

# North Lanarkshire Council Report

## Education, Children and Families Committee

Does this report require to be approved?  Yes  No

Ref GMcL/MD

Date 28/02/23

## Proposals for statutory public consultation on the proposed rezoning of the Dunlop Estate.

**From** Gerard McLaughlin, Chief Officer (Education - North)

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### Executive Summary

This report outlines proposals for statutory public consultations on the proposed rezoning of the Dunlop estate within North Lanarkshire.

If approved, a statutory consultation will take place involving all statutory consultees, other stakeholders and interested parties.

The key reason for this proposal is:

- In November 2018, following a request from residents, the Local Government Boundary Commission for Scotland agreed to conduct a review of the boundary between Glasgow City and North Lanarkshire council areas at Cardowan, Steps

### Recommendations

It is recommended that the Education, Children and Families Committee:

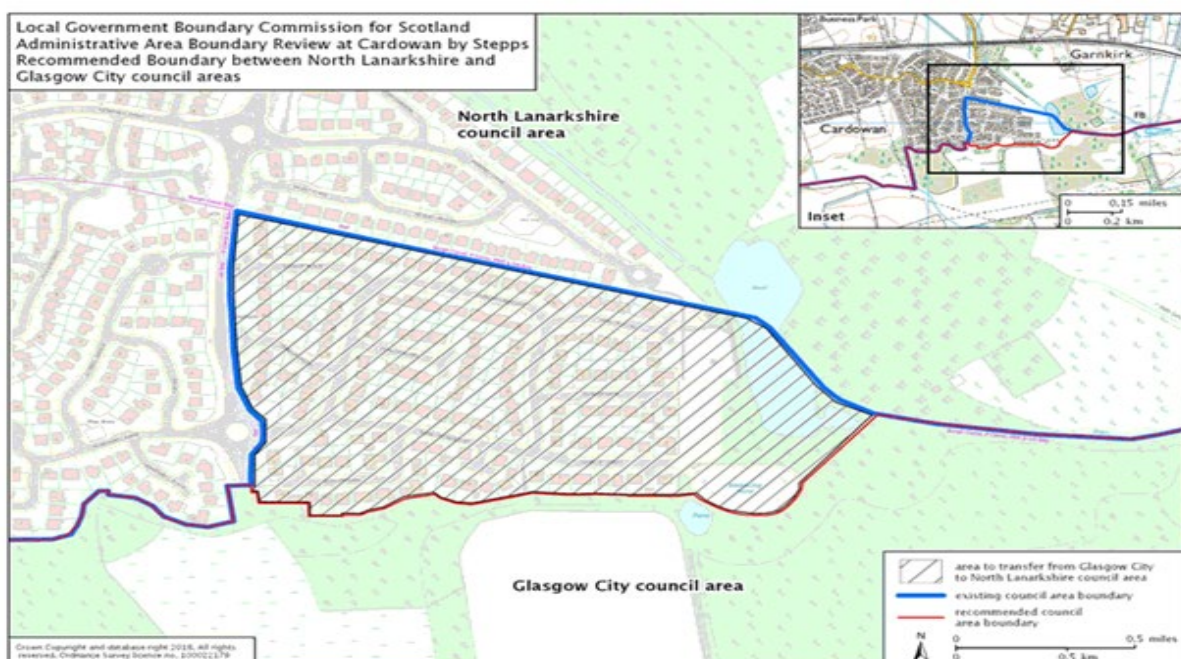
- (1) Endorse the contents of the report;
- (2) Agree that a formal consultation take place on the re-zoning of Dunlop Estate, Steps;
- (3) Agree the timeline for consultation outlined in appendix 1 of this report.

### The Plan for North Lanarkshire

Priority Improve North Lanarkshire's resource base  
Ambition statement (22) Facilitate a North Lanarkshire wide approach to asset rationalisation, including with communities and partners

## 1 Background

- 1.1 In terms of the Schools (Consultation) (Scotland) Act 2010, the Education Authority is required to publish details of, and consult on any proposal to establish a new school and on any proposal to establish, terminate or otherwise alter the catchment area of a school.
- 1.2 The Act requires education authorities prepare an educational benefits statement, to prepare (and publish) a proposal paper in respect of any proposal which falls within the terms of the Act, give notice of the proposal to the relevant consultees (and invite representations) in accordance with the Act, to hold (and give notice of) a public meeting, involve Education Scotland.
- 1.3 Following the period of consultation, the education authority must review the proposal in accordance with the Act and prepare (and publish) a consultation report in accordance with relevant sections of the Act.
- 1.4 After publication of the education authority report, HMIE publish a report on the consultation taking account of the previously published education authority report before a final decision is made by the Council.
- 1.5 The Council will undertake a formal consultation on the Dunlop Estate that lies to the east of Dewar Road and includes properties on Dunlop Close, Dunlop Court, Dunlop Crescent, Dunlop Gate, Dunlop Gardens, Dunlop Grove and Dunlop Wynd. In 2018, Scottish Ministers gave effect to the proposals that this area is transferred from Glasgow City Council area to North Lanarkshire Council area coming into force from 01 April 2019. The local community has since made representation to have this area rezoned to North Lanarkshire.



- 1.6 The Service has adopted a formal project management governance structure to lead and monitor the delivery of the overarching ASN strategy which will encompass the achievement the programme and the savings.

- 1.7 As part of the budget setting process the Service anticipates a targeted saving of £0.150m linked to mergers and re-zonings of schools.
- 1.8 The final decision of the education authority is subject to review and possible call in by the Scottish government which must operate to a strict timeline set out in Appendix 2.
- 1.9 The timeline mentioned above may be subject to review due to unforeseen circumstances.

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## **2. Report**

- 2.1 In November 2018, the Local Government Boundary Commission for Scotland agreed to conduct a review of the boundary between Glasgow City and North Lanarkshire council areas at Cardowan, Stepps. The area concerned lies to the east of Dewar Road and includes properties on Dunlop Close, Dunlop Court, Dunlop Crescent, Dunlop Gate, Dunlop Gardens, Dunlop Grove, and Dunlop Wynd. In 2018, Scottish Ministers gave effect to the proposals that this area is transferred from Glasgow City Council and North Lanarkshire Council adopted the area from 01 April 2019.
- 2.2 Furthermore, the local community has since made representation to have this area rezoned to North Lanarkshire to realign the school catchment boundaries to North Lanarkshire. School catchment areas define which nursery, primary and secondary school each residential property in North Lanarkshire is aligned to.
- 2.3 All geographical areas, including vacant land (where there is no housing) is included within a catchment boundary to ensure the whole authority is included in the zoning of the school estate.
- 2.4 The proposal will provide opportunities for children and young people to learn and work within their local community by rezoning the adopted area in line within North Lanarkshire catchments.
- 2.5 The work relating to this area will be overseen by a Programme Board, in accordance with North Lanarkshire's Project Management protocols. This is serviced by a Senior Responsible Officer (SRO) and a Responsible Officer (RO) and a project team, which will ensure all aspects of the programme plan, including the statutory consultation, are accomplished successfully and timeously, in relation to the planned critical path for developments.
- 2.6 Having taken account of existing capacity to accommodate and meet the needs of pupils transferring from the former Glasgow area and future pupil populations, the intention now is to formally consult on the rezoning of this area into North Lanarkshire Council.

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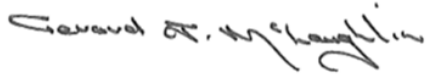
## **3. Measures of success**

- 3.1 Successful implementation of planned proposals.
  - 3.2 Increased numbers of children and young people remaining within their local community.
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**4. Supporting documentation**

4.1 Appendix 1 Statutory Consultation Rezoning the Dunlop Estate

4.2 Appendix 2 Statutory Consultation Timeline



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**Gerard McLaughlin**  
**Chief Officer (Education - North)**

**5. Impacts ( <http://connect/report-template-guidance> )**

<p><b>5.1 Public Sector Equality Duty and Fairer Scotland Duty</b> Does the report contain information that has an impact as a result of the Public Sector Equality Duty and/or Fairer Scotland Duty? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?</p> <p>An Equality Impact Assessment has been completed and will underpin planning for these proposals, since a number of the young people involved are considered as being from a protected group, due to disability.</p> <p>If Yes, has an assessment been carried out and published on the council's website? <a href="https://www.northlanarkshire.gov.uk/your-community/equalities/equality-and-fairer-scotland-duty-impact-assessments">https://www.northlanarkshire.gov.uk/your-community/equalities/equality-and-fairer-scotland-duty-impact-assessments</a> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
<p><b>5.2 Financial impact</b> Does the report contain any financial impacts? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, have all relevant financial impacts have been discussed and agreed with Finance? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact? See Appendix 1</p>
<p><b>5.3 HR policy impact</b> Does the report contain any HR policy or procedure impacts? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, have all relevant HR impacts have been discussed and agreed with People Resources? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?</p> <p>The Service would be required to follow the requirements for consulting as set out in the Schools (Consultation) (Scotland) Act 2010. Further stakeholder, community and parental consultation would be required in the event that the Service proceeds with any of the recommendations. An indicative timeline for the consultation process is outlined in Appendix 2.</p>
<p><b>5.4 Legal impact</b> Does the report contain any legal impacts (such as general legal matters, statutory considerations (including employment law considerations), or new legislation)? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, have all relevant legal impacts have been discussed and agreed with Legal and Democratic? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact?</p>
<p><b>5.5 Data protection impact</b> Does the report / project / practice contain or involve the processing of personal data? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, is the processing of this personal data likely to result in a high risk to the data subject? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

	<p>If Yes, has a Data Protection Impact Assessment (DPIA) been carried out and e-mailed to <a href="mailto:dataprotection@northlan.gov.uk">dataprotection@northlan.gov.uk</a></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><b>5.6 Technology / Digital impact</b></p>	<p>Does the report contain information that has an impact on either technology, digital transformation, service redesign / business change processes, data management, or connectivity / broadband / Wi-Fi?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact?</p> <p>Where the impact identifies a requirement for significant technology change, has an assessment been carried out (or is scheduled to be carried out) by the Enterprise Architecture Governance Group (EAGG)?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p><b>5.7 Environmental / Carbon impact</b></p>	<p>Does the report / project / practice contain information that has an impact on any environmental or carbon matters?</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>The carbon footprint will reduce if the numbers of establishments operating was reduced and pupils were catered for in our newer and more energy efficient campuses.</p>
<p><b>5.8 Communications impact</b></p>	<p>Does the report contain any information that has an impact on the council's communications activities?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact?</p>
<p><b>5.9 Risk impact</b></p>	<p>Is there a risk impact?</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If schools were selected for re-zoning it would have a significant impact on the affected pupils / parents / staff. However, the Service has extensive experience of successfully implementing new school builds, mergers and closures. This includes management of transition arrangements for pupils, updating transport requirements and staff/trade union communication and consultation.</p>
<p><b>5.10 Armed Forces Covenant Duty</b></p>	<p>Does the report require to take due regard of the Armed Forces Covenant Duty (i.e. does it relate to healthcare, housing, or education services for in-Service or ex-Service personnel, or their families, or widow(er)s)?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, please provide a brief summary of the provision which has been made to ensure there has been appropriate consideration of the particular needs of the Armed Forces community to make sure that they do not face disadvantage compared to other citizens in the provision of public services.</p>

## **Appendix 1**

### **Statutory Consultation**

**Proposal to Rezone the Dunlop Estate Areas that includes properties on Dunlop Close, Dunlop Court, Dunlop Crescent, Dunlop Gate, Dunlop Gardens, Dunlop Grove and Dunlop Wynd into North Lanarkshire Council**

#### **EDUCATION AND FAMILIES**



# **NORTH LANARKSHIRE COUNCIL: EDUCATION AND FAMILIES**

## **Proposal to Rezone the Dunlop Estate Areas that includes properties on Dunlop Close, Dunlop Court, Dunlop Crescent, Dunlop Gate, Dunlop Gardens, Dunlop Grove and Dunlop Wynd into North Lanarkshire Council**

### **1. INTRODUCTION**

In November 2018, the Local Government Boundary Commission for Scotland agreed to conduct a review of the boundary between Glasgow City and North Lanarkshire council areas at Cardowan, Stepps. The area concerned lies to the east of Dewar Road and includes properties on Dunlop Close, Dunlop Court, Dunlop Crescent, Dunlop Gate, Dunlop Gardens, Dunlop Grove, and Dunlop Wynd. In 2018, Scottish Ministers gave effect to the proposals that this area is transferred from Glasgow City Council and North Lanarkshire Council adopted the area from 01 April 2019.

Furthermore, the local community has since made representation to have this area rezoned to North Lanarkshire to realign the school catchment boundaries to North Lanarkshire. School catchment areas define which nursery, primary and secondary school each residential property in North Lanarkshire is aligned to.

All geographical areas, including vacant land (where there is no housing) is included within a catchment boundary to ensure the whole authority is included in the zoning of the school estate.

### **2. CONSULTATION REQUIREMENTS**

- 2.1 In terms of the Schools (Consultation) (Scotland) Act 2010, the Education Authority is required to publish details of, and consult on any proposal to establish a new school and on any proposal to establish, terminate or otherwise alter the catchment area of a school.
- 2.2 North Lanarkshire Council will not make any decision, or put any changes into effect, until the consultation period has been concluded in line with statutory requirements.
- 2.3 The consultation period will be a minimum of 57 days, which include 30 school days. It begins on 1 March 2023 and finishes on 27 April 2023.
- 2.4 The consultation will involve pupils, parent/carers, Parent Councils and staff of the schools involved, as well as other associated stakeholder and statutory consultees.
- 2.5 A public meeting will be held on week beginning 6<sup>th</sup> March 2023.
- 2.6 Council officers will be present at the public meeting to discuss the proposal. There will be limited time at the meeting to discuss all issues fully. To ensure that all issues are covered and that those who may be uncomfortable with speaking publicly are heard, advance notice of specific questions or issues to be raised will be accepted in writing up to two days in advance of the meeting – see contact details at 2.9.
- 2.7 At the end of the consultation process, a report will be prepared for North Lanarkshire Council detailing all responses received, summaries of their content and a statement from Education Scotland on the educational aspects of the proposal. Responses to the issues raised through the consultation will also be incorporated in the report. Copies of



the report will be available, prior to consideration by the council, in the affected schools and online. It is envisaged that the report will be published on 29 June 2023.

2.8 An online version of the document and other items related to the consultation can be found online at [www.northlanarkshire.gov.uk/dunlopestate-consultation](http://www.northlanarkshire.gov.uk/dunlopestate-consultation)

2.9 Further information on the proposal can be obtained by sending an email to [dunlopestateconsultation@northlan.gov.uk](mailto:dunlopestateconsultation@northlan.gov.uk)

2.10 All interested parties are invited to submit their comments on or before 27 April 2023.

### 3. PROPOSAL

3.1 The proposal is to rezone the Dunlop Estate area from Glasgow City Council to North Lanarkshire Council.

The reasons for this proposal are:

- To ensure that pupils in the Dunlop Estate can access school provision in the North Lanarkshire council catchment area.
- To promote community integration, as requested by the residents of the estate.

### 4. BENEFITS STATEMENT

4.1 Pupils who are resident within the delineated zone for a school will be able to attend their zoned school and be taught with peers from their community. It is anticipated that this will help pupils integrate within the local community and experience a wider educational experience through interacting with the local community

4.2 Families who live in the affected area will have clear information on their zoned primary school, thereby providing certainty about future zoning arrangements.

### 5. EARLY LEARNING AND CHILDCARE PROVISION

5.1 The re-zoning of the Dunlop Estate will provide parents and children with access to an ELC place within North Lanarkshire, alleviating the current requirement for cross boundary approval from Glasgow City Council.

### 6. IMPLICATIONS OF THE PROPOSAL

6.1 The table below outlines the current details of pupils attending North Lanarkshire Schools within the new catchment areas from the Dunlop Estate.

**Table 1 - Primary Schools**

Primary School	2017 -2018	2018-2019	2019-2020	2020-21	2021-22
Chryston	0	0	0	2	2
St Barbara's	2	4	4	4	2
<b>Total No of Pupils</b>	<b>2</b>	<b>4</b>	<b>4</b>	<b>6</b>	<b>4</b>

**Table 2 – Secondary Schools**

Secondary School	2021-22	2020-21	2019-2020	2018-2019	2017 -2018
Chryston	11	8	8	0	0
Our Lady's	4	4	2	0	0
<b>Total No of Pupils</b>	<b>15</b>	<b>12</b>	<b>10</b>	<b>0</b>	<b>0</b>

## 6.2 Transport to School

Council Policy currently provides free transport to those pupils living more than one mile from their zoned Primary School or where an appropriate walking route is not available. Education & Families will arrange for an assessment of the walking routes to the site of the catchment schools and appropriate road crossing patrols will be established if considered necessary.

## 6.3 Financial Implication

Based on current rates, it is estimated that the provision of free school transport would cost in the region on £922 per entitled pupil, per school year equating to £6454 per pupil during the course of their primary education. This would apply only to eligible pupils attending their catchment school and is subject to efficiency through existing economies of scale.

## 7. EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment has been completed and will underpin planning for these proposals, since a number of the young people involved are considered as being from a protected group, due to disability.

## 8. INACCURACIES OR OMISSIONS

8.1 There is a statutory requirement for the Council to consider any allegation of an inaccuracy or omission in the proposal paper and determine whether the allegation has foundation. Where inaccuracies or omissions are notified to, or discovered by, the Council within this proposal document, the Council will determine if relevant information has, in its opinion been omitted or whether there is in fact an inaccuracy.

Notifiers of any omissions or inaccuracies will be informed of the Council's decision and the reasons for that decision. Notifiers will also be informed of any action. The Council will invite the notifiers to make further representations to the Council should they disagree with the Council's determination or its decision as to whether to take action.

8.2 If the Council has found, either itself or through a concern being raised, that there is an inaccuracy or omission in the proposal paper, it must decide whether this relates to a material consideration relevant to the proposal.

Where the confirmed inaccuracy or omission relates to a material consideration, there is a duty on the Council to correct it.

8.3 Appropriate action will then be taken by the Council depending on whether the inaccuracy or omission relates to a material consideration.

Such action may include withdrawing the proposal and issuing a revised proposal paper for the whole consultation period, or issuing a corrected proposal paper with, if, an extension of the consultation period. In any of these eventualities, all relevant consultees (and, where applicable, the notifier(s) of any omissions or inaccuracies) and HMIE (Education Scotland) will be advised of the action.

Where inaccuracies or omissions are discovered within the proposal document, the Council will determine whether relevant information has been omitted or if there has been an inaccuracy. action will then be taken by the Council, which may include issuing corrections, issuing a corrected proposal document, or an extension of the consultation period. In any of these eventualities, all relevant consultees (and where applicable, the notifiers(s) of any action) will be advised.

- 8.4 Notifiers of any omissions or inaccuracies will also be given the opportunity to make representations if they disagree with the Council's determination of any action on the matter, which may result in the Council making a further determination/decision on the matter.

## **9. THE STATUTORY CONSULTATION PROCESS – ADDITIONAL INFORMATION**

- 9.1 The current requirements for consulting are set out in the Schools (Consultation) (Scotland) Act 2010. This consultation will be carried out in accordance with the Act.

- 9.2 This consultation has been planned in order to meet the following statutory requirements:

- 9.2.1 The consultation document sets out the details of the proposal.

- The proposal paper details the educational benefits of the proposal and other relevant information.
- The proposal paper will be published and widely advertised.
- North Lanarkshire Council will seek to determine whether there are inaccuracies or omissions within the proposal paper and take such action as it considers necessary.
- The consultation period will be a period of at least 6 weeks including at least 30 school days.

- 9.3 Prior to the commencement of the consultation period, the authority will give notice of the proposal to the relevant consultees. The relevant consultees are defined in the Schools (Consultation) (Scotland) Act 2010, and are as follows:

- (a) The parent council or combined parent council of any affected school
- (b) The parents of the pupils at any affected school
- (c) The parents of any children expected by the education authority to attend the affected school within two years of the date of publication of the proposed paper
- (d) The pupils at any affected school (in so far as the education authority considers them to be of suitable age and maturity)
- (e) The staff (teaching and other) at any of the affected school(s)
- (f) Any trade union which appears to the education authority to be representative of the persons mentioned above
- (g) The community council (if any)

- (h) The community planning partnership (within the meaning of section 4(5) of the Community Empowerments (Scotland) Act 2015 for the area of the local authority in which any affected school is situated
  - (i) Any other community planning partnership that the education authority considers relevant
  - (j) Any other education authority that the education authority considers relevant
  - (k) Any other users of any affected school that the education authority considers relevant.
- 9.4 During the consultation period, the authority will hold and be represented at public meetings on the relevant proposal.
- 9.5 The council will involve Education Scotland in the consultation process. This will culminate in Education Scotland preparing and submitting an independent report on the educational aspects of the proposal.
- 9.6 Following the consultation period, the council will prepare and publish a consultation report. The report will be published at least three weeks before a final decision is taken on the proposal.
- 9.7 The consultation timeline provides further information on the timescales for various staged in the statutory process.

**Please click on the link below to share your views on the proposal (Ctrl + Click to follow link)**

[dunlopestateconsultation@northlan.gov.uk](mailto:dunlopestateconsultation@northlan.gov.uk)

## Appendix 2

### Indicative Timeline for Reconfiguring Intensive ASN Systems and Services

<b>Stages</b>	<b>Timeline</b>	<b>Date</b>
1. Committee Date		Tuesday 28 February 2023
2. Consultation Starts Phase 1	Minimum of 6 weeks To include 30 calendar days	Wednesday 1 March 2023
3. Public Meeting	Mid way through consultation	
4. Consultation Ends	30 Days	Tuesday 11 April 2023
5. Report to Education Scotland Phase2	3 weeks	Tuesday 2 May 2023
6. Education Scotland produce report	3 weeks	Tuesday 23 May 2023
7. Consultation report published Phase 3	No specified timescale	
8. Time for further consideration	3 weeks from publication date	
9. Final Committee Decision		September 2023
10. Implement proposal if approved by Committee	3 weeks	

