

ITEM No ...3.....

REPORT TO: CHILDREN AND FAMILIES SERVICES COMMITTEE – 15 MAY 2023
REPORT ON: CLOSURE OF LAW NURSERY – OUTCOME OF FORMAL CONSULTATION
REPORT BY: EXECUTIVE DIRECTOR OF CHILDREN AND FAMILIES SERVICE
REPORT NO: 149-2023

1.0 PURPOSE OF REPORT

This report contains the formal Consultation Report, in terms of the Schools (Consultation) (Scotland) Act 2010, on the proposal for Closure of Law Nursery.

2.0 RECOMMENDATIONS

It is recommended that Children and Families Services Committee:

- Notes the contents of this report.
- Notes the accompanying Consultation Report, including the report by His Majesty's Inspectorate of Education (HMIE)/Education Scotland on the proposal.
- Approve the proposal to close Law Nursery.
- Instructs the Executive Director Children and Families Service to ensure continued support is provided to staff, parents/carers and children through the changes that may result from the closure of Law Nursery.
- Instructs the Executive Director to ensure engagement continues with parents/carers to provide reassurance regarding any concerns in relation to the capacity of Early Learning and Childcare provision.
- Instructs the Executive Director to proceed with the proposal.
- Instructs the Executive Director to ensure notification is provided to Scottish Ministers within six working days should the decision be made to implement the closure proposal and publish on its website the fact it has notified Scottish Ministers of this decision.

3.0 FINANCIAL IMPLICATIONS

- 3.1 If the proposal is accepted, the updated revenue savings which will be generated will amount to approximately £421,000 in financial year 2023-24 rising to ongoing savings of approximately £427,000 by 2024-25.
- 3.2 There will be additional one-off revenue costs associated with disposing of the property amounting to approximately £60k.

4.0 BACKGROUND

- 4.1 In 2021, Dundee City Council was served notice by the Landlord regarding the lease of the site. The Diocese of Dunkeld indicated that it would not renew the lease of the land occupied by Law Nursery when it expired on 11 November 2022, as it intended to dispose of the whole Lawside Campus for development. As the property was of modular construction and in poor condition, a review has been carried out to consider all options.
- 4.2 The lease has now been modified such that it would no longer terminate on 11 November 2022 but would now terminate on 25 August 2023 to allow a formal consultation to be completed.
- 4.3 Should the nursery be closed; we are required to return the land to its previous state. Appropriate work will be undertaken to demolish and remove the nursery accommodation following any closure. The work required has been agreed with the Diocese.

- 4.4 It should be noted that overall estate rationalisation/financial efficiency work is currently being undertaken by Dundee City Council. The closure of Law Nursery will result in a financial saving which was acknowledged within the template contained in the closure consultation proposal paper. This saving has been outlined within the recent budget report.
- 4.5 At the meeting of the Children and Families Service Committee on 31 October 2022 (Article IV of the minute and report no 277-2022 refers), elected members instructed the Executive Director of Children and Families Services to formally consult on the closure of Law Nursery in terms of the Schools (Consultation) (Scotland) Act 2010 and report back the outcome of the consultation to committee in due course.
- 4.6 The formal consultation on the proposal ran from 5 November to 20 December 2022. Details of the consultation were notified in writing to stakeholders and on the council's website, responses were invited in either written or electronic format. As part of its arrangements for consulting on the proposal, the council held a public meeting on 24 November 2022.
- 4.7 During the consultation period, the council received one written response to the proposal. Their views are captured within the consultation report.
- 4.8 A copy of the consultation report is attached as Appendix 1, within that is a copy of the report by Education Scotland and copies of the notes of the meetings held during the consultation period.

5.0 APPROVAL OF THE PROPOSAL

- 5.1 Almost all stakeholders agree with the council's proposals and felt the potential closure is inevitable. HM Inspectors agree that children should experience similar educational benefits to those at Law Nursery at other Early Learning and Childcare provision in the city. Should this proposal be agreed, the council will need to continue to support staff, parents and children through the changes that will result. HM Inspectors recommend that the council continues to engage with parents to provide reassurance concerning the capacity of Early Learning and Childcare provision. This will support the council in meeting its commitment to ensure no children or families are disadvantaged as part of the closure.
- 5.2 Children and Families Service will continue to support staff, parents/carers and children through the changes that may result from the closure of Law Nursery.
- 5.3 Children and Families Service will maintain engagement with parents/carers to provide reassurance regarding any concerns in relation to the capacity of Early Learning and Childcare provision.
- 5.4 As this proposal relates to the closure of a school, the council must notify Scottish Ministers within six working days after taking its decision to implement a closure proposal. Dundee City Council must also publish on its website the fact it has notified Scottish Ministers of this decision and the period in which consultees have the opportunity to make representations to Ministers asking for the proposal to be called in. Ministers have the power to call in proposals, but only where it appears to Ministers that the council has failed in significant regard to comply with the Act's requirements or, in coming to its decision, has failed to take account of material consideration relevant to the proposal. Ministers have up to 8 weeks from the date of the council's decision to decide whether or not to issue a call-in notice.
- 5.5 In accordance with paragraph 5.4 above, anyone wishing to make representation to Scottish Ministers should do so within the first 3 weeks of the 8 weeks call in period. Details will be provided on the Dundee City Council website should any wish to make a representation.

6.0 POLICY IMPLICATIONS

6.1 This report has been subject to an Integrated Impact Assessment to identify impacts on Equality & Diversity, Fairness & Poverty, Environment and Corporate Risk. An impact, positive or negative, on one or more of these issues was identified. An appropriate senior manager has checked and agreed with this assessment. A copy of the Integrated Impact Assessment showing the impacts and accompanying benefits of mitigating factors for them is included as an Appendix to this report.

7.0 CONSULTATIONS

7.1 The Council Leadership Team was consulted in the preparation of this report.

8.0 BACKGROUND PAPERS

8.1 None.

Audrey May
Executive Director of Children and Families Service

Gordon Laidlaw
Education Officer

May 2023

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APPENDIX 1

DUNDEE CITY COUNCIL

CONSULTATION REPORT

Closure of Law Nursery

It is proposed that all eligible nursery aged children will access alternative nursery provision from August 2023.

This Consultation Report is available on the Dundee City Council website: <https://www.dundee.gov.uk/school-learning-estate-formal-consultation> - and also in printed form from affected schools or at a public library or some other suitable place within the vicinity of the school.

1 BACKGROUND

1.1 In 2021, the Council was notified that the Landlord, The Diocese of Dunkeld were exercising their option to terminate the lease of the land occupied by Law Nursery on 11th November 2022, as it intended to dispose of the whole Lawside Campus for development. Formal notice was served upon Dundee City Council regarding the existing lease of the site. As the property was of modular construction and in poor condition, a review has been carried out to consider all options.

1.1.1 The lease has now been modified such that it would no longer terminate on 11 November 2022 but would now terminate on 25 August 2023 to allow a formal consultation to be completed. The Diocese has intimated to the Council that they require the site back to facilitate possible future development, it is the Diocese intention to vacate the entire convent site.

1.1.2 Should the nursery be closed, we are required to return the land to its previous state. Appropriate work will be undertaken to demolish and remove the nursery accommodation following any closure. The work required has been agreed with the Diocese.

1.1.3 It should be noted that overall estate rationalisation/financial efficiency work is currently being undertaken by Dundee City Council. The closure of Law Nursery will result in a financial saving which was acknowledged within the template contained in the closure consultation proposal paper. This saving has been outlined within the recent budget report.

1.1.4 Education Authorities have a statutory duty in terms of the Education (Scotland) Act 1980 to make adequate and efficient provision of school education which includes early learning and child care across their area. This duty applies in respect of both the current nursery population and anticipated pattern of demand.

1.1.5 Councils have a statutory duty to secure best value in terms of the Local Government in Scotland Act 2003. Most importantly, the Education Authority would wish to optimise the early years experience for every child by providing provision that offers:

- High quality
- Flexibility
- Accessibility

To achieve best value and optimum efficiency, the organisation of the service estate is therefore kept under regular review, including the need for nursery provision and other factors.

1.1.6 At the meeting of the Children and Families Service Committee on 31 October 2022 (report no 277-2022 refers), elected members instructed the Executive Director of Children and Families Services to formally consult on the closure of Law Nursery.

1.2 Current position

- 1.2.1 Dundee City Council have been served notice by the Diocese of Dunkeld on their current lease.
- 1.2.2 A review of nursery provision was undertaken, and it confirmed suitable capacity exists to accommodate current and projected future demand for nursery places without the 70 places provided by Law Nursery.
- 1.2.3 In considering all the options for the future of the nursery, including its potential closure, the service has engaged with families to consider current and alternative early years provision. This operational decision was necessary to avoid any additional transition or impact upon children, parents and staff should Law Nursery close.
- 1.3 As a result of the committee decision, the Executive Director carried out the consultation procedures in terms of the Schools (Consultation) (Scotland) Act 2010 in respect of the proposal. The consultation programme is detailed in paragraph 2.1 below, and a summary of the main points raised is set out in section 3.
- 1.4 A report from Education Scotland is required under the terms of the Act to address the educational aspects of the proposal. The report is attached as Appendix 2.
- 1.4.1 The report states that, *“HM Inspectors agree that Dundee City Council has considered potential options and set out clearly how they intend to manage the closure of Law Nursery. Almost all stakeholders agree with the council’s proposals and felt the potential closure is inevitable. HM Inspectors agree that children should experience similar educational benefits to those at Law Nursery at other Early Learning and Childcare provision in the city. Should this proposal be agreed, the council will need to continue to support staff, parents and children through the changes that will result. HM Inspectors recommend that the council continues to engage with parents to provide reassurance concerning the capacity of Early Learning and Childcare provision. This will support the council in meeting its commitment to ensure no children or families are disadvantaged as part of the closure”*.
- 1.4.2 *“Parents and staff who met with HM Inspectors agree with the proposal to permanently close Law Nursery. They believe that the decision is out with council control due to the land being owned by the diocese. A few parents expressed concern about future capacity of their choice of Early Learning and Childcare setting. Staff expressed concern about their transfer to other Early Learning and Childcare settings and the loss of well-established working relationships with their colleagues. The council believes sharing the practice, skills and experience from Law Nursery staff will augment existing positive experiences of children across the city. All parents that met with HM Inspectors shared that their children receive high quality and nurturing learning experiences at Law Nursery.”*
- 1.4.3 The Executive Director has carefully considered the implications arising from stakeholders from the consultation process and the Education Scotland report - in particular, where the report highlights specific issues raised during the consultation period. It should be noted that the report and the general response to the proposal was positive. Having reviewed the proposal in light of the representations and the Education Scotland report, it is clear that any highlighted issues were either identified in the proposal or are referred to directly in this consultation report. Children and Families Service will continue to support staff, parents and children through any changes that will result and continue to engage with families to provide reassurance concerning the capacity of Early Learning and Childcare provision. This will support Dundee City Council in meeting its commitment to ensure no children or families are disadvantaged as a result of a closure.

2 CONSULTATION

- 2.1 Consultation was undertaken between 7 November and 20 December 2022.

The formal consultation procedure included: Notice was given on or before 7 November 2022

- Giving notice of the proposal to parents/carers of the affected nursery,
- Giving notice of the proposals and consultation with staff at the affected nursery.
- Giving notice of the proposals to relevant community.
- Giving notice of the proposals to Trades Unions representing staff at the affected nursery.
- Giving notice of the proposals and meetings with Local Community Planning Partnership.
- Publication of a proposal paper on Dundee City Council's website.
- An announcement of the proposal in the local press or relevant social media, inviting any person to make written representation to the Executive Director of Children and Families Services.
- Public meeting in the local area.

2.2 A summary note of all meetings held during the consultation period outlining questions asked is attached as Appendix 3 and the Children and Families Service responses have been added.

2.3 One representation was received on the proposal during the consultation period. This was complimentary of the nursery and their children's experience there, they were against the possible closure due to the proximity of other nurseries. A thematic summary of written submission received is attached as Appendix 4.

2.4 In accordance with the Schools Consultation (Scotland) Act 2010, copies of all written representations and 'Frequently Asked Questions/Comments' were required to be submitted to Education Scotland for their consideration in the preparation of their report.

3 MAIN ISSUES ARISING FROM THE CONSULTATION, WITH RESPONSES

3.1 The main issue of note arising from the consultation was:

- *The proximity of other nurseries within the area and potential travelling distance.*

3.1.1 The proximity of other nurseries within the area and potential travelling distance.

Unlike primary and secondary schools, early education and childcare settings do not have catchment areas and are located across the city. Adequate provision remains to meet the existing and future needs of families in Dundee and the service continually work with parents/carers to identify their first, second and third choice of nursery at the point of application. When these choices cannot be accommodated, the Central team work with families on an individual basis to secure a funded place within the City.

4 CONCLUSION AND NEXT STEPS

4.1 Having reviewed the Education Scotland Report and looked at the consultation responses in detail including those issues raised at the public meeting, it is recommended that the proposal to close Law Nursery should go forward.

4.2 Children and Families Service will continue to support staff, parents/carers and children through the changes that may result from the closure of Law Nursery.

4.3 Children and Families Service will maintain engagement with parents/carers to provide reassurance regarding any concerns in relation to the capacity of Early Learning and Childcare provision.

4.4 As this proposal relates to the closure of a school, the council must notify Scottish Ministers within six working days after taking its decision to implement a closure proposal. Dundee City Council must also publish on its website the fact it has notified Scottish Ministers of this decision and the period in which consultees have the opportunity to make representations to Ministers

asking for the proposal to be called in. Ministers have the power to call in proposals, but only where it appears to Ministers that the council has failed in significant regard to comply with the Act's requirements or, in coming to its decision, has failed to take account of material consideration relevant to the proposal. Ministers have up to 8 weeks from the date of the council's decision to decide whether or not to issue a call-in notice.

- 4.5 In accordance with paragraph 4.4 above anyone wishing to make representations to the Scottish Ministers should do so within the first 3 weeks of the 8 week call in period by emailing: schoolclosure@gov.scot

Or

By letter to:
Scottish Government
School Infrastructure Unit
Area 2B North
Victoria Quay
Edinburgh EH6 6QQ

Audrey May
Executive Director of Children and Families Service

March 2023

APPENDIX 2



Schools (Consultation) (Scotland) Act 2010

Report by Education Scotland addressing educational aspects of the proposal by Dundee City Council to close permanently Law Nursery.

January 2023

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Introduction

- 1.1 This report from Education Scotland has been prepared by His Majesty's Inspectors of Education (HM Inspectors) in accordance with the terms of the [Schools \(Consultation\) \(Scotland\) Act 2010](#) ("the 2010 Act"). The purpose of the report is to provide an independent and impartial consideration of Dundee City Council's proposal to permanently close Law Nursery. 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 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 statutory 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.
- 1.2 HM Inspectors considered:
- the likely effects of the proposal for children of the school; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children in the council;
 - 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.
- 1.3 In preparing this report, HM Inspectors undertook the following activities:
- attendance at the public meeting held on 24 November 2022 in connection with the council's proposal;
 - 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; and
 - visits to the site of Law Nurse School, including discussion with relevant consultees.

Consultation process

- 2.1 Dundee City Council undertook the consultation on its proposal(s) with reference to the [Schools \(Consultation\) \(Scotland\) Act 2010](#).
- 2.2 The consultation period ran from 7 November to 20 December 2022. The council made copies of the proposal available to the public through publication on the council's website. Information about the proposal was made available to stakeholders including staff, children, parents and carers of the nursery school affected by the proposal. The council consulted with children and staff. Dundee City Council also consulted two Local Community Planning Partnerships attended by 17 community representatives and elected members. All were in support of the proposal.

- 2.3 Three stakeholders attended the public meeting on 24 November 2022. The council received one written submission. Stakeholders were concerned about the travelling distances and the potential negative impact this may have on parents. They were positive about the nursery and their children's experiences there. They are sad that the nursery may close, although believe closure is inevitable.

Educational aspects of proposal

- 3.1 The Diocese of Dunkeld owns the land on which Law Nursery is situated. The diocese is selling this land and has served notice to Dundee City Council. There is no option for the council to purchase the land which is currently leased. As a result, the council undertook a review of its (Early Learning and Childcare) provision. The council found that if the proposal to close Law Nursery is accepted, sufficient capacity exists across its nursery estate to accommodate future demands. To avoid additional transition and potential negative impact for children, the council did not offer places in Law Nursery for ante pre-school children year in 2022. Council staff supported parents to consider and find alternative places for these children. There are currently 21 children in their pre-school year at Law Nursery. A majority of these children will still be four years old in August 2023. If the council agrees to move forward with the proposal, there will be no children on the Law Nursery roll as of June 2023. Should parents of eligible children decide to defer the school placement, the council will work with them to secure alternative Early Learning and Childcare provision.
- 3.2 It is the view of HM Inspectors that Dundee City Council have set out an appropriate case in support of its proposal to permanently close Law Nursery. The council highlight that the expansion of children's entitlement to 1140 hours of funded Early Learning and Childcare increase the overall capacity and range of flexible delivery models across the city. Families will be able to access alternative Early Learning and Childcare provision. It is the view of HM Inspectors that children will continue to experience similar educational benefits in the nursery or school that they transition to.
- 3.3 Parents and staff who met with HM Inspectors agree with the proposal to permanently close Law Nursery. They believe that the decision is out with council control due to the land being owned by the diocese. A few parents expressed concern about future capacity of their choice of Early Learning and Childcare setting. Staff expressed concern about their transfer to other Early Learning and Childcare settings and the loss of well-established working relationships with their colleagues. The council believes sharing the practice, skills and experience from Law Nursery staff will augment existing positive experiences of children across the city. All parents that met with HM Inspectors shared that their children receive high quality and nurturing learning experiences at Law Nursery.

Summary

HM Inspectors agree that Dundee City Council has considered potential options and set out clearly how they intend to manage the closure of Law Nursery. Almost all stakeholders agree with the council's proposals and felt the potential closure is inevitable. HM Inspectors agree that children should experience similar educational benefits to those at Law Nursery at other Early Learning and Childcare provision in the city. Should this proposal be agreed, the council will need to continue to support staff, parents and children through the changes that will result. HM Inspectors recommend that the council continues to engage with parents to provide reassurance concerning the capacity of Early Learning and Childcare provision. This will support the council in meeting its commitment to ensure no children or families are disadvantaged as part of the closure.

HM Inspectors
January

2023

APPENDIX 3



School Estate Proposals

FORMAL CONSULTATION ACTIVITY

Engagement Session with Law Nursery Staff Venue : Law Nursery

1 December 3pm

Officers: Gordon Laidlaw, Education Officer (GL), Lesley Gibb, Education Manager (LG) Heather Ross, Nursery Head Teacher (HR)

Other Attendees: 7 individuals attended the session, those represented were school staff

All conversations during the session took place in relation to Children and Families Service school estate proposal, the formal consultation undertaken between 7 November and 20 December 2022.

Key observations/questions raised:

An overview of the proposal was given by G Laidlaw and L Gibb.

There were no direct comments or views shared by those in attendance on the proposal, they had been previously briefed and supported in respect to the impacts upon them as staff. L Gibb re-iterated that she was on this journey with her staff to make sure they are supported over the coming months. The children will remain at the nursery until the summer and various protocols will follow, should the decision be made to close the nursery, this will be led by colleagues within city development in respect to the closing of the building and transfer of any equipment or materials.

Meeting closed at 3.15pm

School Estate Proposals

FORMAL CONSULTATION ACTIVITY

Engagement Session with Law Nursery Children Venue : Law Nursery

6 December 9:30am

Officers: Gordon Laidlaw, Education Officer (GL)

Other Attendees: 9 children were involved in the session.

All conversations during the session took place in relation to Children and Families Service school estate proposal, the formal consultation undertaken between 7 November and 20 December 2022.

Key observations/questions raised:

What do you like about Law Nursery?

- Playing with friends on the climbing frame
- Cooking in our nursery
- Playing on the climbing frame
- Watching picture of us on TV
- Going on the slide and getting to play outside
- Climb in the sandpit
- Making decorations
- Playing with dinosaurs
- Animals in the den (toy safari)
- Playing with friends – what's the time Mr Wolf
- Special treat to sit on the sofa
- We love everyone in nursery
- Learning to ride pedal bikes
- Making pies, pumpkin, apple and strawberry

What would you miss?

- Yoga in the mornings
- Making food and eating it at the table
- Trips up to the Law hill
- Going on the Miley trail
- Playing on the tree's in the garden
- Playing on the computer and researching stuff like flies, bugs and centipedes

What would you want or take with you to another nursery?

- Having a sandpit
- Lots of dinosaurs
- We like books, we have lots here, we would need lots of them in another nursery
- Trees and a garden
- It needs a studio (arts and crafts table)
- Lego

School Estate Proposals

FORMAL CONSULTATION ACTIVITY

Engagement Session Public Meeting Venue : Law Nursery

24 November 6pm

Officers: Gordon Laidlaw, Education Officer (GL, Audrey May Executive Director (AM), Lesley Gibb, Education Manager (LG) Heather Ross, Nursery Head Teacher (HR).

Other Attendees: 3

All conversations during the session took place in relation to Children and Families Service school estate proposal, the formal consultation undertaken between 7 November and 20 December 2022.

Education Scotland were represented at the meeting.

The proposals regarding the potential closure were shared and details discussed prior to the floor being opened to any questions:

Question: Was there an option to buy the site.

Answer: Lots of meetings took place but the plan and decision lay with the diocese. Unfortunately selling to council was not part of their plan and were not willing to do so.

Comment: I could see it coming, it was inevitable once the convent and conference centre began to close down.

Question: What are the plans for families that can't travel?

Answer: Provision is across the City, the admissions process facilitates 3 choices and we always look to try and provide families first choice but in individual circumstances officers work with individual families to find solutions.

Question: Would transport be offered for families who have no other way to get to the other nurseries.

Answer: The nursery comes down to families choice, we are meeting our statutory obligations and places are provided, it just might not be so local for some.

Comment: Families in the past got together to support one another with nursery transport, one example they used a minibus, but unfortunately the council do not provide this.

Comment: It's been the best nursery in the world, the staff and work they have done have made it a wonderful experience for children.

Comment: The Law model is our Vision across all nurseries in the City.

Meeting closed 6:30pm

School Estate Proposals

FORMAL CONSULTATION ACTIVITY

Engagement Sessions Lochee LCPP Venue : Lochee High Street Hub

22 November 2pm

Officers: **Gordon Laidlaw , Education Officer (GL), Mike Welsh Communities Officer (MW), Michael Mclaughlin Senior Manager Capital Projects (Chair) (ML)**

Other Attendees: **Councillor Smith, Councillor Toland, 8** attended the session, those in attendance were **communities representatives and councillors.**

All conversations during the session took place in relation to Children and Families Service school estate proposal, the formal consultation undertaken between 7 November and 20 December 2022.

Key observations/questions raised:

G Laidlaw firstly provided an update on matters relating to previous matters related to another consultation. He explained that it was likely that a report would go to the Children and Families Committee in 2023.

G Laidlaw then reported on the proposal for the closure of Law Nursery School, ie The Diocese of Dunkeld own the site and is in the process of selling this asset. There was a discussion held on the age of the facility and the condition of the existing buildings.

A question was raised on the timescale for closure and G Laidlaw added that the identified date for closure was July 2023. The LCPP members discussed this and concluded that this measure to seek closure seemed reasonable.

Members considered the implications of the closed building and short period of time in may lie vacant should the proposal go ahead. Relevant members acknowledged higher presence/awareness of the building would be helpful prior to its removal should the nursery close.

School Estate Proposals

FORMAL CONSULTATION ACTIVITY

Engagement Sessions Coldside LCPP Venue : Hilltown Community Hub

22 November 3:30pm

Officers: Gordon Laidlaw , Education Officer (GL), , Lesley Gibb, Education Manager (LG) Elaine Pratt, Communities officer (EP)

Other Attendees: 9 attended the session, those in attendance were **communities representatives and councillors.**

All conversations during the session took place in relation to Children and Families Service school estate proposal, the formal consultation undertaken between 7 November and 20 December 2022.

Key observations/questions raised:

L. Gibb and G. Laidlaw tabled a paper relating to the closure of Law Nursery. The discussion at the LCPP was part of the formal consultation. The proposal to close the nursery has come as a result of the diocese selling the convent and land.

Noted that the nursery will close in Summer 2023 and that any children needing a place will be accommodated in other nurseries across the city. The consultation will close on 20 December with a report going to committee in spring 2023.

Members of the Forum acknowledged that DCC had done due process in ensuring places for those affected and that their hands were tied in relation to the land being sold.

APPENDIX 4

Thematic Summary of Submissions Received in relation to the proposal from Parents/Carers and Residents

Submissions: 1

1 written submission was received, this was complimentary of the nursery and their children's experience, they were against the possible closure because of the proximity of other nurseries.

Themes - Emergent themes from all submissions and meetings included:

- *Proximity of other nurseries within the area.*
- *The positive experiences and skilled nature of staff.*
- *The value of Law nursery's contribution to families over the years.*
- *The council having been well planned and considerate given circumstances.*
- *The efforts made to support families and staff given the potential change and transition.*

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Integrated Impact Assessment

Committee Report Number: 149-2023

Document Title: Consultation Report Law Nursery

Document Type: Service

Description:

Consultation report providing outcomes of the recent stakeholder engagement on the proposal to close Law Nursery.

Intended Outcome:

Closure of Law Nursery in July 2023

Period Covered: 14 February 2023 to 15 May 2023

Monitoring:

Report will be taken to children and Families committees in May to recommend closure

Lead Author:

Lesley Gibb, Education Manager 0-5, Children and Families Service

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5 East City Square, Dundee DD1 5FE

Director Responsible:

Audrey May, Executive Director, Children and Families Service

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5 East City Square, Dundee, DD1 5FE

Equality, Diversity and Human Rights

Impacts & Implications

Age: No Impact

Disability: No Impact

Gender Reassignment: No Impact

Marriage & Civil Partnership: No Impact

Pregnancy & Maternity: No Impact

Race / Ethnicity: No Impact

Religion or Belief: No Impact

Sex: No Impact

Sexual Orientation: No Impact

Are any Human Rights not covered by the Equalities questions above impacted by this report? No

Fairness & Poverty Geographic Impacts & Implications

Strathmartine:	No Impact
Lochee:	No Impact
Coldside:	No Impact
Maryfield:	No Impact
North East:	No Impact
East End:	No Impact
The Ferry:	No Impact
West End:	No Impact

Household Group Impacts and Implications

Looked After Children & Care Leavers: No Impact
Carers: No Impact
Lone Parent Families: No Impact

Household Group Impacts and Implications

Single Female Households with Children: No Impact
Greater number of children and/or young children: No Impact
Pensioners - single / couple: No Impact
Unskilled workers or unemployed: No Impact
Serious & enduring mental health problems: No Impact
Homeless: No Impact
Drug and/or alcohol problems: No Impact
Offenders & Ex-offenders: No Impact

Socio Economic Disadvantage Impacts & Implications

Employment Status: No Impact
Education & Skills: Positive
All staff will remain employed within Local Authority nurseries. The resultant transfer of staff into other Local Authority nurseries within the city spreads their exemplary practice, skills and experience and also augments existing positive experiences for children across the city.

Income: No Impact
Caring Responsibilities (including Childcare): Positive
Currently Law Nursery provides a service for children aged 3- 5, term time only. Within the local area however there are a range of flexible models available for children aged 2-5 including term time and extended day, extended year. Families can opt to have eligible siblings attend the same setting where provision is offered for 2-5yrs therefore positively impacting upon childcare responsibilities.

Affordability and accessibility of services: No Impact
Fuel Poverty: No Impact
Cost of Living / Poverty Premium: No Impact
Connectivity / Internet Access: No Impact
Income / Benefit Advice / Income Maximisation No Impact
Employment Opportunities: No Impact
Education: No Impact
Health: No Impact
Life Expectancy: No Impact
Mental Health: No Impact
Overweight / Obesity: No Impact
Child Health: No Impact

Neighbourhood Satisfaction: Positive

If the nursery is closed, the flow of traffic at key points in the day will reduce as families will no longer undertake drop off/pick up of their children. This will positively impact upon the availability of parking within the area and reduce the number of vehicles in the area.

Transport: No Impact

Environment

Climate Change Impacts

Mitigating Greenhouse Gases: No Impact

Adapting to the effects of climate change: No Impact

Resource Use Impacts

Energy efficiency & consumption: Positive

Present levels of energy consumption will be reduced should the nursery be closed and impact positively on the environment through reduced carbon emissions.

Prevention, reduction, re-use, recovery or recycling of waste: No Impact

Sustainable Procurement: No Impact

Transport Impacts

Accessible transport provision: No Impact

Sustainable modes of transport: No Impact

Natural Environment Impacts

Air, land & water quality: Not Known

Following potential closure of the nursery, the new purpose or redevelopment of the land is unknown.

Biodiversity: No Impact

Open & green spaces: Not Known

Following potential closure of the nursery, the new purpose or redevelopment of the land is unknown.

Built Environment Impacts

Built Heritage: No Impact

Housing: Not Known

Following potential closure of the nursery, the new purpose or redevelopment of the land is unknown.

Is the proposal subject to a Strategic Environmental Assessment (SEA)? No further action is required as it does not qualify as a Plan, Programme or Strategy as defined by the Environment Assessment (Scotland) Act 2005.

Corporate Risk

Corporate Risk Impacts

Political Reputational Risk: No Impact

Economic/Financial Sustainability / Security & Equipment: No Impact

Social Impact / Safety of Staff & Clients: No Impact

Technological / Business or Service Interruption: No Impact

Environmental: Positive

Present levels of energy consumption will be reduced should the nursery be closed and impact positively on the environment through reduced carbon emissions.

Legal / Statutory Obligations: No Impact

Organisational / Staffing & Competence: No Impact

Corporate Risk Implications & Mitigation:

The risk implications associated with the subject matter of this report are "business as normal" risks and any increase to the level of risk to the Council is minimal. This is due either to the risk being inherently low or as a result of the risk being transferred in full or in part to another party on a fair and equitable basis. The subject matter is routine and has happened many times before without significant impact.

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