

**EAST AYRSHIRE COUNCIL  
ECONOMY AND SKILLS  
EDUCATION**



**Report on the responses to the public consultation  
on the proposed changes to catchment areas in the  
North West of Kilmarnock and Kilmaurs.**

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**EAST AYRSHIRE COUNCIL  
ECONOMY AND SKILLS  
EDUCATION**

**CONSULTATION REPORT ON THE PROPOSED CHANGES TO CATCHMENT  
AREAS IN THE NORTH WEST OF KILMARNOCK AND KILMAURS**

This proposal arises from a review of the current catchment areas and entitlement to school transport in the North West of Kilmarnock, taking into account the existing and planned housing develop areas and the historic nature of the existing school catchment boundaries.

**PROPOSAL**

That subject to the outcome of this consultation exercise:

The delineated area of Onthank Primary School is extended from its existing boundary between the A735 and the B751 to incorporate areas of housing within the Southcraigs and Northcraig developments.

This proposal will rezone the affected ground from the delineated area of Kilmaurs Primary School to that of Onthank Primary School and consequently from the delineated area of Stewarton Academy to that of James Hamilton Academy. That changes to the delineated areas of the respective educational establishments are made with immediate effect, subject to the outcome of this consultation process.

Further

That the delineated area of Hillhead Primary School is extended from its existing boundary along the A735 to the C177 to take in ground containing all the houses within the Cardhu Gardens and Cardhu Crescent development.

This proposal will re-zone the affected ground from the delineated area of Kilmaurs Primary School to that of Hillhead Primary School and consequently from the delineated area of Stewarton Academy to that of Kilmarnock Academy.

That changes to the delineated areas of the respective educational establishments are made with immediate effect, subject to the outcome of this consultation process. (It is noted that the whole of the Hillhead Primary catchment as proposed will change from Kilmarnock Academy to Grange Academy in 2016 or as soon as possible thereafter following the previous consultation in relation to the merger of Kirkstyle and Bellfield Primaries)

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## SECTION 1 INTRODUCTION

1. The purpose of this report is to collate all information in relation to the formal consultation process undertaken by East Ayrshire Council in relation to the proposal set out on the previous page.
2. The report reflects the requirements of the Schools Consultation (Scotland) Act 2010 as amended and is intended to;
  - Set out a summary of the oral representations made to the Council at the public meetings held at:
    - Kilmaurs Primary School 16<sup>th</sup> February 2015
    - Onthank Primary School 23<sup>rd</sup> February 2015
  - Set out a record of the total number of written representations made to the Council by any person during the period of the public consultation exercise;
  - Set out a summary of those written representations;
  - Provide a copy of Education Scotland's report;
  - Set out a statement of the Council's response to:
    - Those written and oral representations; and
    - Education Scotland's report.
  - Set out a statement explaining how the Council reviewed the above proposal having had regard (in particular) to :-
    - The relevant written representations received by the Council during the public consultation period;
    - Oral representations made to it at the public meetings detailed above; and
    - Education Scotland's report
  - Provide details of any alleged omission from, or inaccuracy in, the Proposal Paper (including a statement of the Council's opinion on it);
  - Provide a statement of the action taken in respect of the omission or inaccuracy, or if no action has been taken of that fact why this is the case; and
  - An explanation of the opportunity that may arise for making representations to the Scottish Ministers in terms of Section 15(4) of The Schools (Consultation) (Scotland) Act 2010.
3. This report is published on the Council's website 3 weeks prior to the Council taking a decision on the recommendations within the report, scheduled for the Cabinet meeting of 17 June 2015.

## SECTION 2 THE CONSULTATION PROCESS

4. East Ayrshire Council's Cabinet approved the recommendation to issue a Proposal Document (attached as Appendix 1 of this report) on the catchment areas in the North West of Kilmarnock for public consultation at its meeting of Wednesday, 28 January 2015. The formal consultation period ran from Friday, 6 February 2015 to Friday, 27 March 2015 and written representations on the Cabinet's proposals were sought from interested parties in terms of the Schools (Consultation) (Scotland) Act 2010 (as amended).
5. In accordance with statutory requirements, the following individuals and groups were consulted:

### Consultees

- The Parent Councils of the affected establishments
  - The parents of the pupils at the affected schools and their associated Supported Learning Centres and Early Childhood Centres.
  - Parents of children expected to attend either of the affected primary schools within 2 years of the date of publication of this Proposal Document
  - The pupils at the affected schools
  - The teaching and ancillary staff, at the affected schools
  - The trade unions representatives of the above staff
  - The Community Councils
  - Relevant users of the affected schools
  - Relevant Community Associations
  - The constituency MSP
  - List MSPs for the area
  - The Constituency MP
  - Sub-Divisional Commander, Police Scotland
  - Chief Executive, NHS Ayrshire and Arran
  - Chief Executive Strathclyde Partnership for Transport (SPT)
  - Area Commander, Scottish Fire and Rescue Service
  - Executive Director of Neighbourhood Services, East Ayrshire Council
  - Executive Director of Finance and Corporate Support, East Ayrshire Council
  - South Ayrshire Council
  - North Ayrshire Council
  - Community Planning Partnership Board
6. The Proposal Document was also advertised in the press and copies were made widely available locally and to local interest groups. Additional copies of the 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 [www.east-ayrshire.gov.uk](http://www.east-ayrshire.gov.uk). Copies were also available at public libraries and Council offices in the areas affected. A copy was also sent to Education Scotland, who under the 2010 Act are statutory consultees and a notice of the proposal was sent to all parents of pupils attending the schools directly affected and in associated establishments.
  7. Although the proposed catchment changes had a direct impact on a small number of houses as the catchment area affected a number of schools there

were more than 8500 consultation notifications issued to the young people, their parents and school staff within the establishments affected and local residents.

### Public Meetings

8. A formal public meeting was arranged by the Council and advertised in the local press and on the Council website at Onthank Primary School on the 23<sup>rd</sup> February 2015. In response to requests during the consultation a further meeting was held at Kilmaurs Primary School on the 16<sup>th</sup> February 2015.
9. Both meetings were well attended with between 20 and 40 people, with a number of parents and community representatives attending both meetings.
10. The meetings offered an opportunity for discussion and clarification of the proposals as well as a forum for people to express their views on the consultation proposals. It included a presentation on the proposals and the consultative process by officers. A written record of the meetings was kept, published on the Council's website and is included as part of the final consultative responses (Appendix 2).

### Written responses

11. There were 33 written submissions received. The table below provides a breakdown of these submissions by group and provides some perspective on the scale of response to the consultation process.

#### Interest group definition as determined by responder

Hillhead Primary School Parents	2
Hillhead Primary School Staff	2
Hillhead Primary School Children	1
Kilmaurs Primary School Parents	8
Kilmaurs Primary School Children	1
Kilmaurs Primary School Former Pupils	3
Onthank Primary School Parents	1
Grange Academy Parents	2
Stewarton Academy Parents	2
Stewarton Academy Former Pupils	1
Parent Council Members	2
Community Planning Partners	2
Resident of East Ayrshire	4
Other	2
<b>Total</b>	<b>33</b>

### Education Scotland

12. Following the close of the consultation on 27<sup>th</sup> March 2015 all information in relation to the responses was sent to Education Scotland, who on reviewing the information and undertaking their own discussions with Stakeholders have provided a response that is included in this report.

## **SECTION 3 FEEDBACK FROM THE PUBLIC MEETINGS**

13. The following paragraphs summarise the issues raised at the meetings in response to the Proposal Document. Every effort has been made to summarise views as accurately as possible. The minutes of the meetings were published on the Council's website during the consultation and are attached to this report as Appendix 2.

### **Public Meetings structure**

14. The two public meetings were chaired by the Executive Director of Educational and Social Services who was accompanied by senior officers from Educational and Social Services, other Council officers and the Head Teachers of the schools affected. A number of Elected Members also attended both meetings.

15. At each meeting, officers from Educational and Social Services presented information on the consultation proposal and the process which would be followed.

16. Following the officer presentations members of the public were provided with an opportunity to raise issues or seek further information on the consultation. The paragraphs below summarise the main issues raised and statements made by those attending the various meetings.

### **Public Meeting – Kilmaurs Primary School – 16<sup>th</sup> February 2015**

#### **Location of the new catchment boundary**

17. A main point of discussion from the meeting was the location of the proposed boundary line between Onthank and Kilmaurs catchment areas. A number of questions and clarifications were sought as to the reasons and implications of where the proposed line was drawn. 'why move the boundary so far at this point?' was raised and a number of attendees felt that the proposed line would have an adverse effect on Kilmaurs. It was highlighted that the line cut across fields, that may cause future issues; if the existing farm owners wished to build a new property it restricted their options; if the land was sold for development the proposed line would repeat the current issue.

18. This point was covered more than once in the meeting and further enquiries asked why the proposed line did not follow any obvious landmarks or existing boundaries as this was seen as the historic reason for the existing problem.

#### **Impact on Kilmaurs primary**

19. Concerns were raised that the reduction of the catchment boundary for Kilmaurs was an attempt to run down the school and look to close Kilmaurs Primary School in future. These concerns were also reflected in the potential impact the changes would have on resources in the school, in particular a reduction in promoted posts in the school as this is based on the school roll. There was also concern raised as to the level of investment at Kilmaurs Primary, particularly in the building fabric, and the impact changes to community facilities would have on the school.

### **Community facilities in Kilmaurs**

20. As part of the discussions on the effect the changes may have on Kilmaurs there were questions on the wider facilities in the community of Kilmaurs, particularly for children. There was a range of issues raised in relation to general recreational facilities as well as specific sports facilities that the attendees felt were lacking in the community. Views were expressed that the impact of any changes in community use facilities should consider the school more.

### **Routes to schools**

21. Concern was raised that the roads infrastructure did not help to encourage families in the Southcraigs area to choose Kilmaurs as a school, even though they were in the current catchment to Kilmaurs. It was also raised that the proposed changes were only being done to minimise any costs associated with transporting children to Kilmaurs Primary and Stewarton Academy.

### **Public meeting – Onthank Primary School – 23 February 2015**

#### **Housing developments**

22. It was noted that the proposed change to include the existing Southcraigs houses made sense however a number of issues were centred around the impact of any future house building in the area. Through the discussion specific questions related to the number of additional children that would potentially come from up to 700 new houses; the potential for accessing developer contributions; and the routes to school from these developments; it was also asked why the rezoning changes didn't include Fenwick.

#### **Impact of Increased roll at Onthank Primary**

23. The likelihood of further growth in the school roll of Onthank was discussed as new housing continues to be built in the North of Kilmarnock. There were concerns raised as to whether the current building was capable of accommodating additional children; this centred around supplementary facilities such as IT, dining, toilets, playground etc as well as classrooms; traffic management remained a concern as it was felt this was already an issue at the school; it was also questioned why accommodating the new housing developments in Kilmaurs was not a preferred option as it had a lower occupancy.

#### **Location of the new catchment boundary**

24. The position of the proposed boundary line between Onthank and Kilmaurs was also raised at this meeting and why it was so far into the fields that were seen as part of the rural community.

#### **Implications of the process**

25. It was asked what the current arrangements and implications were for families living within the area of Onthank that was zoned to Kilmaurs and if they had to put in a placing request. A question was also asked on the potential options if the proposal was rejected and how and when the decision would be notified to parents.

## SECTION 4 RESPONSES FROM STAKEHOLDERS TO THE CONSULTATION EXERCISE INCLUDING THE REPORT BY EDUCATION SCOTLAND

26. The Proposal Document outlined the proposal to amend the catchment areas directly affecting three primary schools, Hillhead Primary, Kilmaurs Primary and Onthank Primary and their associated Secondary Schools. The consultation documentation provided the opportunity to respond to each of the proposals.

### Agree to the review of the catchment area for Hillhead Primary School

	Number	%
In favour of the catchment change	25	76%
Not in favour of the catchment change	3	9%
No Comment	5	15%
<b>Total</b>	<b>33</b>	<b>100%</b>

### Agree to the review of the catchment area for Kilmaurs Primary School

	Number	%
In favour of the catchment change	9	27%
Not in favour of the catchment change	19	58%
No Comment	5	15%
<b>Total</b>	<b>33</b>	<b>100%</b>

### Agree to the review of the catchment area for Onthank Primary School

	Number	%
In favour of the catchment change	10	30%
Not in favour of the catchment change	18	55%
No Comment	5	15%
<b>Total</b>	<b>33</b>	<b>100%</b>

27. The significant majority of the respondents were in favour of the proposals in relation to Hillhead Primary although a majority were against the change of catchment boundary between Onthank and Kilmaurs.

28. There were 33 formal responses to the consultation and the following paragraphs summarise the responses by respondent type.

#### Hillhead Primary School Parents

29. There were two responses received from parents of pupils at Hillhead Primary School although there were no specific comments they were in agreement with the proposals.

#### Hillhead Primary School Staff

30. There were two responses received from staff at Hillhead Primary School, in favour of proposal regarding Hillhead. Both were against the change between Onthank and Kilmaurs; one due to the potential size of Onthank and the other as the proposed catchment line does not follow the actual urban boundary.

#### Hillhead Primary School Children

31. There was one response from a child attending Hillhead Primary School although there was no specific comment he/she was in agreement with the proposals.

### **Kilmaurs Primary School Parents**

32. There were eight responses from parents at Kilmaurs Primary school, with six in agreement with the proposal to change the Hillhead catchment, with one opposed. This was mainly positive due to the arrangements to support the families affected and as the proposed line follows a road. One response did express concern that the support to families was unfair and discrimination on others. All opposed the change to the boundary between Kilmaurs and Onthank due to the proposed line not following any manmade or natural boundary line; it would create issues with any future housing developments or had not considered the Local Development Plan. A common view was the proposed line took too much of the Kilmaurs catchment unnecessarily. It was also noted in one response that the map titles referred to the delineated area of the primary and early childhood centre.

### **Kilmaurs Primary School Children**

33. There was one response from a child attending Kilmaurs primary school who was against the change to the catchment of Kilmaurs. He/she did not provide any comment and had no view on the other school catchment proposals.

### **Kilmaurs Primary School former pupils**

34. There were three responses from former pupils at Kilmaurs Primary School all in favour of the proposal relating to Hillhead Primary due to the support for the families directly affected and as the proposed line follows a road. All opposed the change to the boundary between Kilmaurs and Onthank due to the proposed line not considering potential future developments or following any manmade or natural boundary line. A common view was the proposed line took too much of the Kilmaurs catchment unnecessarily

### **Onthank Primary School parents**

35. There was one response from a parent at Onthank Primary School who supported the change to the Onthank boundary as this would bring the houses close to Onthank into its catchment area. They did not provide a response on the other two school catchments.

### **Grange Academy parents**

36. There were two responses from parents of pupils at Grange Academy both were against the change to the catchment at Hillhead Primary as they were concerned about the increasing roll at Grange Academy. One supported the other catchment changes, while the second did not provide a response.

### **Stewarton Academy Parents**

37. There were two responses from parents of pupils at Stewarton Academy one was in support of all the proposals as this would allow children to gain access to the best resources without overwhelming certain schools and provide better social relationships. The other was in favour of the Hillhead proposal and against the change of boundary between Kilmaurs and Onthank due to the proposed line taking too much of the rural area and it not following any clear natural or manmade boundary.

### **Stewarton Academy former pupils**

38. There was one response from a former pupil of Stewarton Academy in favour of the proposal relating to Hillhead Primary due to the support for the families directly affected and as the proposed line follows a road. They opposed the change to the boundary between Kilmaurs and Onthank due to the proposed line not considering potential future developments or following any manmade or natural boundary line.

### **Parent council members**

39. There were two responses from Parent Councils.
40. Onthank Parent Council were generally in agreement with all the proposals however continued to have concerns regarding the further impact a larger school roll at Onthank would have on the traffic management arrangements around the school. They were also concerned that each school did not have its own public meeting and that they felt the impression was given that whatever they thought or suggested the proposed changes were going to take place anyway.
41. Kilmaurs Parent Council were generally in support of all the proposals. They agreed with the changes at Hillhead and were positive about the arrangements for the pupils directly affected by the change could continue their education at Kilmaurs and Stewarton. They did however represent the views of some parents that the proposed line between Onthank and Kilmaurs catchment should follow the existing urban/development boundary as the proposed line may create the same issue if there was future development.

### **Community planning partners**

42. There were two responses from community planning partners.
43. It was noted "The East Ayrshire Health and Social Care Partnership is pleased to contribute to opportunities through joint working that supports better outcomes for individuals and communities. The HSCP will continue to contribute to addressing any likely impact assessed during the consultation, reporting review and decision making stages. The HSCP assures their contribution to supporting individual vulnerable children and young people with additional support needs directly affected by any decision in transition planning arrangements in relation to the outcome of this consultation"
44. It was noted "The East Ayrshire Community Planning Partnership welcomes the opportunity to comment on the proposal to change school catchment areas in the North West of Kilmarnock. The Partnership notes that the proposals arise from a review of the current catchment areas in the North West of Kilmarnock, which has taken into account the existing and planned housing development areas and the historic nature of the existing school catchment boundaries. The proposed adjustments to the catchment boundaries simply bring them back into alignment with the new urban boundary of Kilmarnock by taking account of both existing and proposed new housing developments in the area. There is clear geographic rationale to support the proposals, which will ensure that children, within the new urban boundary in the North West of Kilmarnock, attend their local schools. As a consequence, the East Ayrshire Community Planning Partnership is happy to support the proposed changes to the school catchment

areas in the North West of Kilmarnock as outlined within the consultation document. The mitigation proposals, which would see families affected by the changes retaining their entitlement for children currently attending Kilmaurs or Stewarton and their siblings to continue their education at Kilmaurs, with an option at transition to attend Stewarton Academy, are also noted and welcomed by the Partnership”

#### **Residents of East Ayrshire**

45. There were four responses from residents of East Ayrshire, all in favour of the proposal relating to Hillhead Primary due to the support for the families directly affected and as the proposed catchment boundary line follows a road. All opposed the change to the boundary between Kilmaurs and Onthank due to the proposed line not considering potential future developments or following any manmade or natural boundary line. The view was also expressed that the proposed line took too much of the Kilmaurs catchment unnecessarily.

#### **Other**

46. There were two other responses. North Ayrshire Council had no reasons why the proposal should not be accepted. The other respondent was supportive of all the proposals although did not provide any specific comment.

### **EDUCATION SCOTLAND REPORT**

**Report by Education Scotland addressing the educational aspects of the proposal by East Ayrshire Council to extend the delineated area of Onthank Primary School from its existing boundary between the A735 and the B751 to incorporate areas of housing within the Southcraigs and Northcraig developments. The proposal will rezone the affected ground from the delineated area of Kilmaurs Primary School to that of Onthank Primary School and consequently from the delineated area of Stewarton Academy to that of James Hamilton Academy. Delineated area of Hillhead Primary School from its existing boundary along the A735 to the C177 to take in ground containing all the houses within the Cardhu Gardens and Cardhu Crescent development. Within the proposal all changes to delineated areas of the respective educational establishments are to be made with immediate effect, subject to the outcome of the consultation process.**

#### 1. Introduction

This report from Education Scotland has been prepared by HM Inspectors in accordance with the terms of the Schools (Consultation) (Scotland) Act 2010 and the amendments contained in the Children and Young People (Scotland) Act 2014. The purpose of the report is to provide an independent and impartial consideration of East Ayrshire Council’s proposal to extend the delineated area of Onthank Primary School from its existing boundary between the A735 and the B751 to incorporate areas of housing within the Southcraigs and Northcraig developments. The proposal will rezone the affected ground from the delineated area of Kilmaurs Primary School to that of Onthank Primary School and consequently from the delineated area of Stewarton Academy to that of James Hamilton Academy. The proposal will also rezone the delineated area of

Hillhead Primary School from its existing boundary along the A735 to the C177 to take in ground containing all the houses within the Cardhu Gardens and Cardhu Crescent development. Within the proposal all changes to delineated areas of the respective educational establishments are to be made with immediate effect. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal.

Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include a copy of this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision. Where a council is proposing to close a school, it needs to follow all legislative obligations set out in the 2010 Act, including notifying Ministers within six working days of making its final decision and explaining to consultees the opportunity they have to make representations to Ministers.

#### 1.1 HM Inspectors considered:

- the likely effects of the proposal for children and young people of the schools and early years centres; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and young people in the council area;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

#### 1.2 In preparing this report, HM Inspectors undertook the following activities:

- attendance at the public meeting held on 23 February 2015 in connection with the council's proposals;
- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others;
- telephone discussions with the head teachers of Grange, James Hamilton, Kilmarnock and Stewarton Academies; and
- visits to the sites of Hillhead, Kilmaurs and Onthank Primary Schools, including discussion with relevant consultees.

## 2. Consultation Process

2.1 East Ayrshire Council undertook the consultation on its proposal with reference to the Schools (Consultation) (Scotland) Act 2010 and the amendments in the Children and Young People (Scotland) Act 2014.

2.2 The consultation process ran from 6 February 2015 until 27 March 2015. During this period, the council held one public meeting in Onthank Primary School on 27 February 2015. In response from the Kilmaurs community the council held another public meeting. During the consultation period, the council consulted with parents, pupils and the wider community on proposed plans for the schools. The council received only 33 written responses to the proposal. In the written responses, stakeholder reactions to the proposal are mixed. Almost all agree to the review of Hillhead Primary School catchment area. Almost all disagree with the review of Kilmaurs Primary School catchment area. The majority are not in agreement with the review of Onthank Primary School catchment area.

### 3. Educational Aspects of Proposal

3.1 The proposal to review and amend the catchment areas is of educational benefit. It will ensure that children can attend the primary school in their neighbourhood. This will provide greater certainty for children and families residing within the designated catchment areas in terms of primary school education. The proposal will remove a few anomalies for children and their families who reside next to schools for which previously they had to request a place, including for secondary education. The proposed catchment area amendments will result in little change to Hillhead and Kilmaurs Primary School in terms of distribution of pupils across schools. A few children from parts of the Hillhead catchment area may have increased time travelling when they start secondary school. In terms of Onthank Primary School, the changes may increase the size of the already large school.

3.2 Should the proposal go ahead, the council plans to implement it with immediate effect. Parents of children, who met with HM Inspectors had justifiable concerns that arrangements for transitions for children moving from nursery to P1 and from P7 to S1 may be affected, particularly for those children who had additional support needs. A few parents felt that it would be better to have more time to implement the proposal. In its final consultation report, the council needs to address concerns regarding the proposed timescale and make clear the arrangements for children and young people's transitions, including those who have additional support needs.

3.3 Across the primary schools, staff, children and parents who met with HM Inspectors have mixed views on the proposal. In telephone discussions with the head teachers of the secondary schools involved, they reported no concerns or issues with the proposal. They felt that the council had carried out effective consultation with the community and stakeholders involved with this proposal. Across the primary schools, staff and parents who spoke with HM Inspectors saw no educational benefits in the proposal other than parents would not have to put in placing requests for their children to attend their local school. A few staff had concerns that they would lose teaching staff as a result of changes to catchment areas. Most stakeholders felt that the proposal does not address the longer term impact of future house building. In all primary schools, the main concerns from staff and parents, who met with HM Inspectors, were around catchment boundaries. Most felt that there was a need to review the boundary for Kilmaurs Primary School to avoid similar issues in the future. Overall, primary-aged children in Hillhead and Kilmaurs Primary Schools had no

significant views on the proposal. Those from Onthank Primary School had mixed views. Parents who lived near Hillhead and Onthank Primary Schools, but whose children were currently zoned to attend other schools, including Kilmaurs were happy that anomalies to the catchment area were being addressed.

- 3.4 Overall, parents from Hillhead Primary School raised some justifiable concerns over safe routes to school. A few would welcome further information over the transitional arrangements for their children moving to secondary school, particularly for those who needed extra support with their learning. Others wanted better transport arrangements for their children. They worried that their children would not want to attend school in bad weather due to a perceived lack of public transport in their area. Overall, almost all children from Hillhead Primary School who met with HM Inspectors are looking forward to attending Grange Academy. A few children wanted further reassurance to go to the secondary school which their siblings attended.
- 3.5 Overall, stakeholders from Kilmaurs Primary School who met with HM Inspectors felt that the consultation process had been carried out well and that education staff had listened to their concerns. They were pleased that education staff had added an extra meeting in Kilmaurs in response to their worries. Staff and parents raised concerns over arrangements for the future of the school in terms of Kilmaurs pupil roll on account of planned building of houses. Parents who met with HM Inspectors wanted council education and planning officers to continue to work together to avoid unnecessary worries for stakeholders should catchments be reviewed again. Stakeholders wanted to ensure that any increase in pupil numbers would not lead to a reduction of resources for their children in terms of extra facilities which they currently benefit from, for example expressive arts and information and communications facilities.
- 3.6 Stakeholders from Onthank Primary School who met with HM Inspectors considered that the school is big enough. Parents were worried about increased school rolls and the adverse effect on traffic management around the school. These parents felt that there should have been separate consultations as each school has different issues. A few felt changes were going to take place anyway and that the proposal is only about financial savings. Children who met with HM Inspectors felt a large school helped them with transitions to secondary school. Others worried that there might be a negative impact on available resources. They wanted guarantees that their current learning experiences would not be affected negatively by the school roll potentially increasing and school resources being minimised and or over-stretched. For example, access to music, information technology, physical education and dining facilities. Staff felt that school resources should be increased to take account of the changing context and the increase in pupil numbers.

#### 4. Summary

The council's proposal has educational benefit. The proposal addresses some anomalies in school catchment areas and will help to reduce the number of placing requests. If implemented, it will enable children who live in the catchment area to attend their local primary school instead of having to travel or make placing requests. This has the potential to provide fair and equitable access to schools in the local area whilst having no impact on the wider community. Implementation of the proposal will also enable the council to make more efficient use of its resources and help it to secure best value in the delivery of its services. It has mixed support from stakeholders. In taking forward the proposal, the council should continue to provide reassurance for children and parents around transitions to secondary schools. It will also be important to have further discussions with stakeholders around safe routes to school, particularly in inclement weather

**HM Inspectors  
Education Scotland  
April 2015**

#### **SECTION 5 RESPONSE TO THE EDUCATION SCOTLAND REPORT**

47. Education Scotland have confirmed they believe the proposal is of educational benefit. They recognised the proposal will allow children to be educated in their local neighbourhood; it removes a number of anomalies, providing certainty for the families affected. It is also noted that "Implementation of the proposal will also enable the council to make more efficient use of its resources and help it to secure best value in the delivery of its services".
48. Overall the Education Scotland Report reflects a mixed response to the consultation and did highlight a number of concerns expressed by stakeholders which also reflect the issues raised during the public meetings and the written submissions. The Council response to issues raised in the Education Scotland report and the wider consultation are provided below.

#### **SECTION 6 THE COUNCIL RESPONSE TO ISSUES RAISED IN THE CONSULTATION**

49. During the consultation period there were a number of comments submitted, either verbally at the public meetings or within the written submissions. The Council has reviewed the written responses, comments at the public meetings and the Education Scotland response and has set out below its considerations in the following paragraphs of the issues raised.
50. **The Location of the proposed boundary line**

##### Issue

51. The proposed boundary line change between Hillhead and Kilmaurs was overwhelmingly accepted. The position of the proposed boundary line between the Onthank and Kilmaurs catchment area has raised a consistent response from most respondents who believe it does not consider a number of factors; it

will potentially create a similar issue in future if new housing is developed; the farm owners have restricted options on where they could build any houses and still have their children attend Kilmaurs; it does not follow any natural or man-made boundary; it does not align with the Local Development Plan.

#### Position

52. The proposed boundary line has been drawn to ensure the separation between the existing urban housing developments and the rural farms is provided. This has also taken into account the area identified as Northcraigs which has received planning permission for additional housing. All existing farm houses in the area will remain in the Kilmaurs catchment and the urban housing will be incorporated into the Onthank catchment. The proposal has only taken into account current housing and agreed housing developments that have already received planning permission in line with the Local Development Plan. It would be preferable to follow a natural or man-made boundary line and the proposed line does connect the B735 with the C177 without impacting on any existing or agreed future housing. It is also noted that the Northcraigs development has had planning permission for more than 10 years and remains to have any houses built on it. Appendix 3 provides an overlay of the proposed catchment map with the Local Development Plan boundaries.

#### Action

53. This issue has received the most response within the consultation. Responses were provided at both the public meetings to explain the rationale however it is clear that the concerns expressed are based on future potential rather than a direct implication to any families or homes that currently exist.
54. The Education Service and the Planning Service of the Council will therefore continue to monitor the position in the North of Kilmarnock to determine if any further planning applications are received for developments that would cross school catchment boundary lines. Any future proposals to amend catchment boundaries would be subject to a further statutory consultation process.

#### **55. Impact on Kilmaurs Primary school**

##### Issue

56. Concerns were raised that by reducing the catchment area of Kilmaurs this would have a negative impact on the school. There was discussion at the public meeting regarding worries about the reduction of resources, the level of investment and how community facilities were being changed in the community. There were also fears there was a risk to the school closing.

##### Position

57. In the response from the Executive Director at the public meeting in Kilmaurs it was made clear that Kilmaurs Primary was not being run down or marked for closure. The School is classified as an accessible rural school and with the projected school roll expected to remain over 220 a categorical assurance was given it would not close. It was recognised that the Council's standard procedures do indicate a school roll of over 225 attracts additional senior staffing resources, however this is only a guide and existing staffing arrangements at Kilmaurs would not be reduced if the roll dropped slightly below this.

58. It was accepted that the accommodation at Kilmaurs has not had any major refurbishment work over the recent medium term, although the school remains in a B condition in line with the School Estate Management Plan. At the meeting in Kilmaurs in response to the issues of community space further information was provided to outline the proposals to reconfigure the library building next to the school as part of a Community Asset Transfer. This would create alternative community space to the current community centre that is no longer economically viable to retain. It was also noted that Kilmaurs do benefit from a wide range of supplementary spaces in the school that are above the guidelines set out by the Scottish Government's guidance on primary school capacity calculations.

#### Action

59. The development of the proposals for Community Asset Transfer of the Library building further enhances the position of the school site as the centre of the community with Kilmaurs and strengthens its position in the future. This offers a further opportunity to examine the existing accommodation within Kilmaurs Primary and Early Childhood Centre and its relationship to the new community facilities. It would be proposed to undertake an options appraisal in relation to reconfiguring existing accommodation or maintenance and refurbishment, particularly the dining block, to provide improved school and community facilities.

#### **60. Impact on Onthank Primary school**

##### Issue

61. The main concern expressed through the consultation in relation to Onthank was the potential impact the proposed change would have on increasing the school roll and the issues that would bring. If the Northcraigs development was to go ahead and additional families wanted to attend Onthank this would further increase the size of the school, Onthank is currently the largest Primary School and Early Childhood Centre in East Ayrshire with a school roll of 578 and an associated Early Childhood Centre of 120. Mount Carmel Primary school is also on the same road, which in all creates a significant issue of traffic and people movements at the start and end of the school day. The general resources of the school were also a concern as it was felt additional children would put further pressure on these areas, such as dining, toilets, playgrounds and supplementary rooms.

##### Position

62. The school roll at Onthank Primary has increased from 410 to 582 over the past 10 years and with the new extension the current working capacity of the school is 724. With the Construction of the New Kilmarnock Learning Campus due for completion in early 2018 the existing Gaelic unit currently in Onthank will move to the new campus. This will increase the capacity of the school to 800. There is no evidence the size of a school has a detrimental effect on the learning and teaching and experience of the children. It is also noted that during Education Scotland's response to the consultation it highlighted the children at Onthank see the size of the school as a positive. In considering the capacity of the school supplementary spaces, dining and gym facilities are taken into account and there is guidance on the minimum standards for these areas. The current levels are more generous than this however the Council does recognise the value of these additional spaces to the overall enjoyment and experience of the pupils.

63. In terms of traffic management there has been significant work already undertaken around the school to support safe journeys to school. Additional car parking, school crossing patroller and a review of access and walking routes have been implemented. The Parent Council's of Onthank and Mount Carmel Primaries, the schools and the Road Safety Team have worked together to address concerns and the inconsiderate behaviour of some parents.

#### Action

64. The concerns expressed on the impact at Onthank are based on the continued increase in the school roll with the future development of housing in the North West of Kilmarnock. It is recognised that the school is currently the largest Primary school in East Ayrshire and as with many other schools continues to have traffic management issues. The Council continue to work with the schools to further review and take action to maintain the highest possible safety standards as well as encouraging as many children and families to walk, cycle and scoot to school. This will help reduce any further conflicts between vehicles and pedestrians.
65. As part of the Council's School Estate Management Plan there is an annual review of investment plans and priorities which are established across the whole estate, taking into account in particular the condition and suitability of the accommodation and changes in the school roll projections. The principle of this proposal is to re-establish the urban / rural split between houses in the North of Kilmarnock and Kilmaurs. Onthank has recently had an investment of £4m to renew school and early childhood centre accommodation; there was also some further internal reconfiguration of internal spaces to improve the overall accommodation. The School Estate Management Plan in January 2015 has also committed additional funds to upgrade the toilets and as part of the funding for the extended Primary 1 to 3 free meals additional servery and external dining facilities will be developed.

#### **66. Future Housing development**

##### Issue

67. In the above issues around the proposed boundary line and the impact on Onthank Primary the potential future development of housing in the North West of Kilmarnock generated a number of questions and concerns. One consultee highlighted the disparity between the proposed boundary line and the areas identified in the Local Development Plan; it was also felt the same issue may be created again if there was future development that crossed the proposed boundary; could there be developer contributions; and how the potential impact of extra children is calculated.

##### Position

68. The Council's Local Development Plan identifies the North West of Kilmarnock as an ongoing area of development of residential as well as commercial and industrial development. The current position in relation to developments crossing the catchment boundary has been created by the expansion of Kilmarnock in this area over the past 15 years. The existing housing that crosses the catchment boundaries has been built over the past 10 years and in the proposal document it is recognised that the change to the catchment

boundary to take this into account should have happened at the time between planning permission being granted and houses being built. There remains the potential that in future years as further developments are agreed all catchment boundaries may require to be reconsidered, the proposed line will retain the separation between the rural and urban areas.

69. When taking into account housing developments, projections for school rolls are realistically considered 5 years into the future, as beyond this there is a reduced level of certainty, as birth rates, placing requests and current and planned building programs are the basis of calculations. There is no nationally agreed method however experience and comparison with other local authorities indicates the approach taken by East Ayrshire is in line with normal practice. The Council does utilise a calculation of 15 children per 100 houses for projection purposes. It is however clear that a number of factors impact on this; the choices parents make through the placing request system; influences such as alternative new build schools; the location of childcare or family; timing of moving house or employment all may impact on families making different choices. The maturity of a housing area also changes the profile as families may move in to an area and continue to send their children to another school or new estates may have a peak as new families start out but once their children have grown up they don't leave the area. It is therefore more difficult to provide projections with a high degree of certainty.
70. Developer contributions can only be defined as part of the planning approval process. This may include community benefits such as play parks etc and in some cases can result in additional investment for education and schools. To facilitate this, the Council has to reflect its position in relation to its overall occupancy and that any families from a proposed new area would require additional school accommodation to be able to provide their education. The Council continues to have under occupancy in a number of schools in Kilmarnock and therefore have up to now not been in a position to require developer contributions for Education purposes.

#### Action

71. The Education and Planning Services will continue to review the position in relation to catchment boundaries, school occupancy and housing developments on an annual basis to ensure any future changes are managed timeously.
72. **Grange Academy Campus and Secondary School provision**

#### Issue

73. As part of the consultation process there has been a very wide distribution of information on the proposal, this has included distribution to Grange Academy and Kilmarnock Academy staff, parents and pupils. Hillhead Primary children are currently zoned within the catchment of Kilmarnock Academy, however following statutory consultations in 2014 regarding the New Kilmarnock Learning Campus and the merger of Kirkstyle and Bellfield Primary it has been agreed that from 2016 or as soon as possible thereafter, Hillhead Primary will be zoned to Grange Academy. It is clear however from this consultation and in particular the Education Scotland Report there remains some issues and questions regarding the transition to the new school and implications of this change are

reflected in the comments within this consultation. There was a concern regarding the ability of Grange Academy to accommodate additional children; concerns where children from the same family may attend separate schools; transport arrangements from the Hillhead area; and transition arrangements.

74. Position

The proposals contained in this consultation have a very small impact on the number of children that would be attending Hillhead, and in particular any existing children attending Stewarton and Kilmaurs will be able to retain their place at those schools. It is therefore suggested the concerns in the main relate to the previous changes agreed in 2014. As part of the final Consultation Reports for these consultations there were responses to a number of the concerns raised here; the transfer of Hillhead Primary to Grange Academy is a compensatory adjustment to the new merged Kirstyle and Bellfield Primary proposal which will see the new merged school being zoned to the New Kilmarnock Learning Campus. This would mean the numbers at Grange are projected to stay as they are. Grange Academy is currently in line with the Council's targeted 85% occupancy. It is recognised that the previously agreed changes may result in some families having children attending two secondary schools and officers previously offered to meet with any families that felt they had particular issues. Families do retain the option of considering placing requests.

75. Questions on transport arrangements similar to the issues raised in this consultation were previously raised and it was clarified that the council's policy is that children living more than 3 miles from their catchment secondary school will receive free transport. Children living between 1.5 miles and 3 miles from their catchment secondary school will have access to a subsidised transport service, currently at £1.20 per day. This is currently available to some families in the Hillhead catchment to Kilmarnock Academy and would be available to a larger number when transferring to Grange Academy.

Action

76. As the progress of the New build school programme is taken forward for the New Kilmarnock Learning Campus and the merged Kirkstyle and Bellfield, the implications for families attending Hillhead Primary will be communicated and regular involvement and engagement with the school, parents and pupils will be put in place to continue to address any concerns relating to the transition to the relevant secondary school.
77. It is also noted that in their response to the consultation "The HSCP assures their contribution to supporting individual vulnerable children and young people with additional support needs directly affected by any decision in transition planning arrangements in relation to the outcome of this consultation". This reflects the continued close working arrangements between the HSCP and the Education Service to support all children with Additional Support needs.

## 78. Transport Arrangements

### Issue

79. A number of transport related issues have been raised during the consultation; traffic management around Onthank; transport arrangements to Grange and Kilmarnock Academy, which have both been covered earlier in this report. Concern was also raised that the proposal was to reduce potential costs of transport in future. There was also discussion on the associated road network with the development of Southcraigs and Northcraigs that could create better links to Kilmaurs.

### Position

80. The identification of the issues regarding the catchment boundary have been highlighted during a review of school transport and the Council has as part of its Transformation Strategy, highlighted transport costs as an area where savings would be made, allowing resources to be focused on teachers and classroom resources. Therefore the potential cost of transporting children from Kilmarnock to Kilmaurs or Stewarton instead of their local school is a factor in proposing this change, however the practicalities for families and the opportunity to utilise resources elsewhere have clearly been recognised by Education Scotland in their review of the Educational Benefits statement.
81. In response to the questions relating to the road network linked to the Southcraigs and Northcraigs developments, Kerr Chalmers (Ayrshire Roads Alliance) at the public meeting responded that this was suggested to be a distributor road at the beginning of building the estate, however it was not assessed as needed as the development grew. It was also noted the access road to the Northcraig development would not be accessed through Southcraigs Drive but via the Industrial Estate access, therefore both housing developments had little potential to connect into Kilmaurs and Onthank would remain their closest school.

### Action

82. The council will continue to manage transport arrangements to encourage safe and sustainable journeys to school.

## 83. Consultation Process

### Issue

84. Questions and concerns were raised in relation to the consultation process including; the number of meetings; what the implications would be if the proposal was rejected; communication arrangements regarding the decision; and reference to the Early childhood centre in the catchment map appendices.

### Position

85. The Council have consistently aimed to provide an approach to consultations that is open and transparent. The requirements of the Schools (Consultation) (Scotland) Act 2010 sets out that a public meeting is required for a consultation. This meeting is open to the public and would not be restricted to one particular group. Although this consultation impacted on 3 main schools it affected the same geographic area so it was considered appropriate that one meeting would

be sufficient. Following publication of the proposal document and following a request from the community of Kilmaurs an additional meeting was arranged.

86. It was noted that the map appendices relating to Onthank Primary School also refers to the Early Childhood Centre, as part of the establishment. This reflects the organisational arrangements however it is understood the catchment areas only relate to the Primary Schools.
87. If the proposal was rejected the Council would continue to follow its existing procedures for allocating children to school through the defined catchment boundaries and the existing anomalies would remain. Where an alternative proposal was put forward for the location of the catchment boundary this would require to follow a further formal consultation process.
88. It was noted at the public meeting that the decision was expected before the end of the school term in June and notification would be issued to parents affected by the decision and more widely communicated through the schools and local media.
89. **Mitigation for children affected by the proposal**

Issue

90. As part of the proposal document it was recommended that any school aged child currently living in the areas affected by these proposals will continue to be entitled to attend Kilmaurs Primary School and subsequently Stewarton Academy for their school career, with an entitlement to free school transport, so long as they continue to reside at their present address and choose to continue their education at Kilmaurs and/or Stewarton Academy.
91. Any siblings of children living in the areas affected by these proposals will continue to be entitled to free school transport to Kilmaurs Primary School and subsequently Stewarton Academy for their school career, so long as they continue to reside at their present address.
92. Since early years establishments do not have a delineated area children presently attending Kilmaurs Early Childhood Centre will not be eligible for the above mitigation measures unless they have a sibling already in attendance at Kilmaurs Primary School.
93. These proposals do not diminish the parental right to apply for a placing request to any of the schools affected and to have that request assessed in relation to the statutory criteria
94. Overall the response to the consultation saw this as a positive measure and supported this as part of the proposal. One respondent believed this was discrimination as this did not offer equality and fairness as children were being able to attend a school outwith their catchment area without a placing request. It was also noted the “allocation of free transport subject to quite significant and long lasting condition”. In the response there was also reference noted to case law Court of Session 2010, which would support the child’s right to attend Kilmaurs Primary School without condition.

Position

95. It is recognised within the proposal document that an administrative error has been made in the past and a number of families have attended schools in this area without placing requests, contrary to the Council's policy. It is however noted that in addressing this error the proposal reflects the position that those families affected by the error are not further adversely affected as they had made decisions on their children's education with the information they had at that time.
96. It is noted that a response referred to unnamed case law in 2010 to support a child's right to attend without conditions. A review of case law from the Court of Session at that time has failed to identify case law that is referred to. Notwithstanding this, the Council already has policies and procedure in place to address any identified needs or disability where school transport is required. Such policies and procedures already comply with anti-discrimination legislation and case law. Further, the proposed mitigation given the realignment of the delineated areas is considered reasonable and proportionate.

Action

97. The Council as part of its consideration of the proposal believe the approach is appropriate in supporting the transition to the new arrangements and should remain part of the implementation arrangements.

### **SECTION 7 ALLEGED OMISSIONS OF RELEVANT INFORMATION AND ALLEGED INACCURACIES CONTAINED WITHIN THE PROPOSAL DOCUMENT**

98. Whilst a number of consultation responses sought clarification on certain matters no response formally raised on alleged omissions or inaccuracies within the report.

### **SECTION 8 COMPLIANCE WITH SECTION 9(1) OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010**

99. A meeting took place on 22 May 2015 to review the proposal in light of the oral views expressed at the public meetings, the written responses reviewed and Education Scotland's Report. Having done so they considered for the reasons outlined in Section 6 of this report that the proposal should proceed.

### **SECTION 9 PROCEDURES FOR MINISTERIAL CALL- IN**

100. Since this proposal is a change to catchment areas only section 10(4) of the Schools (Consultation) (Scotland) Act 2010 does not apply. At this stage, it is anticipated that Cabinet will be asked to make a decision on the proposal on 17 June 2014. If Cabinet agree to the said proposal, the proposal will be remitted to the Council's Governance and Scrutiny Committee on 18 June 2015 for further consideration. The Governance and Scrutiny Group will consider the proposal and then remit it to again for a final decision. If Cabinet agree to the proposal at that stage, Scottish Ministers are not required to be notified of this decision.

## **SECTION 10 THE COUNCIL'S APPROACH TO CONSULTATION**

101. The foregoing sections 5, 6 and 7 (above) detail the Council's considerations of all issues as originally defined in the Proposal Document and importantly, all of those, both educational and non-educational, raised through the detailed consultation responses and the public meetings. The Council allocated time beyond the statutory minimum (42 calendar days, to include a minimum of 30 school days) consultation period for response.
102. Of the 33 responses received, all issues raised have been addressed in sections 6 and 7 of this report. Cabinet will therefore have before it, in this paper, full and detailed consideration of the proposal by officers.

## **SECTION 11 EXECUTIVE MANAGEMENT TEAM ROLE IN THE CONSULTATION PROCESS**

103. The proposal has been discussed fully and regularly at the highest level of Officer Management of the Council. This included reviews of the Proposal Document prior to its consideration by Cabinet on 28 January 2015, and consideration of the Consultation Report prior to its publication. The outcome of this involvement, in part, is a set of recommendations by the Depute Chief Executive Economy and Skills.

## **IMPLEMENTATION ARRANGEMENTS**

104. This Consultation Report will be presented at the Cabinet and Governance and Scrutiny meetings where elected members will consider recommendations outlined in this report.
105. The following paragraphs details the arrangements that will be made, should the Council decide to implement the changes to the catchment areas:
106. Notification will be issued to those families directly affected by the proposal and information will be communicated via the relevant schools to provide details of the outcome of the consultation to pupils and parents.
107. If the proposal is accepted the relevant schools, Central Education Services for placing requests, the Transport Service for school transport, and the Planning Service for the Council's mapping system will be notified and provided with updated maps and a record of the change.
108. Through the Schools and Early Childhood Centres the identification, review and consideration of individual young people's additional support needs will be assessed in relation to the impact of this consultation and the changes linked to the transition between nursery and primary and from primary to secondary taking into account the issues raised in this consultation.

## **RISK MANAGEMENT**

109. There are no risk issues associated with the implementation of this report.

## LEGAL ISSUES

110. By virtue of the Schools (Consultation) (Scotland) Act 2010, which consultation forms the subject matter of this report, it is a legal requirement that the Council shall not reach any formal decision without:
- reviewing the proposal having regard in particular to:
    - (a) Relevant written representations received from any person during the consultation period;
    - (b) Oral representation made to it by any person at the public meetings and
    - (c) The Education Scotland report;
  - Preparing this Consultation Report; and
  - Waiting until a period of 3 weeks starting on the day on which this Consultation Report is published in electronic and printed form has expired.
111. As provided for in section 1 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 should 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 section 2). 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 section 1). In coming to any decision, members should balance the foregoing duties.
112. 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”*
113. 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 paragraph 114, a successful Human Rights challenge to a properly considered decision will be minimised.

## **CONCLUSION**

114. Having carefully reviewed the proposal to change the catchment boundaries in the North of Kilmarnock having had regard to the responses to the Consultation as detailed in this report the, conclusion of officers is that it does provide educational benefit, a position supported by Education Scotland. Furthermore the Council's position and actions outlined in section 6 of this report provide sufficient assurance that the issues raised can be successfully mitigated to ensure the education benefits are realised.

It is therefore concluded that the decision to proceed with the consultation on the catchment changes remains valid.

## **RECOMMENDATIONS**

115. It is therefore recommended that Cabinet agree that:

- i) The extension of the delineated area of Onthank Primary School from its existing boundary between the A735 and the B751 to incorporate areas of housing within the Southcraigs and Northcraig developments.
- ii) The rezoning of the affected ground from the delineated area of Kilmaurs Primary School to that of Onthank Primary School and consequently from the delineated area of Stewarton Academy to that of James Hamilton Academy.
- iii) The changes to the delineated areas of the respective educational establishments with immediate effect, subject to the outcome of this consultation process.
- iv) The extension of the delineated area of Hillhead Primary School from its existing boundary along the A735 to the C177 to take in ground containing all the houses within the Cardhu Gardens and Cardhu Crescent development.
- v) The re-zoning of the affected ground from the delineated area of Kilmaurs Primary School to that of Hillhead Primary School and consequently from the delineated area of Stewarton Academy to that of Kilmarnock Academy.
- vi) The changes to the delineated areas of the respective educational establishments with immediate effect, subject to the outcome of this consultation process.
- vii) Otherwise note the contents of this report.

**Alex McPhee**  
**Depute Chief Executive & Chief Finance Officer**  
**Economy and Skills**

**LIST OF APPENDICES**

- 1 Proposal Document issued 14 February 2014
- 2 Minutes of Public meetings
- 3 Catchment / Local Development Plan Map

An electronic version of the Proposal Document can be found at the link below:

<http://www.east-ayrshire.gov.uk/Resources/PDF/S/schools/SchoolCatchmentAreasConsultationforNorthwestKilmarnockandKilmaurs.pdf>

**NOTE OF PUBLIC CONSULTATION MEETING HELD ON  
MONDAY 16 FEBRUARY 2015 AT KILMAURS PRIMARY SCHOOL**

**In Attendance**

Graham Short, Executive Director of Educational and Social Services  
 Andrew Kennedy, Acting Head of Facilities Management  
 Alan Ward, Acting Head of Schools  
 Irene Hall, Project Manager  
 Councillor Eoghann MacColl  
 Councillor Ellen Freel  
 Councillor John McGhee

Graham Short introduced himself and the officers in attendance at the meeting. He explained the format of the presentation to encourage discussion and understanding of the full consultation process.

Andrew Kennedy provided an overview of the consultation process by powerpoint and then invited questions from the meeting.

The following points were raised:

- It was stated that the proposal document does not mention Parent Council or Community Councils.  
In response, officers pointed out that in fact Parent Councils and Community Councils are mentioned as consultees in the preface of the document, and have been sent a copy.
- A parent asked 'why move the boundary so far at this point'?  
Response – Andrew Kennedy explained that specific points were used to draft the new catchment area, taking account of the local development plan.
- The point was made that in the future, there may be further building developments around Kilmaurs.  
Response – Andrew Kennedy responded that although the local development plan does feature areas of housing round Kilmaurs, then there is no clarity yet about how this would expand in the future. It was also explained that in relation to school roll projections, that only areas of buildings for which there had been a committed project could be counted.
- A parent expressed the view that this was all part of a plan for Kilmaurs Primary School to be run down and closed.  
Response – Graham Short emphatically denied this. He gave a categorical assurance that the future of Kilmaurs Primary School was guaranteed into the future. The Council had no present or future plans to close Kilmaurs Primary School. The future of Kilmaurs Primary School was further safeguarded going to its status as a rural school which gave it protection under the School Consultation

Act of 2010. Here the presumption against any rural school closures.

- A parent raised the issue of the distribution of funds across the Authority, it being her impression that little money was spent in the Kilmarnock area.  
Response – officers pointed out that there is considerable investment across East Ayrshire and although there is money being spent in the south of the Authority and a number of new school developments, that Kilmarnock and the surrounding area had benefitted from significant investments not least in the Kilmarnock Learning Campus.
- A parent raised the matter of the general condition of Kilmaurs Primary School and asked for future investment of the fabric of the school. In response, the general state of the presentation of Kilmaurs Primary School was acknowledged. It was also pointed out that in terms of the Scottish Government classification on condition of building, Kilmaurs Primary School was listed as a B building, in other words one that the condition was deemed to be satisfactory. In amplification, Andrew Kennedy explained how plans for future work would be managed and described how component renewal programmed into the scheme of refurbishment of educational establishments. Up until now the priority had been to take C and D categorised buildings, into category B. In all of this, best value solutions were applied, in other words, where the Council was required to spend money, and where significant differences would be made.

In response to that, a parent said that nobody could remember any investment in Kilmaurs Primary School. Andrew Kennedy acknowledged that up until now, investment had been largely in terms of maintenance, rather than capital refurbishments.

- There was a feeling amongst a number of parents that Kilmaurs village lacked any general facilities, particularly for young people. In response, officers acknowledged the challenge of providing further facilities for young people particularly in the present economic climate. It was pointed out that the programme of community asset transfer was designed to reconcile the competing budget pressures with the needs of communities in a way that was both imaginative and would safeguard facilities in the future.
- One parent observed that in order to access facilities, it was necessary to travel to Glasgow.

In response, an officer from Vibrant Communities gave a short presentation on how her service was looking to support communities in the development of facilities.

A parent observed that the problem was that CAT buildings are not in a good condition. In

In response, it was highlighted that the arrangements for Community Asset Transfer would enable communities to access funding and sources of funds that were not available to the Council. The commitment was for education and the Leisure Trust to work together and certainly to ensure that facilities such as school buildings were available for community use.

- The view was expressed that the size of space being allocated would detract from the village of Kilmaurs. In other words, that the school population would go to Kilmarnock rather than to Kilmaurs.

Andrew Kennedy responded by showing maps to illustrate the reasoning behind the new boundary line. It was agreed that any houses south of that boundary line in the areas of Northcraigs and Southcraigs, would result in children going to Onthank Primary School. However, it was also pointed out that one of the key issues that featured in the local development plan and indeed the views of communities, is that they wanted to retain the rural integrity of Kilmaurs and this line would help achieve that aim. It was pointed out to the meeting that if parents were seeking a different boundary line they could suggest that giving their reasons and alternative lines as part of the consultation. The Council would require to respond to that. However, it was pointed out that any new line would have to be the subject of a new statutory consultation.

The matter was also raised about the road infrastructure in support of housing areas and one should have been built to allow residents to access Kilmaurs. It was felt that the absence of such a road meant that parents whose children would be entitled to come to Kilmaurs had indeed opted for Onthank.

In response it was acknowledged that the main road access from the Southcraigs and Northcraigs areas was eastward towards the A77 and this would create a long drive time to Kilmaurs. That was nevertheless a feature of these housing developments. By way of further amplification, how the Council projected school rolls was described to the audience, making it clear that unlike in earlier times, there was no easy way of projecting with any certainty the roll projections for a school. This was because of demographic changes and the increasing market on placing requests.

- One parent raised the point that Kilmarnock is urban and Kilmaurs rural, so that is why the boundary should be closer to Kilmaurs.
- One parent was unhappy that farms would be split in two by the new boundary line.

In response, it was pointed out that it wasn't the farm land that was important in designating a school boundary, but the location of the houses since this is where school aged children would be located.

It was also observed that the new line did not follow any geographic feature such as a stream or a road and that therefore some of the present problems for example at the Cardhu area, might reoccur in the future because of the absence of such a geographic feature.

In response, this issue was acknowledged, however it was pointed out that the new line had been drawn to take account of the local development plan. It was therefore not anticipated that in the immediate future, any houses would spread over the new boundary line owing to the general planning conditions.

- One parent asked if the catchment change was about saving future costs on travelling to Stewarton.

In response, it was pointed out the central issue here was one of keeping communities together with the school that were nearest to them and for which there was a safe walking route. It was acknowledged also however, that in the middle to long term, the Authority would incur additional costs that were avoidable in relation to transporting children and young people. It was also pointed out that the Council had set a target of 85% occupancy for the overall school estate. The further point was made in that unlike in earlier times, school catchment areas and capacities would require continuing and ongoing review on annual basis.

**NOTE OF PUBLIC CONSULTATION MEETING HELD ON  
MONDAY 23 FEBRUARY 2015 AT ONTHANK PRIMARY SCHOOL**

**In Attendance**

Graham Short, Executive Director of Educational and Social Services  
 Andrew Kennedy, Acting Head of Facilities Management  
 Councillor Eoghann MacColl  
 Carole McConville, Senior Education Manager  
 Kerr Chalmers, Road Alliance  
 Kirsty McCartney, Head Teacher  
 Glynis Findlay, Depute Head Teacher  
 Rona Lindsay, Head Teacher, Kilmaurs Primary School  
 Councillor Eoghann MacColl, Spokesperson, Lifelong Learning  
 Councillor Maureen McKay  
 Jackie Livingston, Cabinet Parent Representative

Graham Short introduced himself and the officers in attendance at the meeting. He explained the format of the presentation to encourage discussion and understanding of the full consultation process.

Andrew Kennedy provided an overview of the consultation process by powerpoint and then invited questions from the meeting.

The following points were raised:

A parent asked 'present children in the streets affected, do they need a placing request?'

Response – Andrew Kennedy explained that Head Teacher had to process new pupils into schools as normal in line with current policy and existing catchment lines.

The chair of Onthank Parent Council raised the issue of the experience the children would have, if more children were added to the school. He felt they would be affected particularly in relation to interval, playgrounds, toilet provision, lunchtime experience and traffic management”.

Response – Graham Short responded that there was no direct link between the size of the school and any impact on learning. The school at present held 620 but the school was designed to hold 800. The Gaelic Medium Unit would move out to the new Kilmarnock Learning Campus which would create extra space in Onthank. It was also noted that there would be continuing reviews of school capacities done annually to minimise future pressures.

Kerr Chalmers responded with regards to the traffic management issues raised. Each school has travel plans in place and any issues raised are supported by activity of the Journey to School Working Group and the Road Safety Team. Kerr informed the meeting that children from the immediate streets are encouraged to walk to school. The Roads Department are aware of the issues that have been raised. Andrew Kennedy also noted that both Onthank and Mount Carmel parent councils and schools had supported a range of initiatives to improve the situation

and the accident record around schools is very low, although working together will continue to assist in addressing the situation at all schools.

Andrew Kennedy informed the meeting that funding had been agreed at Cabinet in January to invest further in the toilet provision and standards across the estate including at Onthank.

Andrew Kennedy informed the meeting that with the introduction of P1 – P3 free school meals additional meals were currently being provided with a number of changes including additional staff supported through Scottish Government funding. The Authority is looking to enhance the current provision with other eating areas such as (canopies for outside areas). The school does also have a separate dining and assembly hall that many schools do not have therefore there is some additional flexibility. Kirsty McCartney, Head Teacher informed the meeting that 1057 school meals had been served in the last week with no issues of hurrying children through the dining hall and that the children would still get the same positive dining experience.

A parent asked about the impact of the future Northcraigs development in terms of numbers being added to the school roll at Onthank.

Response Graham Short explained that with regards to new housing it is very difficult to determine exactly the numbers that can come from new houses and we would require to know number of rooms in each house, if they were denominational / nondenominational and placing requests. It is also uncertain in terms of when developments may actually happen even if they have planning permission.

Andrew Kennedy informed the meeting that housing developments had been looked at as part of the projected school roll and is based on figures from a range of other Local Authorities with a ratio of approx 15 children per 100 homes being used for planning purposes. It was further explained in terms of children transferring with the Authority area for example the Hillhead development showed not all children are attending Hillhead Primary School, with children attending other schools or moving into houses from other parts of Kilmarnock and staying in their existing school. It was also noted that the maturity of an estate also reduces the overall long term impact as families grow up but don't always move once their education is complete. It was further noted the Council was reviewing the process of predicting school rolls and will require to manage this more closely as we move towards buildings being used to their maximum capacity.

A Parent asked if there was additional children would existing supplementary spaces such as IT rooms have to be given up to accommodate them.

Response Andrew Kennedy responded that when the Gaelic provision would move to the new Learning Campus this would create more free teaching space bringing the capacity up to around 800. It was also noted that the occupancy levels are based on the number of rooms specifically allocated for teaching and not including the additional supplementary rooms.

A member of the community asked why the 74 children (in the Southcraigs area identified as Kilmaurs catchment) could not attend Kilmaurs Primary School as Kilmaurs is still under capacity.

Response: Graham Short responded that Kilmaurs Primary school the houses mentioned are much closer to Onthank Primary School with substantial advantages of convenience for children and families.

A member of the community asked why do you want Kilmaurs to be smaller in terms of drawing the new line for the catchment area. Why was it not just including the urban boundary?

Response: Graham Short stated that there was no intention to make Kilmaurs smaller, such an intention could not and should not be read into, nor taken out of this proposal. Andrew explained the catchment areas as outlined on the maps in the consultation documents. Obvious landmarks, such as railways, roads etc are ideally what is used to ensure the community boundaries are intact, however where this is not possible lines are drawn from specific points. From the A735 there is no clear boundary and therefore the line has been drawn to retain the separation between the urban boundary and the rural farm houses. The examples were also given where the Hillhead catchment follows a railway line and the proposal is to continue to follow a road to ensure the urban boundary remains intact. Many catchments between urban and rural areas do cut through fields and may historically be old Parish boundaries.

A question was asked regarding the Southcraigs development and the proposal to connect a road between Southcraigs drive and Kilmaurs road.

Response Kerr Chalmers responded that this was suggested to be a distributor road at the beginning of building the estate, however it was not assessed as needed as the development grew. It was also noted the access road to the Northcraig development would not be accessed through Southcraigs Drive but via the Industrial Estate access.

A Parent asked “Whether Fenwick was being considered”

Response: Fenwick is not being considered as part of this consultation as the catchment area for Fenwick does not impact on this part of Kilmarnock. It was noted on the map that Onthank PS has an extensive rural area to the north of Kilmarnock and Silverwood and New Farm also extend east into the rural area before the Fenwick catchment is reached.

Councillor McKay noted that Fenwick Primary School was also zoned to Loudoun Academy.

A parent asked “What would happen at the end of the Consultation process if it was not accepted, would we remain as we are”?

Response: Graham Short informed the meeting that if the consultation was not accepted in its current proposal and a different set of proposals were suggested then this would require to be considered again by Cabinet and for a further full consultation process would be required

A member of the community asked “why the boundary for Northcraigs was taken so far”

Response: Andrew Kennedy responded that it was clearly part of the urban development areas already identified for development and the proposed catchment line clearly separates the urban and rural housing. Graham Short referred to the proposal and that it was an exercise to tidy up the anomalies. Discussion at Council level highlighted the importance of retaining distinctions between rural and urban communities.

A parent asked “What capacity would Onthank have to be for developers to contribute to the school”

Response: Graham Short informed the meeting that the school would require to be at 100% occupancy and so would other schools in the area. Andrew Kennedy also noted that the main development at Northcraigs previously had planning permission therefore we could not retrospectively ask for a contribution. It was also noted that attempts had been made for recent developments in the area however there were tight criteria that would be required and space in surrounding schools would also need to be considered.

A parent asked “about the timetable for the consultation and would parents be contacted on the final decision”

Response: Graham Short informed the meeting that once a decision had been made by Cabinet, which was likely to be in June a letter would be issued to all with the final decision.

