

**REPORT TO EDUCATION & CHILDREN'S SERVICES COMMITTEE – 10  
OCTOBER 2019**

**BLAIRS HOUSING DEVELOPMENT REZONING CONSULTATION REPORT**

**1 Reason for Report / Summary**

The Education & Children's Services Committee (E&CS) on 14 June 2017 approved the commencement of a statutory consultation relating to the Blairs Housing Development. This is the consultation report on the statutory consultation.

**2 Recommendations**

**The Committee is recommended to:**

- 2.1 Consider the consultation report regarding the Blairs Housing Development Rezoning (Appendix A);**
- 2.2 Consider the recommendation from Kincardine & Mearns Area Committee on 24 September 2019;**
- 2.3 Approve the recommendation in the consultation report so that all the houses in the Blairs Housing Development be zoned to Mackie Academy and that pupils at Lairhillock School are given information during the P7 – S1 transition period regarding out of zone placing requests.**

**3 Purpose and Decision Making Route**

- 3.1 The Schools (Consultation) (Scotland) Act 2010 requires that local authorities undertake a formal consultation process whenever changes are proposed to the location or catchment area of a school; or when a school is being considered for closure.
- 3.2 The Education & Children's Services Committee on 14 June 2017, approved the launch of the Blairs Rezoning statutory consultation launch and agreed to receive a further report on the outcomes of the consultation at a later date.
- 3.3 The consultation was prompted by the decision of Aberdeen City Council on 2 June 2015 that any new housing development would not be entitled to attend Cults Academy and will require to be rezoned to an Aberdeenshire Council secondary school.
- 3.4 The proposal document sought to formalise the arrangements for the pupils living in the Blairs housing development. These pupils should continue to be zoned to Lairhillock School for primary education and should then progress to Mackie Academy for secondary education

- 3.5 The proposal was consulted on between 28 June 2017 and 29 September 2017 - a period of 32 school days in total. A public meeting was held on 7 September 2017 at Arduthie School. A note of this meeting is available on the Aberdeenshire Council website:  
<https://www.aberdeenshire.gov.uk/schools/education-consultations/>
- 3.6 At the end of the consultation period all written submissions, along with a note of the public meeting, were provided to Education Scotland. Appendix A is Aberdeenshire Council's Education & Children's Services report on the consultation. It includes the report on the consultation written by Education Scotland.
- 3.7 The consultation report was presented at Kincardine & Mearns Committee on 24 September 2019. The Committee recommended that the consultation report should be approved at Education & Children's Services Committee and that all of the Blairs Housing Development should be rezoned to Mackie Academy, with the addition of an amendment that parents should be given information during the P7 – S1 transition period regarding their rights to submit an out of zone placing request to any school of their choice.

## **4 Discussion**

- 4.1 The proposal document was presented at Kincardine & Mearns Area Committee on 12 September 2017. The committee agreed to "instruct officers to re-engage with Aberdeen City Council with regard to secondary school provision for new housing at Blairs in light of the proposal now to build a new academy at Countesswells".
- 4.2 Officers within E&CS have been liaising with colleagues from Aberdeen City Council and several meetings were held with over the course of 2018 and 2019 to try and resolve the issue. Aberdeen City Council confirmed their position on the matter and due to capacity pressures at Cults Academy they cannot give the children from the Blairs development priority for placing requests and the only avenue left for Aberdeenshire Council is to conclude the statutory consultation. There are no publicly available timescales surrounding the proposal for Aberdeen City Council to provide a secondary school at Countesswells.
- 4.3 There is a section of the Blairs development that received planning consent prior to the start of Aberdeen City's Council's consultation. The houses in the area as detailed in Appendix A at 6.4 will be considered to be zoned to Cults Academy. A letter from Aberdeen City Council to Muir Homes (Appendix 4) states that "For the avoidance of doubt and as previously agreed at our meeting, houses in the main development at Blairs, including any reconfiguration of the original Blairs College will be zoned to a secondary school within Aberdeenshire Council".

- 4.4 Officers within Education & Children’s Services have carefully considered all of the responses to the consultation and have made a recommendation in the consultation report at paragraph 7.2. The recommendation is that the Council should approve the proposal in its current format so that all of the housing in the Blairs Housing Development be zoned for Mackie Academy. The community would be further fractured if part of the housing development was divided and only a section of it was zoned for Mackie Academy.

Any pupils residing in the Riverside of Blairs section of the housing development as outlined in the map in Appendix A at paragraph 6.4, will be considered to be officially zoned for Mackie Academy, however they will also be entitled to apply to attend Cults Academy. This may however be through an out of zone placing request.

## 5 Council Priorities, Implications and Risk

- 5.1 This report helps deliver Council Priority 3 - Providing the best life chances for all our children and young people by raising levels of attainment and achievement. <https://www.aberdeenshire.gov.uk/council-and-democracy/council-plan/council-priorities/>
- 5.2 The table below shows whether risks and implications apply if the recommendations are agreed.

Subject	Yes	No	N/A
Financial	X		
Staffing	X		
Equalities		X	
Fairer Scotland Duty		X	
Town Centre First		X	
Sustainability	X		
Children and Young People’s Rights and Wellbeing		X	

- 5.3 An equality impact assessment has been carried out as part of the development of the proposals set out above. It is included as Appendix 5 and no impact has been identified.
- 5.4 The proposal could result in staffing and financial implications for Mackie Academy depending on the number of pupils attending from the Blairs Housing Development. There are currently no P7 pupils attending Lairhillock School who reside in the Blairs Housing Development. Teaching numbers may need to be realigned with future school rolls, in line with current agreed staffing formulas. Any necessary changes would be implemented with immediate effect in conjunction with the HR&OD service and unions in accordance with existing Council Human Resources policy and procedures.

- 5.5 There could be increased transport costs as the pupils residing in the Blairs housing development would be entitled to free school transport to Mackie Academy as they reside over three miles from the secondary school. There are no secondary age pupils who reside in the Blairs Housing Development currently requiring transport to Mackie Academy. A tender exercise will be undertaken should any future pupils move into the area and require transport to Mackie Academy. Any future transport costs will be met from the school transport budget. The expected costs and timescale for this cannot be known at present. This will depend on future build out rates and the number of pupils generated from the development.
- 5.6 The following negative sustainability implications have been identified as this proposal may result in increased mileage and pollution as pupils living in the Blairs housing development would have previously been able to walk to school, however will now require to be transported to school.
- 5.7 The following Risks have been identified as relevant to this matter on a Corporate Level: Social Risk (demographic change)  
<https://www.aberdeenshire.gov.uk/media/23595/20181128-aberdeenshire-corporate-risks-update.pdf>

The following Risks have been identified as relevant to this matter on a Strategic Level: A Future Fit E&CS Estate. This proposal would ensure that pupils living in the Blairs housing development would be able to attend the secondary school for their cluster and would therefore help with the transition from primary to secondary education.

<https://www.aberdeenshire.gov.uk/media/23596/20181128-directorate-risks.pdf>

## **6 Scheme of Governance**

- 6.1 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are incorporated within the report and are satisfied that the report complies with the Scheme of Governance and relevant legislation.
- 6.2 The Committee is able to consider and take a decision on this item in terms of Section E.3.3.3 of the List of Committee Powers in Part 2A of the Scheme of Governance as this relates to the statutory functions of the Council under the Schools (Consultation) (Scotland) Act 2010 including those relating to approval of proposals and review of proposals following consultation, but with the exception of matters properly delegated to officers of the Council and those matters reserved to any other Committee.

**Laurence Findlay**  
**Director of Education & Children's Services**

Report prepared by Maxine Booth, Quality Improvement Manager (Learning Estates)  
and Rachael Goldring, Learning Estates Team Leader E&CS  
Date: 19 September 2019

## **List of Appendices**

Appendix A - Blairs Housing Development Rezoning Consultation Report

Appendix 1 – Map of Mackie Academy Catchment Area

Appendix 2 – Pupil Questions

Appendix 3 – Education Scotland Report

Appendix 4 - Letter from Aberdeen City Council

Appendix 5 - EIA