Darvel Nursery School consists of 3 playrooms and a play area for physical activities. Office accommodation is also available for the Head Teacher and there is also a staffroom.

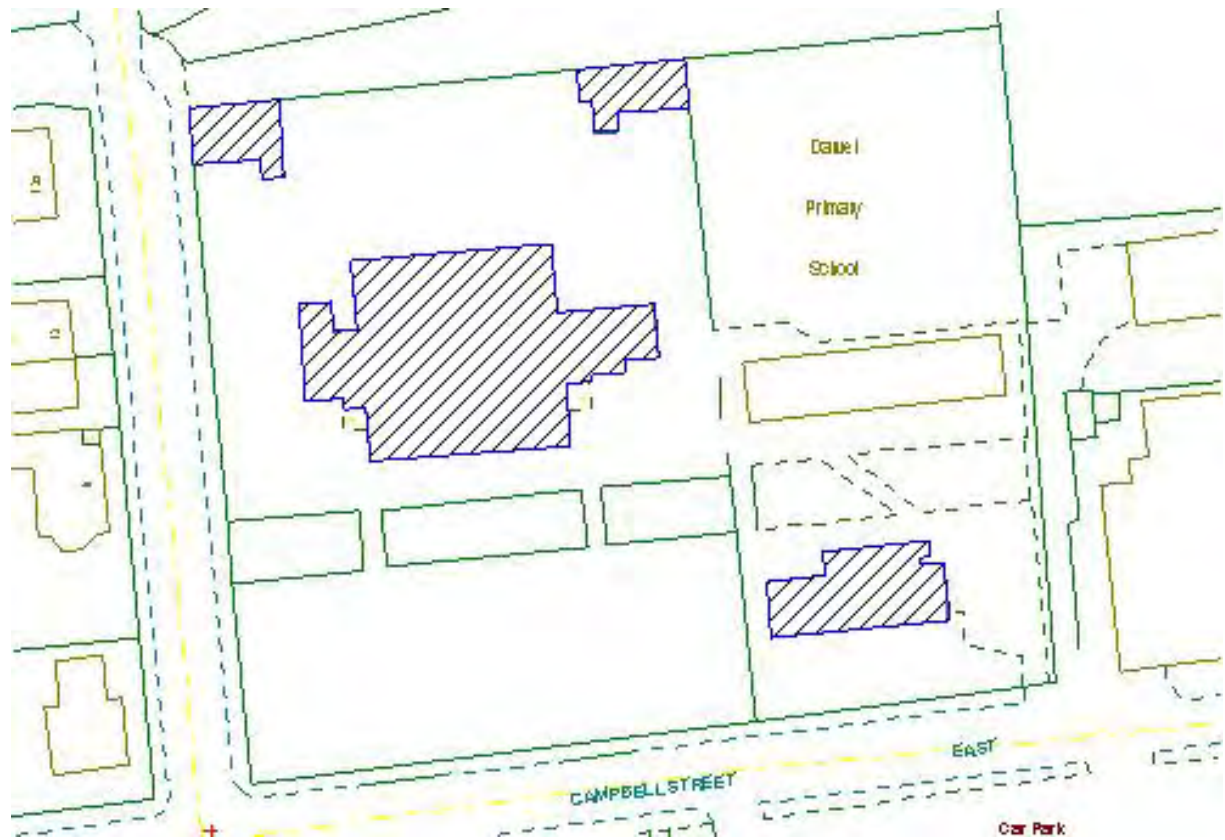
2.2.2 Unlike primary schools there is no formula used calculate the capacity of a nursery school in terms of the space available. Rather, the capacity is set by Early Years and Childcare Services using a combination of considerations which include Care Commission standards, the floor area of the accommodation, available staffing and the historic demand for places. On this basis the maximum roll of Darvel Nursery School is 120, based on 60 children attending each morning and 60 children attending in the afternoon. The current roll is 104 children with 111 enrolled for August 2009 and the level of occupancy is currently 87%.

2.3 School Layout and Photographs

2.3.1 Darvel Nursery School building and the school grounds



2.3.2 Darvel Primary School building and the school grounds





Photograph 1: External ramp from playroom area, Nursery School.



Photo 2: Ingress of dampness in cupboard, Darvel Nursery School.



Photo 3: Deterioration of internal décor; high ceiling and dated windowline, Darvel Nursery School.



Photo 4: Restricted accessibility caused by internal stairs, Darvel Nursery School.

2.4 Building Condition

- 2.4.1** The consultative documents issued in 20 May 2009 highlighted the fact that Darvel Nursery School was categorised as a “C” rating. The document stated “This means that “the condition of the building is classified as poor.”
- 2.4.2** To ensure the Cabinet, in considering the outcomes of the consultation, had the best information available a re-survey on the school was carried out in May 2009; this ensured that reinstatement costs for the school building reflect current prices. It should be noted that while an exercise is undertaken annually to update Core Fact data on the school estate for the Scottish Government, this was brought forward to inform this proposal. This work was undertaken jointly by officers from Education and Property Services, with the results being costed by Quantity Surveyors from Technical Services. The results of this exercise have provided an up to date knowledge of the required capital investment as highlighted below. In summary, the estimated capital requirement in the next 10 years is calculated to be £410,000 for Darvel Nursery School. A breakdown of the component factors and rating is detailed as follows.

DARVEL NURSERY SCHOOL

COSTS FOR COMPONENT RENEWALS (OVER 10 YEAR PERIOD)

ELEMENT	CONDITION RATING	COST
ROOF	C	
OVERHAUL/REPLACE ROOF COVERINGS		£66,000.00
WINDOWS	C	
REPLACEMENT WINDOWS		£22,000.00
EXTERNAL DOORS	C	
REPLACEMENT DOORS		£4,000.00
FORM ACCESS RAMPS		£10,000.00
ELECTRICAL	C	
FULL REWIRE TO BUILDING		£54,120.00
HEAT DISTRIBUTION	C	
REPLACE HEATING PIPEWORK AND RADIATORS - NOTE COVERS TO EXPOSED PIPEWORK AND LST RADIATORS		£67,650.00
TOILET REFURBISHMENT	C	
PUPIL TOILETS (6 UNITS)		£35,000.00
STAFF TOILETS (1 UNIT)		£5,000.00
FLOOR COVERINGS	C	
REPLACE FLOORING WITH VINYL OR CARPET		£15,785.00
CEILINGS	C	
SECURE OR REMOVE LATH AND PLASTER, INSTALL SUSPENDED CEILINGS OR NEW PLASTERBOARD		£13,530.00
DECORATION	C	
FULL INTERNAL AND EXTERNAL REDECORATION		£11,275.00
EXTERNAL WORKS	C	
RE-SURFACE TARMAC PLAYGROUNDS ETC		£44,520.00
		<hr/>
		CONSTRUCTION COST
		£348,880.00
		PROFESSIONAL FEES (ASSUMED 17%)
		£59,309.60
		<hr/>
		OVERALL COST
		£408,189.60
		<hr/> <hr/>
		£410,000.00

2.4.3 As stated, the projected future 10 year investment costs for the buildings have been calculated to be in the order of £410,00. Such investment requirements does not reflect efficient use of the Council's resources.

2.5 School Information

2.5.1 HMIE Report Outcomes

In 2005 Darvel Primary School was inspected by Her Majesty's Inspectors of Education (HMIE) The inspection report pointed to a number of key strengths of the school:

- *"The very good arrangements for pastoral care.*
- *The support from the school board, parent teacher's association and the school's effective links with the wider community.*
- *Pupil's strong sense of pride in the school and their mature approach to accepting responsibility for improving aspects of school life.*
- *The valuable contributions of classroom assistants, clerical and ancillary staff to the quality of education provided by the school.*
- *The effective overall management of support for pupils and the way very good progress was made by pupils with additional support needs."*

The report by HMIE reflected that parents, pupils and staff did not report any concerns with the accommodation. However, HMIE themselves recorded: *"The overall quality of accommodation was fair with some important weaknesses relating to health and safety. The interior of the building was generally bright and attractively decorated. Staff made good use of a separate computer suite to improve the skills of pupils in information and computing technology (ICT), English language and mathematics. Ventilation in some classrooms was poor. A leaking roof led to damage to displays in the classrooms on the upper floor. There was limited access to parts of the school for disabled persons."*

Copies of this report are available from .hmie.gov.uk .

While these matters have been addressed, a refurbished building will do much to further improve the accommodation and some of the fundamental buildings and accommodation issues that remain.

An integrated inspection of education and care at Darvel Nursery School carried out jointly by Her Majesty's Inspectors of Education (HMIE) and the Care Commission in 2005 praised all aspects of the leadership, the very high standards of education and the very good support for children and families offered by the school. The report commented on the accommodation:

"The accommodation provided a welcoming, pleasant and stimulating environment for children.....Very good use was made of available space.....The outdoor play area had been identified as an area for development"

Copies of this report are available from .hmie.gov.uk.

2.5.2 Number of staff by category

Teaching Staff

Primary School

Using Council formulae the school is entitled to a teaching cohort of 14.7FTE (full time equivalent). This will be unchanged by this proposal

Nursery School

Using Council formulae the school is entitled to a staffing cohort of 6 FTE (full time equivalent). This will be unchanged by this proposal

Ancillary Staff

Primary School

In addition to the teaching complement Darvel Primary School has 2.5 FTE clerical support, and 3.3 FTE classroom assistants. Janitorial support of 1FTE is allocated to Darvel Primary School and 41.25 cleaning hours per week are also allocated to the school.

Nursery School

In addition to the teaching complement Darvel Nursery School has 0.52 FTE clerical support. Janitorial and cleaning support of 0.81 FTE is allocated to Darvel Nursery School, with one individual performing these tasks.

If this proposal is accepted, there will be scope to rationalise aspects of the ancillary staffing, particularly in relation to janitation and cleaning. The staff concerned will be consulted along with their trades unions.

2.5.3 Inclusion

The Council is committed to a policy of inclusion. A number of changes in legislation (principally, the Education (Additional Support for Learning) (Scotland) Act 2004) bring obligations to ensure that all have equal access to facilities. Possibilities offered under this proposal would address a number of issues related to equal access to the present nursery building. Co-location will also facilitate transfer of children between the establishments.

3. THE CONSULTATION

- 3.1** Written representations on the Cabinet's proposals were sought from interested parties in terms of the Education (Publications and Consultation etc) (Scotland) Regulations 1981 and Amendment Regulations 1987, 1988 1989 and 2007.
- 3.2** In accordance with statutory requirements parents of affected schools and the appropriate school councils have been consulted. Copies of the Consultative Document were also made available to the staff of Darvel Primary School, Loudoun. Academy, representatives of teacher and staff unions, the

appropriate members of the Scottish Parliament and the appropriate Member of Parliament.

- 3.3** The document was publicised in the press and copies were made widely available in the local community and to local interest groups. Additional copies of the Consultative Document were obtainable from the Department of Educational and Social Services, Council Headquarters, London Road, Kilmarnock, from the schools involved and through the Council Website at [.east-ayrshire.gov.uk](http://east-ayrshire.gov.uk).
- 3.4** One public meeting was arranged in partnership with the Parent Council of the Darvel Primary School and this took place in Darvel Town Hall. Meetings were attended by parents, staff and members of the community.
- 3.5** The meeting provided a forum for discussion and clarification of the proposals as well as an opportunity for people to express their views on the proposal. The meeting organised for members of the community was well attended and many views were expressed and issues discussed.

4. RESPONSES TO THE CONSULTATION

- 4.1** A total of 34 written submissions were received, including those made by e-mail. A full list of respondents is included at Appendix 2. In summary, the responses were:

- 1 from the local MP
- 12 from parents of Darvel Primary School
- 2 from parents of Darvel Nursery School
- 9 parents with children at both Darvel primary School and Darvel Nursery School
- 8 from staff at the Nursery School
- 1 from a Head Teacher
- 1 from Council Departments

- 4.2** In addition to the written submissions, the public meeting referred to above enabled a number of significant issues to be raised. The following paragraphs summarise the issues raised at the meetings and in the written responses to the consultative documents. Every effort has been made to summarise views as accurately as possible and, where appropriate, to give a response. Reference is made in Section 6 (below) to the number of written responses from each category of respondent.

4.3 Public Meeting – 16 June 2009

A number of issues were raised by those attending the public meeting at Darvel Town Hall. In particular attendees commented on :

- Concerns were expressed about the Primary School continuing to work while building work was being conducted. Other concerns were raised

regarding the access afforded to construction workers to the primary school when it was in session and control of noise.

- Traffic management in the area of the school. It was felt that the addition of the nursery to the primary school site would add to an existing problem and that there was a need for a crossing patrol.
- The future of the existing nursery building.
- Staff present at the meeting spoke of their delight at the proposals.
- A number of comments pointed to the desirability of involving the staff, parents and community in the development of the project and associated plans.

Questions were asked concerning:

Whether the project would involve a decant of children during building work?

- Whether there would continue to be two headteachers – one for each establishment ?
- Whether there would be a separate playground for the nursery children?
- Would any new construction be in keeping with the sandstone of the existing building.?
- Did the Council attach any sentimental value to the existing nursery building? A number of participants expressed concern about the future of the old building and associated matters such as title issues.
- A number of questions were asked about the nature of the development at the Primary School, such as precise location, size and the features that would be upgraded.
- Rather than move the nursery, would the money not be better spent on reducing class sizes?
- Would “green” features be included in the design ?
- Would allowance be made for any increases in population ?

4.4 Written Responses Letters from Individual Parents and Close Family Members

The majority of responses were in favour of the proposal, some enthusiastically so using terms such “totally agree”, “beneficial”, “good idea ” and “great!”. Others in welcoming the proposal pointed to educational benefits such as “easier transition”. One stated that it was “Embarrassingly overdue..”

Some responses expressed concerns about upheaval during construction work, traffic management in the area of Darvel Primary School and the need for a crossing patrol both during and after building work was complete. These responses felt that the control of site traffic would be of concern together with the need to increase the security of the primary school. Some responses emphasised the need to keep parents involved and informed during the project. One response was expressly opposed to the proposal stating traffic as the main cause for their objection.

One response agreed with the proposal, but wanted the Nursery School building to be returned to the Community rather than it being sold off for housing.

Two parents returned the standard form but expressed no opinion.

4.5 Nursery School Staff

Eight staff responded, but of these one expressed no opinion. The remaining seven wrote in favour of the proposal variously describing it as a "great idea". Four responses wanted the nursery to keep its identity. One was concerned about the future of the existing building. A desire was expressed for staff to be consulted on the design as it emerged.

4.6 Des Browne MP

Mr Browne's response pointed out that the current Nursery building was unsuitable for its use and that therefore the proposal is a welcome one. It was felt that cross-sector working would be facilitated and the development would be of benefit to the people of the area. Mr Browne wished the nursery to retain its own identity.

4.7 Other Interested Parties

The headteacher of an East Ayrshire Primary School stated that they believed the proposals would promote smooth transition and close working relationships.

5. COMMENTS ON THE VIEWS EXPRESSED

5.1 General

The issues contained in the Consultative Document raised considerable interest amongst staff, parents and other interested parties. The written responses and attendance and questioning at meetings confirms the important place that schools have in the community, the real interest that parents and others have in the quality of education that their children receive.

The bulk of opinion received was in favour of the proposal. Only one response stated opposition to it. Arguments about the benefits of the proposal in terms of a education taking place in an improved set of accommodation and ease of transition from nursery to primary appear to have been persuasive.

It is also true, however, that a number of respondents qualified their favourable response with concerns. These concerns were in two main areas:

- Traffic management during and after construction work.
- Potential disruption to the school and local community including risks associated with safety and security during the building work

It is clear therefore that the project plan will have to include specific consideration of these two specific issues. The request for a school crossing patrol will be considered against the criteria which have been set to gauge

whether such provision is necessary. A number of respondents pointed to the desirability of involving staff, parents and the community in the project as it develops. Firm commitments on this issue were given at the public meeting by the Council officers present.

5.2 Community Planning and Use

5.2.1 Policy Context

The Community Plan is recognised by all core Community Planning Partners as the sovereign strategic planning document for the delivery of public services in East Ayrshire over the 12 years from 2003 to 2015 and sets out the overall vision for the local area, which clearly articulates that we are working towards the delivery of “high quality services which are sustainable, accessible and meet people’s needs”. Recognising the principle of ‘One Council, One Plan’, the Council has adopted the Community Plan as its Corporate Plan.

The proposals for the Darvel Nursery/Primary School have the potential to impact across each of the four themes of the Community Plan as detailed below. In addition, the proposals will assist the Council and wider Community Planning Partnership in achieving the outcomes of the East Ayrshire Community Planning Partnership Single Outcome Agreement 2008-2011, in particular in relation to:

- National Outcome 4 – Our young people are successful learners, confident individuals, effective contributors and responsible citizens;
- National Outcome 5 – Our children have the best start in life and are ready to succeed; and
- National Outcome 8 – We have improved the life chances of children, young people and families at risk.

Promoting Lifelong Learning

Importantly, the use of fewer but larger sites with a wider range of facilities will bring young people, parents and families into contact with a range of facilities and community resources that may not have been present at their original school. In some cases, these facilities will be a considerable improvement on those that existed in the original establishment. A concentration of resources will allow the more efficient use of:

- Bilingual support services
- Learning support services
- Quality improvement services
- Educational psychology services
- Visual impairment peripatetic service
- Hearing impairment service
- Technician services
- ICT support

There will be reduction in travelling times for these staff and their work will secure economies of scale as they are able to work with larger groups of children or physical resources. In the light of the integration of many children with special needs into mainstream education, it is especially important that the above services and other necessary specialist services can be delivered as effectively as possible.

It is recognised that schools are one of the main outlets for information on community learning and other activities and effective established links between schools and parents through pupils and other mechanisms will limit any impact in this regard. In addition, other effective mechanisms, including mobile resources, such as libraries, and the Council and Community Planning websites, can be utilised to ensure that communities have access to a wide range of information. The majority of children attending Darvel Primary reside in Darvel and can access facilities such as the school and its resources within the town.

Raising educational achievement and ensuring that our children and young people get the best start in life are key priorities for the Council and its Community Planning Partners. Allied to this, we are committed to promoting and assisting the development of early education and childcare, which supports children and their families and helps parents balance family life with work, training and education. The number and range of available childcare places has increased significantly, and we will continue to support the development of innovative childcare solutions and the sustainability of new and existing services.

While it is recognised that any rationalisation of the school estate will inevitably reduce the number of jobs available, (the principal reduction in cost drivers from any rationalisation), our focus must be on the children and young people. Larger campuses are able to provide a wider variety of accommodation and staff skills and the potential for children to be brought into contact with new experiences, ideas and environments is significantly increased. Larger schools have more resources and can therefore increase the range of opportunities for children. The Council has a responsibility to provide the best possible educational environment and facilities for all children, therefore, the wider range of opportunities and choices for children and young people offsets the reduction in the choice of establishments raised by some parents in the consultation.

Improving Health

There are very strong working relationships with clinical services, including:

- a school nurse in each learning partnership area;
- services of a staff grade paediatrician (school doctors);
- school dental services;
- dietician services; and
- speech and language therapy services.

Rationalisation of the school estate will have no negative implications for these services but will, in fact, support delivery as there will be fewer establishments to service. From a health perspective, co-location aids working arrangements. The implementation of screening and, as necessary, vaccination programmes, will be easier in larger establishments. In addition, as with education staff, travelling times for health related staff are reduced leaving more time for direct contact with children and young people.

Physical activity is promoted in all schools through the Recreation Partnership Project and Health and Activity Motivated. These provide a dynamic and innovative approach to engaging children in health related activities. Children are provided with a range of opportunities to become more active more often and to increase their knowledge and understanding and awareness of a range of factors which contribute to a healthy lifestyle. Access to this programme, which has resulted in the activity ratings of children in East Ayrshire being twice the national targets according to the Chief Medical Officer, will continue and may be enhanced by better facilities more modern schools.

Improving the Environment

Having regard to the above policy position which describes the Council's absolute commitment to sustainable development. It is to be noted that this means meeting the current needs of citizens without compromising the future. Although the term is often used in relation to physical development and protecting the environment; it is more than this. It is about achieving a balance between the environmental social and economic needs of our communities and the long term affects of what we do. The rural environment is changing and diversifying and rural sustainability does not mean that every service/facility requires to be available in every community.

Promoting a lasting pattern of development within the Improving the Environment theme is achieved through the planning process. Again a balance has to be struck between urban and rural and the hierarchy of development concentrates new development in areas where there are appropriate services with provision for enhanced facilities and infra structure through development contributions.

5.3 Physical Planning Implications

In planning policy terms, the proposals are considered to be fully in line with policy CS1 of the adopted East Ayrshire Local Plan which states that the Council will, subject to the necessary finance being available, respond positively to changing needs and demands for community and educational facilities throughout East Ayrshire. The policy also states that, wherever possible, existing facilities will be retained and improved. This policy approach is also reproduced in policy CS1 of the finalised version with modifications of the Alteration to the East Ayrshire Local Plan which has recently been agreed by the Council as a material consideration in its consideration of new development proposals.

The consolidation of Darvel Nursery School within an extended and refurbished Darvel Primary School will release the site of the nursery school

for potential redevelopment. The site itself is not specifically safeguarded or identified for any particular development purposes in either the adopted local plan or in the local plan alteration. In planning policy terms, redevelopment of the site for an alternative educational or community use would be considered appropriate and, with the site being located in a general residential area, its sensitive development for housing purposes could also possibly be considered a viable option in planning policy terms. The site is, however, located within the Morton Park Conservation Area and any redevelopment of the site would require to be of the highest quality of design and material finish to reflect this designation.

5.4 Rural Sustainability

5.4.1 Policy Context

At the strategic level, the Ayrshire Joint Structure Plan, approved in November 2007, has adopted the concept of Sustainable Development as one of its primary Guiding Principles. It is seen as not just a concept about the environment but about economic growth and social development, and about the type of society in which we wish to live.

A number of the Guiding Principles for Sustainable Development detailed in the Structure Plan relate to Community Regeneration. In particular, the plan recognises that special needs exist within rural communities and that integrated action is necessary, amongst other things, to address social issues. It is recognised that many of these issues, including education provision, should be addressed through the community planning / local planning process.

At the local level, the finalised version of the East Ayrshire Local Plan Alteration has been prepared to fully conform with the Ayrshire Structure Plan and has adopted a single primary strategic aim which is 'to promote sustainable development, to maximise the economic potential of East Ayrshire and to improve the quality of life of its residents'. This aim is, in turn, reinforced by a number of more specific aims including aim 2 'to maintain and improve the integrity, vitality and viability of the area settlements and their rural settings' and aim 8 'to promote appropriate development in rural areas'. The plan aims are implemented through a General Development Strategy which among other priorities 'encourages appropriate and sympathetic development which contributes positively to rural and farm diversification throughout the rural area'.

More specifically in relation to community facilities and service infrastructure the plan 'presumes against the loss of important community, education, leisure and recreational facilities to other uses' but recognises that this must be balanced against the need to 'ensure the highest possible level and quality of community facility, education ... provision throughout East Ayrshire to meet existing and anticipated future demand requirements of the local population' (paragraph 5.70, Volume 1).

Proposal PROP 8 of the finalised local plan alteration is pertinent to this approach, stating:

'The Council will, subject to the necessary finance being available, improve and enhance existing community, educational, leisure, recreational and sporting facilities for which it is responsible, both in the area settlements and throughout the rural area. Consideration will be given to the provision of new, expanded or additional facilities where there is a demonstrated need and where finances permit'.

In addition to the above proposal, the Council requires housing developers to make a positive contribution towards the expansion of education provision, throughout both the area settlements and the rural area, to meet the needs of incoming populations living in their developments.

5.6.2 Role of school in community

(i) School lets

Since 1st January 2006 four lets of Darvel Nursery School and 256 lets of Darvel Primary School have been processed.

(ii) Facilities offered to community

As part of the project, any improved facilities wherever possible be available for use by the community.

(iii) Use of local facilities by school

The relocation of the Nursery to the site of Darvel Primary School could increase access to the Gavin Hamilton Sports Centre by nursery aged children. This has the added advantage that many of the children attending nursery school may have previously gone to the sports centre with the playgroup. There will be no change to the use of local facilities by the schools concerned arising from these proposals.

(iv) Contribution of school to local economy

It is not envisaged that there will be any significant change to the local economy arising from these proposals

5.7 Financial Considerations

The indicative budget allocation for the project is £3M as per the approved Capital Investment Programme. It is estimated that the option to build a facility to accommodate the Nursery on the school site and provide replacement classroom/gym/dining/assembly facilities would result in costs increasing to over £5M. Until detailed designs are finalised and tenders received it is difficult to quantify more accurately the additional funding required."

(Paragraphs 3.11 to 3.13 of Capital Investment Programme Update, Cabinet, 06 May 2009)

At its meeting of 7 November 2007, Cabinet agreed that all revenue savings resulting from school rationalisations will be reinvested into the Education Service.

6. CORPORATE MANAGEMENT TEAM ROLE IN THE CONSULTATION PROCESS

Throughout the consultation process there have been full and regular discussions at the highest level of Officer Management of the Council. The results of these discussions are incorporated into the text of this paper and address all educational and non-educational issues raised in and by the consultative document. The following points identify where joint working within the Council has taken place throughout the process :

- The recent re-survey work on Darvel Nursery School has been carried out in conjunction with officers from the Asset Improvement Service;
- Legal Services have provided specific comments on relevant factors;
- Roads have been given the opportunity to comment on the options listed in the Consultative Document;
- Planning Services have been involved in the preparation of future pupil rolls, providing data on new housing developments which have been built into the Local Plan.

The outcome of all this involvement and more is a set of recommendations by the Executive Director of Educational and Social Services supported by the Corporate Management Team.

7. THE COUNCIL'S APPROACH TO CONSULTATION

7.1 The forgoing subsections of paragraph 5 above detail the Council's considerations of all issues as originally defined in the consultation documents and importantly, all of these, both educational and non-educational raised through the detailed consultation responses. The Council allocated the statutory (28 days) consultation period of 28 days for responses in recognition of the significance with which the intended parties/stakeholders regard this matter.

7.2 Of the 34 responses, no issue raised remains unaddressed and so Cabinet has before it in this paper, full and detailed arguments for and against the proposal as set out for consultation.

8. RISK MANAGEMENT

8.1 Any reduction in the property portfolio will reduce the risk to which the Council is exposed in terms of issues such as infrastructure failure, vandalism and threats to security. Any property that is vacated, however, is likely to be exposed to an increased level of risk requiring additional security measures.

9. LEGAL ISSUES

- 9.1** By virtue of s22 (1) of the Education (Scotland) Act 1980 the Council may discontinue or change the site of, any educational establishment under its management. However prior to any such decision the Council is required to consult in terms of the Education (Publication and Consultation etc. (Scotland) Regulations 1981 which consultation forms the subject matter of this report. It is a legal requirement that the Council shall not reach any decision without having regard to any representations made in response to the consultation. Consequently members require to consider the consultation representations fairly.
- 9.2** As provided for in s1 of the 1980 Act it is the duty of the Council to ensure adequate and efficient provision of school education within East Ayrshire such education to be directed towards the development of the personality, talents and mental and physical abilities of children or young persons to their fullest potential (Standards in Scotland's Schools Etc. Act 2000 s2). That said, as with all Council duties, the Council has a duty to make arrangements to secure best value and in securing best value the Council is required to maintain an appropriate balance between, inter alia, the quality of its performance of its functions and the cost to the authority of that performance (Local Government in Scotland Act 2003 s1). In coming to any decision members should balance the foregoing duties.
- 9.3** Article 2 of the first protocol to the European Convention on Human Rights, incorporated into domestic law by the Human Rights Act 1998 provides that "No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions" The principle in the second sentence is accepted into UK law only so far as it is compatible with the provisions of efficient instruction and training, and the avoidance of unreasonable public expenditure. The right to education is a general right and the relevant provisions of the 1980 Act and the Standards in Scotland's Schools etc (Scotland) Act 2000 go beyond what is required by the provision in the first protocol. Accordingly provided the Council complies with the duties referred to in para 9.2 a successful Human Rights challenge to a properly considered decision is most unlikely.
- 9.4** Extremely useful guidance on how Council's should handle decisions relating to the School Estate ("Additional Guidance on Local Authority Proposals for the School Estate, Including School Closures) was issued by the Scottish Executive in 2004 and reissued again last year. The guidance has been taken into account in the drafting of this report however it is also recommended that members familiarise themselves with the guidance. It would be too simplistic to attempt to summarise the guidance which is to be read as a whole but some of the principle issues are the following. A number of possible relevant factors are identified in the guidance which the Council must have regard to but in the event of a decision being finely balanced, the quality of education

provided to pupils, locally and more widely, now and in the future, will normally be the overarching consideration. Consequently this report outlines, and members must consider, the educational advantages of the proposal. Indeed the Cabinet Secretary for Education and Lifelong Learning has indicated that in cases which are referred to the Scottish Government for consent she will be asking HMIE for advice on the case presented and on the envisaged educational advantages the proposal is intended to secure. Further the educational advantages must be both local and on the wider scale.

- 9.5** An issue was raised at the public meeting regarding the implications of the Mair Bequest for any transfer of the Darvel Nursery School from educational use. The advice from Legal Services is that there is no implication for the Council arising from the conditions in the Mair bequest.

10. COMMUNITY PLANNING IMPLICATIONS

- 10.1** The proposals for Darvel Nursery and Primary School are consistent with the overall vision articulated with the Community Plan and in particular the Promoting Lifelong Learning Action Plan. In addition, the proposals will assist the Council and wider Community Planning Partnership achieve planned outcomes contained within the Community Planning Partnership Single Outcome Agreement.

11. CONCLUSION

- 11.1** Having carefully considered the responses made during the consultation period, there appears to be a positive and even enthusiastic response to the proposals from the community. The arguments in the original proposal document appear to have gained acceptance. A few issues have been raised regarding how the project will be managed, particularly with a view to continued consultation especially on matters such as traffic management and the control of building work, including site security.

12. RECOMMENDATIONS

Taking account of all the issues raised in consultation, it is recommended that the Cabinet agree that:

- (i) That pre-5 education at the existing Darvel Nursery School building should be discontinued with effect from 30 June 2011 or as soon as possible thereafter.
- (ii) That Darvel Nursery School, staff and children should relocate to the site of a newly extended and refurbished Darvel Primary School building from 01 July 2011, or as soon as possible thereafter.
- (iii) following the move of the staff and children of Darvel Nursery School to the new campus, the present site of Darvel Nursery School should be considered as surplus to the requirements of the Department of Educational and Social Services and transferred to the Department of Finance and Asset Management for disposal in accordance with Council procedures;

- (iv) the Executive Head of Finance and Asset Management is authorised to develop a business case to take this project forward with immediate effect;
- (v) local elected members, parent councils, staff, and appropriate members of the community should be kept informed of and involved in developments of the design of the campus at relevant stages; and
- (vii) otherwise note the contents of this report.

Graham Short
Executive Director of Educational and Social Services

GRS/GRS
26 June 2009

LIST OF BACKGROUND PAPERS

- i) Written responses to the consultative document
- ii) Cabinet Secretary's Guidance issued to education authorities
- iii) Capital Programme Update 04 February 2009

Members wishing further information should contact Graham Short, Executive Director of Educational and Social Services, Telephone (01563) 576017.



DEPARTMENT OF EDUCATIONAL & SOCIAL SERVICES

A PROPOSAL PAPER

The following schools are affected by this Proposal Paper:

- Darvel Nursery School
- Darvel Primary School

This document has been issued by East Ayrshire Council for consultation in terms of the Education (Publications and Consultation etc) (Scotland) Regulation 1981 and Amendment Regulation 1987, 1988, 1989 and 2007.

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DISTRIBUTION

A copy of this document is available on the East Ayrshire Council web-site:
[.east-ayrshire.gov.uk](http://east-ayrshire.gov.uk)

A copy of this document will be provided to:

- The Parent Council, or equivalent, of the affected nursery and school
- The parents of the children at the affected nursery and school
- Parents of children expected to attend an affected school within 2 years of the date of publication of this proposal paper
- The pupils and children at the affected nursery and school
- The staff, teaching and ancillary, at the affected nursery and school
- The Community Council
- Relevant users of the affected nursery and school
- Community Association

- The constituency MSP
- List MSPs for the area
- 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 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 schools affected

Local area offices in the vicinity of the schools affected

The school(s) 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, telephone 01563 576109, e-mail education.consultation@east-ayrshire.gov.uk

SUMMARY OF PROCESS FOR THIS PROPOSAL PAPER

1. Consideration by the Cabinet (Education)

This proposal paper 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. Once the consultation period has passed the Cabinet (Education) will take a decision on whether, or not to implement the proposals.

2. Possible call in by Governance and Scrutiny Committee

Due to the timescales involved exception from the call in process has been sought for the initiation of this consultation exercise.

3. Proposal paper 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.

4. Publication of advertisement in local newspapers

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

5. Length of consultation period

The consultation period lasts for a minimum of 28 calendar days.

6. Public meeting

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

7. Preparation of consultation report

The authority will prepare a consultative report taking account of all of the representations it has received. This will be published in electronic and printed formats. It will be available on the Council web-site and from Council Headquarters, free of charge. The report will include the Authority's response to any comments it has received, together with any other relevant information, including details of any alleged inaccuracies and how these have been handled.

8. Decision

This report is considered by the Education Cabinet (Education) who will come to a decision. This decision is then subject to the Council's call-in procedures.

Special Note on Corrections

If any inaccuracy is discovered in this proposal paper the authority will inform the person who has notified the inaccuracy of any appropriate action that is being taken, such as reissuing the paper or revising the consultation period if appropriate.

PUBLIC MEETING

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

The meeting 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 consultation process.**

The meeting will be held:

Date: Tuesday 16 June 2009

Time: 7.00pm to 9.00pm

Venue: Darvel Town Hall, 10-12 West Main Street, Darvel

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 PAPER

Proposal

That pre-5 education at the existing Darvel Nursery School building be discontinued with effect from 30 June 2011, or as soon as possible thereafter.

Further, that Darvel Nursery School, staff and children should relocate to the site of a newly extended and refurbished Darvel Primary School building from 1 July 2011, or as soon as possible thereafter.

Report by Executive Director of Educational and Social Services

1. VISION

1.1 East Ayrshire Council has an established vision for its school estate which will ensure the delivery of a modern curriculum in school 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”

1.2 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 school buildings is a key component in the facilitation of the learning and teaching process.

1.3 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

1.4 The proposals set out in this document will ensure that all these issues are addressed in a manner which will achieve improvements for all learners in Darvel Primary School and Darvel Nursery School whilst also obtaining best value for the Council.

2. BACKGROUND

- 2.1 At its meeting of 6 May 2009 Cabinet considered a report "Capital Investment Programme Update" and agreed a recommendation that:

"subject to the statutory public consultation process the Darvel Primary School extension should include the integration of the existing Nursery School and that the budget for the project be adjusted to accommodate this."

- 2.2 The report further observed:

"A number of options have been considered in relation to the refurbishment/extension of Darvel Primary School. The aim of the option appraisal exercise was to address current deficiencies in property provision to provide an environment for all pupils, staff and parents which supports the delivery of the aspirations for "A Curriculum for Excellence". The options considered covered two basic approaches for addressing these aims, namely:

(a) Extension to existing Primary School to provide additional classroom accommodation and dining/gym/assembly facilities; and

(b) extension to existing Primary School to provide accommodation to allow the Nursery to relocate to the school, additional classroom accommodation and dining/gym/assembly facilities.

Based on initial discussions with Educational and Social Services staff the preferred option would be to build an extension to the school which would allow the co-location of the Nursery which is currently situated elsewhere in Darvel in outdated accommodation which is not conducive to 21st Century education.

The indicative budget allocation for the project is £3M as per the approved Capital Investment Programme. It is estimated that the option to build a facility to accommodate the Nursery on the school site and provide replacement classroom/gym/dining/assembly facilities would result in costs increasing to over £5M. Until detailed designs are finalised and tenders received it is difficult to quantify more accurately the additional funding required."
(Paragraphs 3.11 to 3.13 of Capital Investment Programme Update, Cabinet, 06 May 2009)

- 2.3 Copies of the report that was submitted to Cabinet on 6 May are available from the Executive Director of Educational and Social Services, Council Headquarters, London Road, Kilmarnock, KA3 7BU or [.consultation@east-ayrshire.gov.uk](mailto:consultation@east-ayrshire.gov.uk) . They are also available electronically on the Council web-site: www.east-ayrshire.gov.uk.

3. PROPOSAL

3.1 It is therefore proposed that:

- (i) Pre-5 education at the existing Darvel Nursery School building be discontinued with effect from 30 June 2011, or as soon as possible thereafter.
- (ii) Further, that Darvel Nursery School, staff and children should relocate to the site of a newly extended and refurbished Darvel Primary School building from 1 July 2011, or as soon as possible thereafter.

4. PRESENT POSITION

4.1 Darvel Nursery School

Darvel Nursery School is housed in separate accommodation in the centre of the town of Darvel in a building of traditional sandstone construction. Appendix 1 (attached) shows the present site of Darvel Nursery School.

4.2 The nursery school caters for 120 pre-school children, 60 each morning session and 60 each afternoon session. There are currently 110 children enrolled in the nursery school, and at the start of session 2009/10 there will be approximately 103 children enrolled.

4.3 An integrated inspection of education and care at Darvel Nursery School carried out jointly by Her Majesty's Inspectors of Education (HMIe) and the Care Commission in 2005 praised all aspects of the leadership, the very high standards of education and the very good support for children and families offered by the school.

Key strengths highlighted in the report include:

- Welcoming and stimulating environment created by the hard working team
 - Happy and confident children who are actively involved in their learning
 - High quality of interaction with children to support and extend their learning
 - The very good learning experiences for children, with staff providing very good programmes in the five key areas of children's development and learning
- The report commented on the accommodation:
"The accommodation provided a welcoming, pleasant and stimulating environment for children.....Very good use was made of available space.....The outdoor play area had been identified as an area for development"

Copies of this report are available from .hmie.gov.uk or from the nursery school.

4.4 Since 1999, East Ayrshire Council has invested £99,500 in necessary maintenance and repairs at Darvel Nursery School. Despite this aspects of the building are less than satisfactory. The building condition report dated April 2009, based on the Scottish Government's "*Condition Core Facts*" guidance for school buildings, accords the building a "C" rating which means that the condition of building is classified as "poor", having major defects and/or not operating adequately. It requires expenditure in excess of £410,000 to bring the existing fabric to an acceptable standard.

4.5 In addition, the internal layout of the building presents challenges, which include a layout and features which restrict easy movement between play areas. These would, for example, create difficulties for children or adults with mobility problems.

5.1 Darvel Primary School

5.1.1 Darvel Primary School provides non-denominational education to the town of Darvel and the surrounding area. Appendix 2 (attached) shows the present school delineated area for Darvel Primary School. The present site of Darvel Primary School is shown in Appendix 3.

5.1.2 The school has a planning capacity of 384, with a working capacity of 340. As at September 2008, the school roll is 309.

5.1.3 There has been some refurbishment work undertaken which has considerably improved the internal appearance of the school. The accommodation does however present a number of issues:

- The overall design of the school is of early 20th Century vintage and offers accommodation with restricted flexibility.
- The accommodation is on two levels with no accessible lift, thereby reducing access for children and adults with mobility problems. Even at ground level there are internal flights of stairs reducing access.
- The external fabric of the school has deteriorated markedly over recent years and is in urgent need of refurbishment.
- The building is energy-inefficient.
- The separate dining hall is of poor construction, requiring continual maintenance.

5.1.4 In 2005 Darvel Primary School was inspected by Her Majesty's Inspectors of Education (HMIE). The inspection report pointed to a number of key strengths of the school:

- *"The very good arrangements for pastoral care.*
- *The support from the school board, parent teacher's association and the school's effective links with the wider community.*
- *Pupil's strong sense of pride in the school and their mature approach to accepting responsibility for improving aspects of school life.*
- *The valuable contributions of classroom assistants, clerical and ancillary staff to the quality of education provided by the school.*
- *The effective overall management of support for pupils and the way very good progress was made by pupils with additional support needs."*

The report by HMIE reflected that parents, pupils and staff did not report any concerns with the accommodation. However, HMIE themselves recorded:

"The overall quality of accommodation was fair with some important weaknesses relating to health and safety. The interior of the building was generally bright and attractively decorated. Staff made good use of a separate computer suite to improve the skills of pupils in information and computing technology (ICT), English language and mathematics. Ventilation in some classrooms was poor. A leaking roof led to damage to displays in the classrooms on the upper floor. There was limited access to parts of the school for disabled persons."

Copies of this report are available from .hmie.gov.uk or from the nursery school.

While these matters have been addressed, a refurbished building will do much to further improve the accommodation and some of the fundamental buildings and accommodation issues that remain.

5.1.7 Over recent years East Ayrshire, through its projects at Grange Campus, St Joseph's Campus, Shortlees campus, Mauchline Primary School and Nursery Class and the Galston Primary School/Nursery School campus has built a high reputation for school design. These locations have also seen facilities developed for further integrating the life of the school with its local community. The intention would be to apply this good practice and experience to this project.

6. THE PROJECT

6.1 The newly refurbished premises will address the accommodation issues highlighted above.

6.2 Additionally, It is envisaged that the refurbished campus will provide the following for the children, parents and staff of the nursery and school

- A modernised learning environment to suit the needs of both school communities.
- Facilities that are fully suited to the delivery of a Curriculum for Excellence including:
 - Networking for information technology;
 - Purpose built nursery facilities;
 - Purpose built features of the design for children with additional support needs including enhanced campus accessibility and bespoke toilet and changing facilities;
 - Accommodation compatible to Health Promoting School status;
 - A building which is environmentally friendly;
 - Facilities that make the best opportunities for sharing facilities and resources between the two schools;
 - Such other features as emerge from further consultations with the schools and community and which are cost-effective

6.3 In addition, it is envisaged that the opportunity will be taken for this campus based development to include improved access for the community to the facilities offered by the campus

7. JUSTIFICATION FOR THE PROPOSAL

7.1 Educational Benefits Statement

7.1.1 The likely educational effects of the proposal on:

- (i) the children of Darvel Nursery School.

Children will have access to modernised facilities. These will include flexible learning areas and “designed-in” information technology including “Smart” technology and its equivalents. Using the experience of other recent building projects environmental and sustainable development features can be built into the school to assist learning together with features that support the health promoting school and healthy lifestyle priorities. The refurbished accommodation will increase pride in both establishments and contribute to children and young people’s confidence.

The change will be beneficial for nursery-aged children and those with additional support needs where specialist facilities and design features will be incorporated to meet their needs. It is envisaged that the schools will be able to share resources and facilities thereby maximising the opportunities for young people. All of these features will support effective provision under “The Curriculum for Excellence.”

Careful design will allow the children, pupils and staff of both the nursery and school to enjoy shared use of facilities and resources. This will include opportunities for shared continuing professional development for example on the Curriculum for Excellence, which is a 3-18 programme; additional support needs and nursery-primary transition.

Co-location should ease matters for parents who have children at both establishments delivering and picking up children.

- (ii) other users of the schools’ facilities.

The campus will have improved accessibility to the community. This will be particularly important in terms of Disability Discrimination Act compliance. Wherever possible, school facilities will be available to the community.

- (iii) any children who would in the future (but for implementation) be likely to be enrolled at the nursery

It is envisaged that this campus will be an extremely positive feature of the community, and potentially will attract new population to the area. This will safeguard the future resources and facilities for young people for the foreseeable future.

- (iv) the pupils and children of any other nurseries and schools in the authority's area.

As originally envisaged in the School Estates Management Plan, this proposal represents a strong best value solution that will have general benefits for all young people in East Ayrshire in terms of best use of resources.

7.1.2 Any other likely educational effects of the proposal, if implemented.

It is possible that the building work associated with these proposals may involve some disruption to the life of Darvel Primary School. This may necessitate the use of temporary accommodation or a temporary decant of some or all of the children. Parents will be consulted as any details of the necessity for making such arrangements emerge. It is not envisaged that the Darvel Nursery School will be affected by any such building work. The experience of the Authority is that such arrangements have no detrimental effect on pupil attainment or achievement in either the short or long term.

7.1.3 The educational benefits which will result from implementation of the proposal, if implemented.

In summary, children and the community will be provided with modernised facilities suited to the needs of learning in the 21st Century and which will be, so far as possible future-proofed. The design features will include the considerations of the Curriculum for Excellence. This view is based on experience from recent new-build projects within East Ayrshire and from visits to shared campuses in other authority areas.

8. CONSEQUENCES OF PROPOSALS

8.1 The proposals set out in this paper will result in a refurbished and extended set of school buildings on the present site of Darvel Primary School. The staff, parent councils and equivalent and community will be consulted as detailed plans emerge.

8.2 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.

8.3 The proposal will result in extensive building work taking place on the present Darvel Primary School campus. During the construction phase, part of the school grounds will be unavailable to young people and the community. The ground area will become available again upon any demolition of the existing buildings.

8.4 The new campus will be accompanied by a traffic management scheme which will be subject to consultation with the Roads Department and other relevant agencies.

9. OTHER ISSUES

9.1 Management of Proposals

It is anticipated that the new campus will be complete by August 2011, or as soon as possible thereafter. This will allow the Council to conduct the necessary consultations in accordance with the relevant statutory frameworks.

It is acknowledged that should the proposal be approved and implemented, forward planning will be required from the Education Authority nursery and school senior staff, as a matter of

good management practice. This planning is necessary in respect of curriculum delivery, staff management and associated issues.

9.2 Health and Safety

It is not considered that this proposal would result in any additional health and safety risks in respect of the existing building at Darvel Primary School. Children from Darvel Nursery School will not move to the site until building work is completed. Any contractor appointed will be legally and contractually obliged to carry out development work in strict compliance with all necessary Health and Safety requirements.

9.3 Distances

Both establishments are currently sited near Darvel town centre. The distance between them is approximately 0.3 miles. It therefore follows that some families may have additional travelling distance to the nursery as a result of these proposals. Conversely, other families will have their journey to school reduced by an equivalent amount.

9.4 Regeneration issues

Since both establishments are equidistant from the town centre, and since no substantial net shrinkage of either establishment is envisaged by these proposals, there is likely to be any adverse impact on the economic regeneration of Darvel town centre.

10. FINANCIAL IMPLICATIONS

- 10.1** The component renewal costs for Darvel Nursery School are in excess of £410,000 for the same period.
- 10.2** The Cabinet report of 06 May 2009 indicates a figure of over £5M being available for this project. The full cost will be known when a final design has been produced as part of the Full Business case procedures.
- 10.3** The estimated revenue savings are:
- Savings from the proposal to co-locate Darvel Nursery School with Darvel Primary School:
Janitation and cleaning £ 7,395
Property costs £11,072
- 10.4** Once building plans are known, there may be decant costs associated with these proposals. Otherwise, there are no additional transport costs arising from these proposals.
- 10.5** It is envisaged that the present buildings on the Darvel Nursery School site will be declared surplus to the requirements of the Department of Educational and Social Services' requirements. Thereafter the future of the site will be determined under the Council's established procedures for considering the future of surplus property.

11. RESPONDING TO THE CONSULTATION

- 11.1** Interested parties are invited to respond to the consultation 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, E-mail: education.consultation@east-ayrshire.gov.uk
- 11.2** A form is provided at Appendix 5 for the convenience of those wishing to respond. Its use is not however compulsory. However, those wishing to respond are invited to state their relationship with the school – for example, “pupil”, “parent”, “grandparent”, “former pupil”, “teacher in school”, “member of the Community” etc. Responses from the parent councils, staff, and pupil council are particularly welcome.
- 11.3** Those sending in a response, whether by letter or electronically should be 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.

12. RECOMMENDATIONS

- 12.1** It is recommended that the Cabinet agree to adopt for the purposes of consultation the proposal that:
- (i) Pre-5 education at the existing Darvel Nursery School building be discontinued with effect from 30 June 2011, or as soon as possible thereafter.
 - (ii) Further, that Darvel Nursery School, staff and children should relocate to the site of a newly extended and refurbished Darvel Primary School building from 1 July 2011, or as soon as possible thereafter.
- 12.2** It is also recommended that:
- i) interested parties be invited to make written or electronic submissions on the proposal to the Executive Director of Educational & Social Services, East Ayrshire

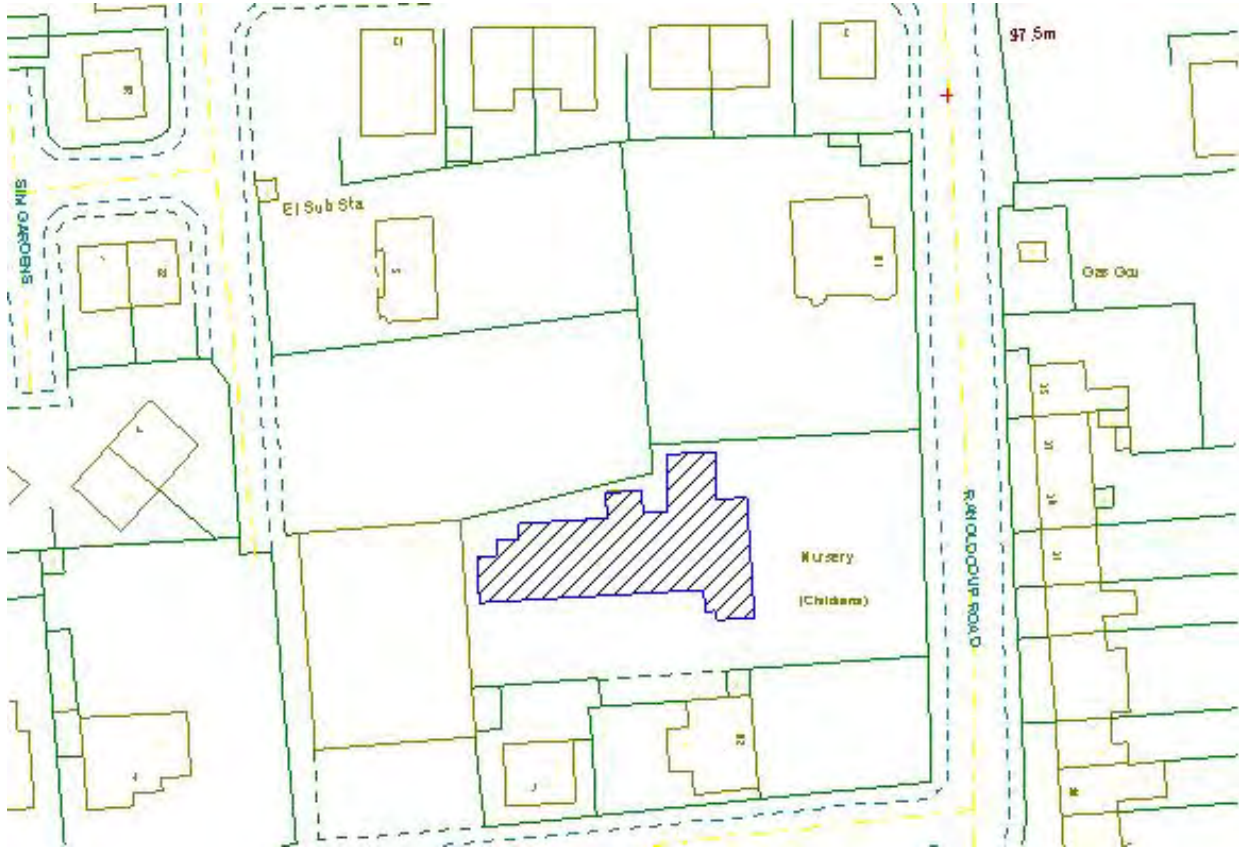
Council, Council Headquarters, London Road, Kilmarnock KA3 7BU, E-mail:
education.consultation@east-ayrshire.gov.uk no later than **Friday 26 June 2009**.

- ii) the Executive Director of Educational & Social Services prepares a report on the results of the consultative process for consideration at a future meeting of the Cabinet.
- iii) that due to the timescales involved the decision to issue this report for consultation be implemented prior to any consideration by the Governance and Scrutiny Committee under the call-in process, as to delay the decision would mean that the consultation could not be finalised before the end of the school session 2008/09.

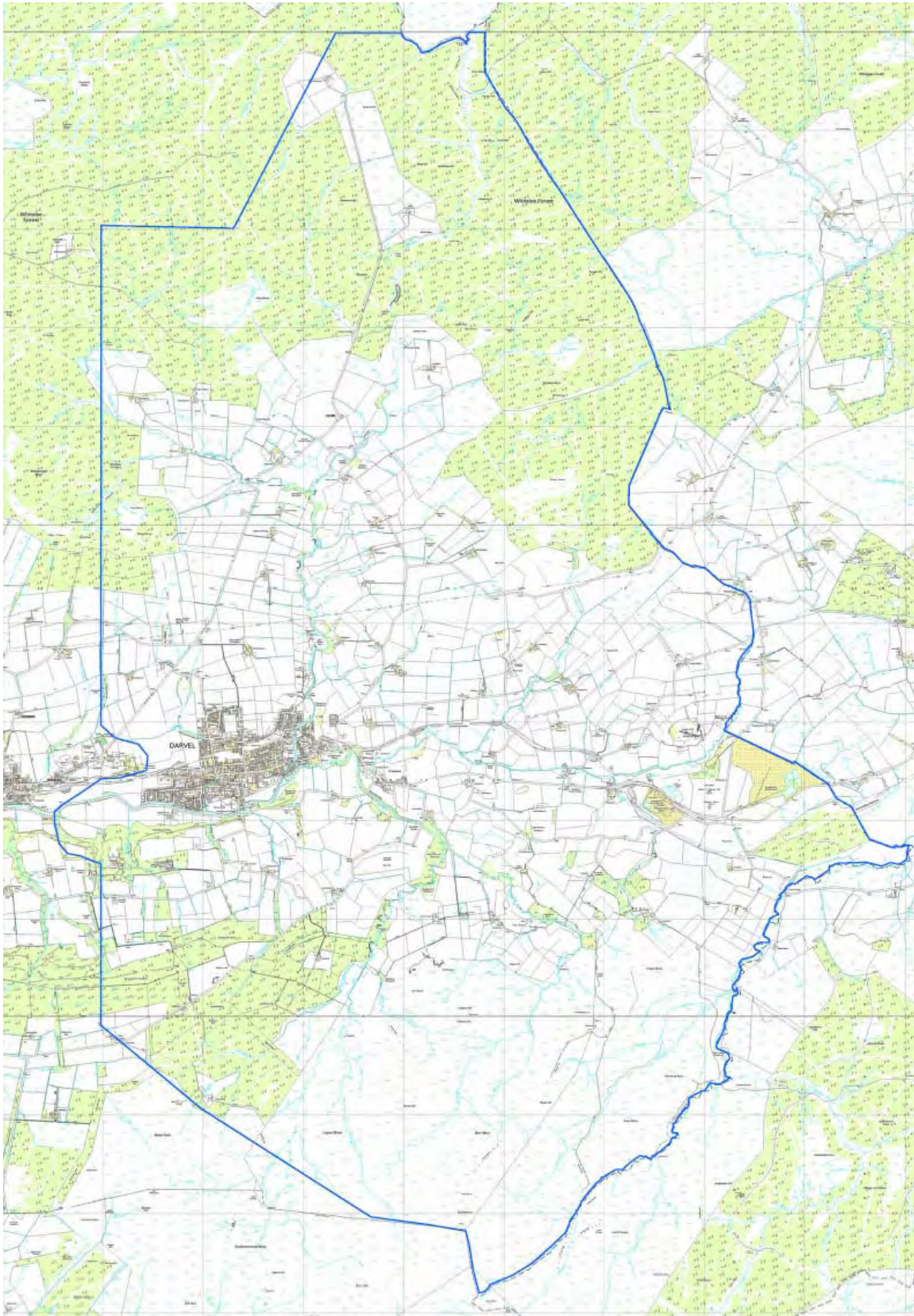
10 May 2009

Graham Short
Executive Director of Educational and Social Services

THE SITE OF DARVEL NURSERY SCHOOL



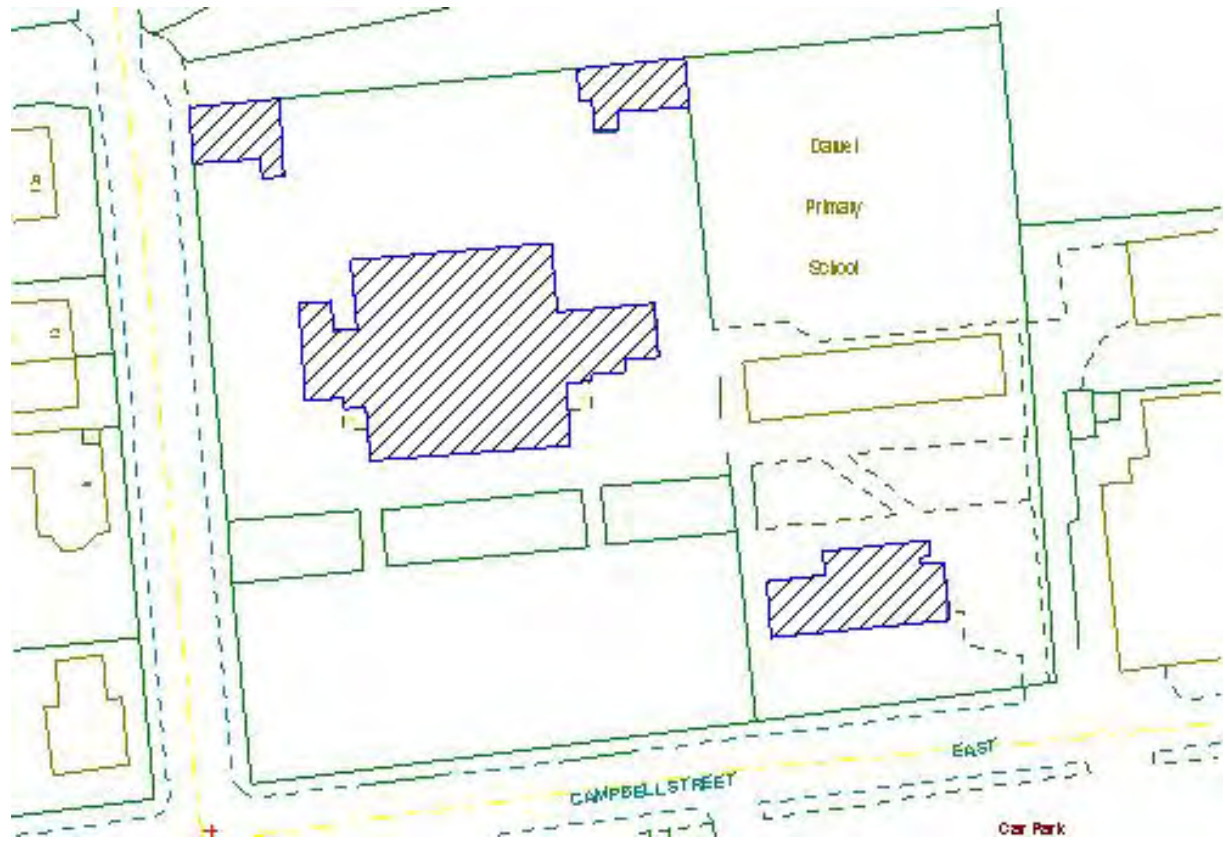
DARVEL PRIMARY SCHOOL CATCHMENT AREA



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THE SITE OF DARVEL PRIMARY SCHOOL

APPENDIX 3



Documentation Relevant to this Proposal

Education (Scotland) Act, 1980, as amended
Schools (Consultation) (Scotland) Act, 2009
Best Value and Community Planning Act, 2003
Schools Estate Management Plan, East Ayrshire Council
Capital Programme Update, Cabinet 6 May 2009

DEPARTMENT OF EDUCATIONAL AND SOCIAL SERVICES

RESPONSE FORM

PROPOSALS	
(i) Pre-5 education at the existing Darvel Nursery School building be discontinued with effect from 30 June 2011, or as soon as possible thereafter.	
(ii) Further, that Darvel Nursery School, staff and children should relocate to the site of a newly extended and refurbished Darvel Primary School building from 1 July 2011, 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)

Darvel Nursery School	Darvel Primary School
Parent <input style="float: right;" type="checkbox"/>	Parent <input style="float: right;" type="checkbox"/>
Child/young person <input style="float: right;" type="checkbox"/>	Child/young person <input style="float: right;" type="checkbox"/>
Staff <input style="float: right;" type="checkbox"/>	Staff <input style="float: right;" type="checkbox"/>
Member of Community Council <input style="float: right;" type="checkbox"/>	Member of Community Association <input style="float: right;" type="checkbox"/>
Other: (please specify)	

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

Office Use:

APPENDIX 2

LIST OF RESPONDENTS

NAME	E-MAIL/ LETTER/ FORM	LOG NO
Karl Doroszenko	Letter	DCR09-001
Head Teacher	Letter	DCR09-002
Parent	E-mail	DCR09-003
Parent	Form	DCR09-004
Parent	Form	DCR09-005
Nursery Staff	Form	DCR09-006
Parent	Form	DCR09-007
Nursery Staff	Form	DCR09-008
Nursery Staff	Form	DCR09-009
Nursery Staff	Form	DCR09-010
Nursery Staff	Form	DCR09-011
Nursery Staff	Form	DCR09-012
Nursery Staff	Form	DCR09-013
Parent	Form	DCR09-014
Nursery Staff	Form	DCR09-015
Parent	Form	DCR09-016
Parent	Form	DCR09-017
Parent	Form	DCR09-018
Parent	Form	DCR09-019
Parent	Form	DCR09-020
Parent	Form	DCR09-021
Parent	Form	DCR09-022
Parent	Form	DCR09-023

NAME	E-MAIL/ LETTER/ FORM	LOG NO
Parent	Form	DCR09-024
Parent	Form	DCR09-025
Parent	Form	DCR09-026
Parent	Form	DCR09-027
Parent	Form	DCR09-028
Parent	Form	DCR09-029
Parent	Form	DCR09-030
Parent	Form	DCR09-031
Parent	Form	DCR09-032
Parent	Form	DCR09-033
Des Browne MP	E-mail	DCR09-034