

10am, Thursday, 22 November 2012

## The New Portobello High School and New St John's RC Primary School

<b>Item number</b>	8.1
<b>Report number</b>	
<b>Wards</b>	14; 17

### Links

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<b>Coalition pledges</b>	P03
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<b>Single Outcome Agreement</b>	NO4

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# Executive summary

## The New Portobello High School and New St John's RC Primary School

### Summary

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The purpose of this report is to provide an update on the projects to build the new Portobello High School and the new St John's RC Primary School and to seek approval for the proposed next steps.

### Recommendations

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Council is recommended to:

- Note the actions taken regarding the pursuit of legal options including the intended wide ranging consultation on proposals to introduce a Private Bill to the Scottish Parliament early next year and the conclusion of the review of the current classification of the Park as inalienable common good; and:
  - (i) approve the commencement of that Private Bill consultation and all other necessary actions in connection with the same; and
  - (ii) approve that no petition be made to the Court seeking a declarator that Portobello Park is not inalienable common good land;
- Approve the proposed index linked variation to the contract sum in the potential contract with Balfour Beatty as set out in this report;
- Approve the submission of a bid to purchase the former Scottish Power Site at Baileyfield and delegate authority to the Directors of Services for Communities and Children and Families to approve the terms of any offer to ensure best value is achieved for the Council;
- Approve that a statutory consultation is carried out on the following two fall-back options should the Council's preferred option to build on Portobello Park, as reaffirmed by Council on 25 October 2012, ultimately prove not to be possible:

- (i) the relocation of Portobello High School to a new location on the Baileyfield site; or
  - (ii) the rebuild of Portobello High School on its existing site (but extended to include the area occupied by St John's RC Primary School) through a phased build process to avoid the necessity for a decant;
- Delegate authority to the Director of Children and Families to develop a detailed consultation paper on the proposed fall-back options for a new Portobello High School;
- Approve that the statutory consultation on the proposed fall-back options for a new Portobello High School should be undertaken during 2013;
- Note the intention to return to a future Council meeting for a decision on the proposed fall-back options for a new Portobello High School;
- Approve that a statutory consultation is carried out on the following two scenarios and options for a new St John's RC Primary School with views sought on the preference between the two scenarios and, within each scenario, the preference between the different options:
  - (i) St John's RC Primary School remaining on the existing Portobello/St John's campus; determine the preference of:
    - a. refurbishment and partial new build on the existing site but extended to 1.3 hectares;
    - b. new build on the existing site but extended to 1.3 hectares; or
    - c. new build on the adjacent High School site on an area of 1.3 hectares.
  - (ii) St John's RC Primary School relocating to a new site; determine the preference of a new build on:
    - a. the former Lismore Playing Fields;
    - b. Cavalry Park; or
    - c. Baileyfield (if successfully purchased but not required, or approved, as a fall-back for a new Portobello High School).
- Delegate authority to the Director of Children and Families to develop a detailed consultation paper regarding any proposed temporary or permanent relocation of St John's RC Primary School;
- Approve that the statutory consultation regarding any proposed temporary or permanent relocation of St John's RC Primary School

should be undertaken during 2013 following completion of the remaining preparatory work necessary to inform the options;

- Note the intention to return to a future Council meeting for a decision on any proposed temporary or permanent relocation of St John's RC Primary School;
- Note the additional costs set out in this report which require to be incurred to keep the existing Portobello High School fully operational until a new school is delivered and that it is the intention that the majority of these costs which are capital in nature will be funded from asset management budgets in future years; and
- Confirm during the forthcoming budget process that the £7m currently allocated in the 10 year capital investment programme in 2016/17 remains allocated for the Wave 3 School Replacement Programme.

## Measures of success

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The delivery of a new Portobello High School and a new St John's RC Primary School at the earliest feasible opportunity on sites, and to a design specification, which fully meets all educational and community related requirements.

Delivery of the agreed projects on time, within budget and to the necessary quality.

## Financial impact

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The project to build a new Portobello High School is included in the Capital Investment Programme, the project budget being £41.5m. Costs incurred to date to take the project to its current stage including provision for potential further legal costs are estimated to be approximately £2.5m leaving an estimated balance of £39m available.

The estimated capital costs to completion have been assessed for all options to deliver a new Portobello High School with the following key conclusions:

- To deliver the Council's preferred option on Portobello Park the estimated costs to complete are £32.3m (including an allowance of £1m for the new park which would be created on the existing site thus also not realising any capital receipt) leaving a remaining balance of £6.7m.
- To deliver the first of the proposed fall-back options to build the new school on Baileyfield the estimated costs to complete are £38.1m leaving a remaining balance of £0.9m.
- To deliver the remaining proposed fall-back option of a phased build on the existing site (but extended to include the area occupied by St John's RC Primary School) the estimated costs to complete are £39.2m leaving a small funding deficit of £0.2m.

The estimated capital costs to completion have been assessed for all options to deliver a new St John's RC Primary School with the following key conclusions:

- The capital costs for the various options range from an estimated £9.1m up to £11.5m (for a new build on the Baileyfield site).
- The funding expected to be receivable from the Scottish Government for each option is approximately £4.4m. No additional funding is available for any costs relating to site acquisition, decant or any abnormal costs associated with a particular site e.g. demolition.
- The balance of funding to be met from the Council therefore ranges from an estimated £4.7m up to £7.1m (for the Baileyfield option).

There is currently no capital funding for a new St John's RC Primary School included in the Children and Families Capital Investment Programme. The following potential sources of funding exist:

- Should it ultimately prove to be possible to build a new Portobello High School on Portobello Park the residual balance from that project budget of £6.7m would be sufficient to cover the necessary Council funding for most options to deliver a new St John's RC Primary School with a small deficit of £0.4m arising for the option to build on Baileyfield.
- For the remaining fall-back options to build a new Portobello High School there would be an insufficient balance remaining in the budget. Any deficit could be met from future funding allocated to the Wave 3 Programme in the Children and Families Capital Investment Programme. The forecast £7m allocated in the 10 year capital investment programme in 2016/17 remains identified for Wave 3 but is subject to the approval of Council during the 2013 budget process.

Two of the options for a new St John's RC Primary School would require an off-site decant. The additional costs which would arise as a result would be very significant (estimated to be £1.4m for temporary accommodation alone over the period of construction excluding any provision for transport and other costs) and would have to be funded from revenue budgets within which there is currently no provision. No additional funding support would be provided by the Scottish Government. At a time when revenue budgets are already under considerable pressure this represents a major issue associated with these options.

An updated condition survey has identified the works which are required to keep the current Portobello High School fully operational until a new school is built. The estimated costs range from £2.3m up to £2.9m depending on the option and how long it takes to deliver a new school.

It is the intention that the majority of these costs which are capital in nature will be funded from the Asset Management Works budgets for the Children and Families

estate in current and future years however the capacity to so do still requires to be fully verified. Some costs are considered to be revenue in nature and further consideration is required regarding how these could be funded.

## Equalities impact

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There are no negative equality or human rights impacts arising from this report.

## Sustainability impact

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For the project to deliver a new Portobello High School an environmental impact assessment was submitted, considered and approved as an integral part of the planning application process for the proposed school to be built on Portobello Park. The project to deliver a new St John's RC Primary School will ensure that the design is as sustainable and energy efficient as possible.

## Consultation and engagement

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Following the last Council meeting a letter was sent to parents and guardians of pupils at Portobello High School, its five feeder primary schools and St John's RC Primary School. The letter advised the outcome from the Council meeting and explained the options identified for each school. The respective Parent Councils assisted in seeking a collective view from their respective school communities on the options as an informal consultation exercise.

Copies of the letters and summary feasibility studies can be found on the Council website <http://www.edinburgh.gov.uk/newportobelloschool>. The responses received from the various school communities are detailed in Appendices 3 and 5 of the report. We are very grateful to the Parent Councils and wider school communities for facilitating such comprehensive informal feedback within the very short timescales available.

The proposed consultation arrangements required in advance of any Private Bill being submitted to the Scottish Parliament for consideration are set out in detail in the report.

Whilst recommendations have been made regarding the proposed site options for each school where these involve either a temporary or permanent relocation to a different site, a full statutory consultation process requires to, and will, be conducted under the Schools (Consultation) (Scotland) Act 2010 for each school.

## Background reading / external references

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There have been many previous reports on this matter to the City of Edinburgh Council and the Education, Children and Families Committee. The detail of all previous papers together with a history of the project and the associated legal challenge was provided in the most recent [report](#) to Council on 25 October 2012.

## The New Portobello High School and New St John's RC Primary School

### 1. Background

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- 1.1 The existing Portobello High School needs to be replaced as a matter of priority and every effort should be made to ensure this is achieved on the best available site at the earliest opportunity.
- 1.2 The approved location for the new Portobello High School on part of Portobello Park remains by far the best option in, or around, the catchment area for the new school and remains the Council's preferred option. The funding for the project is in place, planning permission secured and a preferred contractor identified at a very competitive tender price.
- 1.3 The recent outcome from the appeal hearing has created a legal impediment to delivering a new school on Portobello Park. A range of legal options have been identified which may have the effect of removing this legal impediment and are being progressed with the most immediate priority being the intention to take a Private Bill to the Scottish Parliament early next year.
- 1.4 In order that the Council maintains an overview of all reasonable alternatives, consideration has been given to what alternative site options could be available in the event that the option of building the new Portobello High School on Portobello Park does not, ultimately, prove to be possible.
- 1.5 The recent announcement of funding support from the Scottish Government for the delivery of a new St John's RC Primary School provides the opportunity to progress this much needed project.
- 1.6 The former Scottish Power site at Baileyfield was identified as one of few alternative site options and is currently in the process of being marketed for sale by the owner.
- 1.7 In view of the time constraint this placed on the consideration of this option and the requirement to act quickly as it is a limited window of opportunity this, and other options for both a new Portobello High School and a new St John's RC

Primary School, have been considered in detail and informal feedback sought from the school communities.

## 2. Main report

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### Update on Legal Options

- 2.1 The Council Leader and Chief Executive wrote jointly to the relevant Scottish Ministers to enquire regarding the extent to which they might be minded to support, and progress, any potential legislative resolution to this matter.
- 2.2 A response was received on 23 October from John Swinney, Cabinet Secretary for Finance, Employment and Sustainable Growth. In his response Mr Swinney fully recognised the importance of the issue and the need to find a suitable resolution quickly but acknowledged that the workability of the various options which had been suggested could not be presumed.
- 2.3 The Council Leader; Convenor of Education, Children and Families and Director of Children and Families met with Derek Mackay, the Minister for Local Government and Planning, to discuss the next steps the Council intends to take on this matter and to seek the support of the Scottish Government in this regard. The Council advised the Scottish Government that it intends to commence immediately the processes involved in taking a Private Bill to the Scottish Parliament to allow the project to build the new school on Portobello Park to be taken forward.
- 2.4 A Private Bill, according to the Standing Orders of the Scottish Parliament “is a Bill introduced for the purpose of obtaining for an individual person, body corporate or unincorporated association of persons (“the promoter”) particular powers or benefits in excess of, or in conflict with, the general law, and includes a Bill relating to the estate, property, status or style, or otherwise relating to the personal affairs, of the promoter”.
- 2.5 It is the intention to introduce a Private Bill to seek to address the legislative impediment which is currently preventing the new Portobello High School being built on part of Portobello Park. The detailed wording of the Bill will be taken to Council for consideration early next year in advance of submission to the Scottish Parliament. However it will be based on the proposal to appropriate the land at Portobello Park for use as the site of the new Portobello High School reflecting the additional compensatory measures approved by Council on 25 October 2012.
- 2.6 Prior to introducing a Private Bill to Parliament a significant amount of work is involved in undertaking the required consultation process and in the preparation of the draft Bill and other accompanying documents. Once introduced, the Bill would be subject to an initial period of 60 days during which objections could be lodged followed by a three-stage parliamentary consideration process. Further



details are provided in Appendix 1 including the proposed consultation process which it is intended would be very extensive.

- 2.7 It is proposed that the necessary consultation process is undertaken as soon as is practicable in December 2012 and running through to 31 January 2013 by when any responses would require to be received. Allowing sufficient time for the assessment and analysis of the responses and the production of the other accompanying documents, it is intended that the proposed Private Bill would be taken to Council for consideration on 14 March 2013 and, if approved, lodged with the Parliament as soon as possible thereafter. A period of around three weeks is required between lodging of the finalised draft Bill and formal introduction. The parliamentary process would then be followed commencing with the initial 60 day objection period.
- 2.8 Initial discussions have been held with representatives of the Non-Government Bills Unit of the Scottish Parliament with whom ongoing dialogue will continue during the process. Whilst a timetable for progress of a Bill through Parliament cannot be guaranteed and is dependent on the Parliamentary diary, the feasibility of having the process concluded by February 2014 (the expiry of the existing planning consent) is not considered to be unrealistic by the Non-Government Bills Unit.

#### Classification of Portobello Park

- 2.9 On 25 October 2012 it was reported to Council that there was a further review ongoing of the classification of Portobello Park as part of the common good of the city, in respect of which Council approved the recommendation that in the absence of any new facts coming to light which clarify the matter beyond doubt, the Council would seek a Court declarator on this point. This review has now been completed. As was noted in the October report to Council, this is an area of law in which there was, and continues to be, a lack of certainty, and as part of this review the Council has obtained further opinions from an external law firm and also from senior Counsel. This review also included fresh research of the Council's archives, and analysis of papers located there.
- 2.10 This review has concluded that there are very poor prospects of the Council being successful in seeking a declarator from the Court that Portobello Park is not inalienable common good land. In addition, the legal advice received by the Council is that no such declarator should be sought. Given this, and the potential cost of such a court action, it is recommended that these new facts are noted as clarifying the matter beyond doubt, and that no such declarator is sought, with efforts instead focussed on the other options available to the Council. Council is asked to note it is the intention that this legal advice will be released into the public domain following the Council meeting.

## **Balfour Beatty**

- 2.11 Arrangements are in place to award a very competitive contract to Balfour Beatty which would achieve the earliest date for the delivery of the new school on Portobello Park if the Council was in a position to do so. In agreeing to the most recent extension of the tender acceptance period to the end of November 2012 Balfour Beatty has already accepted an extension period of 13 months with all other contract terms remaining unchanged.
- 2.12 Should the opportunity to enter into the contract with Balfour Beatty be lost, an entirely new procurement exercise would be required entailing further delay and the probability of an increased contract sum. A new procurement process would take up to nine months, the starting point being when the Council had achieved certainty that it may lawfully use Portobello Park as the site for the new school.
- 2.13 Discussions have been held between our external cost consultants and Balfour Beatty to establish the possibility of agreeing terms for a longer period. It has been agreed, subject to Council approval, that the existing contract value of £26,114,107 would be subject to an indexation variation based on the movement in the appropriate BCIS Indices for the different elements of the contract between December 2012 and the date of any contract being awarded. In the event that no contract is awarded there would be no financial liability to the Council.
- 2.14 Whilst this action would result in additional costs, this must be considered against the additional time delay which would arise and also the additional costs which it is fully expected would arise in any event if we were to re-tender the contract. This would be in addition to the considerable internal resources and further costs required to actually undertake any re-tendering process. The proposed agreement with Balfour Beatty would apply up to the end of February 2014 to allow time for the legal impediment to be resolved and, assuming this was achieved, allow the contract to be let immediately. Council is, therefore, recommended to approve this approach.
- 2.15 The level of additional costs arising would obviously be dependent on when any contract was awarded and the movement in the index during the intervening period. Based on an assumed contract start date of February 2014 the projected increase in costs has been estimated as being £850,000 which has been reflected in the latest financial analysis for the project in Appendix 2.

## **Fall-back Options for a New Portobello High School**

- 2.16 The site at Portobello Park remains by far the best option available for a new Portobello High School in and around the catchment area if the legal impediment is overcome and remains the preferred option of the Council.
- 2.17 However we must also consider what alternative site options are available if the preferred approach does not, ultimately, prove to be possible. Six alternative

fall-back options have been further investigated and the associated pros, cons, estimated delivery timescales and estimated costs to completion are detailed in Appendix 2 together with any key assumptions made.

- 2.18 The identified options now include the potential for a phased build on the existing site but extended to include the area occupied by St John’s RC Primary School. This was not reflected as an option in the October report to Council as, at the time of publication, it was still being assessed but having been explored the conclusion is that such an option is feasible. This does not come without challenges including a far longer delivery period and the school being in very close proximity to a building site for several years. However it avoids the disruption and significant cost of a decant and has been used successfully in other projects, most recently the new James Gillespie’s Campus.
- 2.19 A comparison with the preferred option is also shown exemplifying the fact that any alternative would be significantly more expensive to deliver, take longer to deliver and represent a significant compromise in comparison with a new school on Portobello Park. However it is important we have a back-up plan.
- 2.20 The main points from the options other than any site specific factors (which are detailed in Appendix 2) are summarised in the following table:

	Portobello Park	Existing site – Decant	Existing site – Phased Build	Baileyfield	Brunstane	Brunstane – Combined School	Craigmillar – Combined School
Site size <sup>(1)</sup>	4.81ha	3.46ha	3.46ha	3.0ha	4.5ha	6.5ha	6.5ha
Number of full-size pitches	2	1	1	1	2	3	3
Requires St John’s to move	No	Yes	Yes	No	No	No	No
Requires a decant	No	Yes	No	No	No	No	No
Opening date for school <sup>(2)</sup>	January 2016	October 2017	August 2019	August 2017	October 2017	April 2018	April 2018
Capital costs to complete <sup>(3)</sup>	£32.3m	£36.1m	£39.2m	£38.1m	£37.4m	£54.1m	£48.0m
Revenue costs for decant <sup>(4)</sup>	-	£7.5m+	-	-	-	-	-

(1) The site size for Portobello Park excludes an area of Millennium Planting of 1ha to the north and an area of 0.59ha to the south, east and west which includes the public paths, mature planting as a buffer zone and cycle way but includes an area of 0.6ha to the south east which remains as open space.

- (2) In each case the timescales for delivery assume that, whilst any necessary statutory consultation would be undertaken during 2013, a decision on the way forward regarding the new school would not be taken until February 2014 at which point the project would start.
- (3) The costs for the two combined school options are higher as they are based on providing a school for 2,200 pupils to cover the existing Portobello and Castlebrae catchment areas whereas the other options are only to provide a replacement Portobello High School. The total costs are not, therefore, directly comparable – this is addressed below.
- (4) This option requires an appropriate decant location to be identified. The costs associated with the provision of temporary accommodation are estimated to be £7.5m excluding any provision for transport and other costs which may arise such as the rental of any site not in Council ownership. Costs could be reduced considerably if there was any suitable alternative accommodation within a reasonable distance from the existing school site.

2.21 In the table above, the capital costs to complete are shown for each option in isolation however, for the four fall-back options which do not involve the delivery of a potential combined school this obviously represents only one part of the equation and excludes the cost of delivering a new high school in Craigmillar. Based on current projections a new high school would be required in Craigmillar in 2020; the cost of delivering this is estimated to be approximately £22.4m including inflation. A comparison of the overall financial position for each option taking into consideration the costs of delivering both schools either separately, or in a combined school, is shown in the following table.

	Portobello Park	Existing site – Decant	Existing site – Phased Build	Baileyfield	Brunstane	Brunstane – Combined School	Craigmillar – Combined School
Capital costs to complete as above	£32.3m	£36.1m	£39.2m	£38.1m	£37.4m	£54.1m	£48.0m
Costs for new Craigmillar High School	£22.4m	£22.4m	£22.4m	£22.4m	£22.4m	-	-
<b>Total capital costs</b>	<b>£54.7m</b>	<b>£58.5m</b>	<b>£61.6m</b>	<b>£60.5m</b>	<b>£59.8m</b>	<b>£54.1m</b>	<b>£48.0m</b>
Additional land at Craigmillar <sup>(1)</sup>	£(4.8m)	£(4.8m)	£(4.8m)	£(4.8m)	£(4.8m)	£(4.8m)	-
<b>Net financial position for comparison</b>	<b>£49.9m</b>	<b>£53.7m</b>	<b>£56.8m</b>	<b>£55.7m</b>	<b>£55.0m</b>	<b>£49.3m</b>	<b>£48.0m</b>

- (1) For the combined school at Craigmillar, the additional land required is estimated to be 4ha (a total of 6.5ha less the 2.5ha already assumed for a new high school in the existing master plan). As the land is in Council ownership there would be no additional site acquisition costs. However, for the other options, the value of this land would be realised as a contribution towards the cost of the new school in Craigmillar therefore, to show the true net comparative financial position, the estimated value of this land of £4.8m were it not to be used for a combined school is shown as a deduction above.

2.22 Whilst the table above shows that the costs of delivering the two options for a combined school are lower than delivering two separate schools (for the fall-back options significantly so) this is not a like for like comparison. The cost of

delivering a stand-alone high school in Craigmillar is based on an opening date of August 2020 being when it is anticipated that a new school would be required; this is just over two years later than that assumed for the new combined school options of April 2018. This has significant financial implications in two ways:

- (i) Construction inflation. If a stand-alone Craigmillar school was built to a completion date of April 2018 the estimated cost would be £2.3m lower at £20.1m compared with £22.4m for completion in August 2020.
- (ii) Additional capital funding required earlier. The options to deliver a combined school would require a significant increase in the level of initial capital investment required. As an example, when compared with the fall-back option on Baileyfield (estimated cost £38.1m), the estimated cost of the option to build a combined school in Craigmillar of £48.0m would require an additional earlier capital investment of £9.9m. The cost of financing this additional investment through prudential borrowing would be approximately £0.84m per year. Whilst not an additional cost as the investment would require to be funded at some point, the prudential borrowing requirement would start over two years earlier.

2.23 The net financial position in the table above shows the option for a combined school in Craigmillar costing an estimated £7.7m less than the total cost of the option to build a stand-alone new Portobello High School in Baileyfield and a stand-alone new Craigmillar High School at a later date in Craigmillar. However when the above factors relating to the different timing of delivery are taken into consideration, the real cost saving is much lower; an estimated £5.4m, with the further requirement to incur annual prudential borrowing costs of £0.84m more than two years earlier.

2.24 Following the last Council meeting a letter was sent to parents and guardians of pupils at Portobello High School and its five feeder primary schools. The letter advised the outcome from the Council meeting and explained the fall-back options identified for a new school for which summary feasibility studies were produced. Copies of the letter and summary studies are on the Council website <http://www.edinburgh.gov.uk/newportobelloschool>.

2.25 The respective Parent Councils assisted in seeking a collective view from their school communities on the options as an informal consultation exercise. A wide range of very comprehensive feedback was received from the Parent Councils which is summarised in Appendix 3 and from which the following general conclusions can be drawn:

- There is widespread support for the preferred option of building the new Portobello High School on Portobello Park;
- Of the fall-back options there is very little support for either a rebuild on the existing extended site (involving a decant); a new build on Brunstane or a combined school at either Brunstane or Craigmillar; and

- Of the remaining two fall-back options which gathered the most support; whilst some responses expressed a particular view, there is no clear consensus between either Baileyfield or a phased new build on the existing, but extended, site.

2.26 A number of further responses were received from a variety of different sources including the results of a questionnaire which gathered responses from all local school communities through a different route to that used by the Parent Councils and also responses from individuals either via the New School Buildings email address or, more substantively, a significant number directly to Elected Members principally the Leader and Convenor of the Education, Children and Families Committee. The details of these responses have not been provided in Appendix 3 which has been limited to the feedback received directly from the school communities through the respective Parent Councils this being the medium through which we specified this informal consultation exercise would be undertaken. This also avoids the potential risk of responses from individuals being duplicated by being included in a number of different returns.

### **Proposed Way Forward – Fall-Back Option for a new Portobello High School**

2.27 The pros, cons, estimated delivery timescales and estimated costs to completion for each option are detailed in Appendix 2 together with key assumptions made.

2.28 Considering first the two options for a combined school, these have a number of advantages not least of which is the potential to achieve significant cost savings (relative to other fall-back options) through the economies of scale of building one school rather than two. However, apart from the community issues and poor location of both sites relative to what the extended catchment area would be, the size of the school itself at 2,200 pupils is an issue. Whilst not impossible to create a good large school it is considerably more difficult. Research suggests that the optimal school size is between 600 and 1,600 and that any higher would require school structures which are essentially 'schools within schools'. On balance, the advantages are considered to be outweighed by the disadvantages and this is not an approach which would be recommended.

2.29 Of the remaining fall-back options which would entail delivering only a replacement for Portobello High School (at this point); a new build on the Baileyfield site and a phased build on the existing, but extended, site are considered to be the best options, this being consistent with the feedback received from the school communities as a result of the informal consultation which was undertaken although there was no clear consensus between the two.

2.30 Each option has advantages and disadvantages. Looked at purely as a site for a new secondary school; a phased build on the existing (but extended) site is considered would deliver the best fall-back solution in the long term - of all fall-back options it is in the best location in the catchment area, has better access and is a larger site which would allow greater flexibility in both design

and site configuration (in comparison to Baileyfield). However when considering other factors, Baileyfield has advantages including avoiding the disruption of an on-site build; being much quicker to deliver, being marginally cheaper and, importantly, not requiring St John's RC Primary School to be relocated.

- 2.31 It is therefore recommended that the Council now seeks to acquire the former Scottish Power Site at Baileyfield. This would allow the flexibility of maintaining both options and allow a full statutory consultation to be undertaken with both school communities regarding the best way forward. In the event that the legal impediment to building the new school on Portobello Park is successfully overcome; Baileyfield is a strategic site which could have other potential uses and may, in itself, be an option for a new St John's RC Primary School.
- 2.32 The site for sale comprises a development site and 13 terraced residential units with offers being invited for the whole site but consideration also being given to separate offers for the development site (Lot 1) and the residential units (Lot 2).
- 2.33 The majority of the residential units do not form a contiguous area which would be of potential interest in allowing the area of land available for any potential new high school to be extended. Estates have advised that the residential units should represent a sufficiently attractive proposition in themselves and that it would be appropriate to consider a bid solely for the development site. The alternative would be for the Council to purchase the entire site and either carry the risk of onwards disposal or the financial burden associated with retention over the long term acting as a landlord.
- 2.34 The development site extends to an area of approximately three hectares including an area to the north of the site (adjacent to the electricity sub-station) being held by the vendor under a 99 year lease which commenced on 4 June 2008, the interest in which is included in the sale. This area is currently subject to a short-term sub-licence which would require to be terminated were the site to be acquired as an option for the new school. The area is required for access to transformers which are situated to the rear of the Scottish Power substation which fronts onto Portobello High Street. Scottish Power has also reserved a servitude right over the area for underground cables. The substation is owned by Scottish Power Energy Networks who would have to approve any use of the land. Whilst no issues are anticipated; the inclusion of this area is important therefore it is recommended that any offer made would be subject to securing the necessary approval for the use of this land as part of the external space used for the school.
- 2.35 The site accommodates a number of properties which are currently occupied by commercial occupiers generally on informal arrangements. If the site was acquired for a new school these arrangements would require to be terminated at an appropriate time to allow the buildings to be demolished to release the land.

- 2.36 Initial investigations have identified that there are potentially significant remediation issues associated with the site. There is evidence of potential contamination sources associated with the current/recent historical land use including a disused fuel pump island, a disused filling station and disused workshops. Historical maps indicate that the site was occupied by a large clay pit until the early 1930s which was later infilled; this could have a significant impact on building foundations.
- 2.37 In order to fully understand the risks and potentially significant costs associated with any contamination and geotechnical conditions on the site it is necessary to undertake a full phase two intrusive site investigation. This investigation would provide recommendations regarding any works and/or measures required to rectify any issues found. This survey will cost approximately £40,000 and take 14 weeks to complete.
- 2.38 Estates have undertaken a valuation of the development site on the basis that any offer would be made without any condition on planning consent, this being the strong preference from the vendors. However, it is recommended that any offer made would be subject to satisfactory resolution of the phase two intrusive site investigation with any necessary remedial costs arising being deducted from the gross offer price. The financial analysis of this option has been based on the valuation by Estates but also on the assumption that any site remediation costs are met by way of a deduction from the site acquisition price. The valuation has been reflected in the financial analysis of the option but has not been disclosed for reasons of commercial confidentiality.
- 2.39 No closing date for the sale has, as yet, been set although Estates have been advised that this is likely to be mid-December with there being a two-stage process involving an initial short-listing in advance of a preferred bidder being announced by the end of January 2013. It is recommended that the Council proceeds to seek to acquire the Baileyfield development site and that authority be delegated to the Directors of Services for Communities and Children and Families to approve the terms of any offer to ensure best value is achieved for the Council. The phase two survey would be instructed if the Council is successful in being short-listed.
- 2.40 Any proposal to relocate Portobello High School requires a statutory consultation process to be conducted under the Schools (Consultation) (Scotland) Act 2010. It is proposed that, should the acquisition of the Baileyfield site be successful, the Council undertakes the necessary statutory consultation after the outcome of the separate consultation on the proposed closure of Castlebrae Community High School is known; this is expected to be the end of April 2013. This would ensure the catchment population to be consulted with is clear and will also allow time for the position regarding the potential additional land at Baileyfield Depot to be clarified and, if appropriate, included in the consultation process subject to the further agreement of Council. This is covered in more detail below.



- 2.41 It is proposed the consultation would be based on two options namely relocation to the Baileyfield site or a phased build on the existing site but extended to include the area occupied by St John's RC Primary School.
- 2.42 A full consultation paper will be developed in advance of the consultation process based on the proposals set out in this Report; Council is asked to delegate authority to the Director of Children and Families to develop this paper.
- 2.43 The statutory consultees for the proposal include:
1. Education Scotland;
  2. The Parent Council of any affected school;
  3. The parents of the pupils at the affected school;
  4. The parents of any children expected to attend the affected school;
  5. The affected students (depending on age and stage);
  6. The staff at the affected school and trade union representatives;
  7. Any affected community councils and neighbourhood partnerships.
- 2.44 The legislation requires a minimum six week consultation period of term time during which representations on the proposal can be made. During the consultation period a public meeting will be held at a suitable venue in, or near, Portobello High School.
- 2.45 At the end of the consultation period, the Council must send to Education Scotland a copy of the proposal paper; written representations received by the authority during the consultation period (or, if agreed, a summary of representations) and a record of the public meeting.
- 2.46 Education Scotland is required to prepare a report on the educational aspects of the relevant proposals and must submit this report to the Council within three weeks (or longer if agreed). The Council must then take account of this report in preparing the Consultation Report on the outcomes of the consultation.
- 2.47 This Consultation Report must be publicly available at least three weeks prior to its consideration by Council and notification will be given to those individuals or groups that have made representations during the consultation period. The report will include a summary of written representations received during the consultation period and representations made at the public meeting along with the Council response to representations made. It is anticipated that the consultation report will be presented to a meeting of the Council towards the end of 2013 setting out final recommendations.
- 2.48 In the event that the Council is not successful in purchasing the Baileyfield site it is proposed that the preferred fall-back option would be a phased build on the existing site but extended to include the area occupied by St John's RC Primary School. As this would not entail a relocation of Portobello High School to another site no statutory consultation process would be required. However, the

delivery of this option would be dependent on St John's RC Primary School relocating to another site which would, in itself, require a statutory consultation process and would therefore be a key dependency.

- 2.49 Should the Baileyfield site not ultimately be approved, or required, as either a fall-back for the new Portobello High School or for the new St John's RC Primary School alternative uses would be sought for the site within the Council, failing which it would be sold. Any deficit in sales proceeds relative to the costs of acquisition would require to be met from the project budget.

### **Potential Additional Land at Baileyfield Depot**

- 2.50 The Council currently leases a site adjacent to the Baileyfield site on the other side of the Fishwives Causeway. The site is used by Services for Communities as a depot for waste management and grounds maintenance services and will be required for this purpose for at least the next two years.
- 2.51 The Baileyfield Depot site extends to an area of just under one hectare and was previously identified as a way in which the total area available for a potential fall-back option for a new Portobello High School at Baileyfield could be extended. This is relevant in view of the restrictions arising from the former Scottish Power site which, although it extends to approximately three hectares in total, offers very limited flexibility for design and layout due to its awkward shape. Options for this additional area could include the delivery of a further pitch or pitches although the shape of the site would not allow for a full-size pitch of 106m x 66m (including provision for a run off area) to be accommodated.
- 2.52 The Baileyfield Depot site could be available in the future when the existing depot use is discontinued and, if it was possible to acquire the land, the additional space which this could provide for a school in this location has considerable merits. However, this would entail significant additional costs including site acquisition; the provision of any additional facilities; demolition costs of the existing buildings on the site; establishing a way to bridge the road between what would be the main school site and also potential site remediation issues (expected to carry similar risks to those on the adjacent main site).
- 2.53 Further investigation is required into this possible enhancement to the fall-back option at Baileyfield; additional costs have been estimated to be approximately £1m excluding any site acquisition costs. This option will be considered further and the conclusions reported to Council at the earliest opportunity.

### **Options for a new St John's RC Primary School**

- 2.54 Six options for the delivery of a new St John's RC Primary School have been further investigated and the associated pros, cons, estimated delivery timescales and estimated costs to completion are detailed in Appendix 4 together with any key assumptions made. For the option of building on the existing Portobello

High School site there are two different outcomes regarding the time and cost of delivery.

2.55 In the October report to Council (paragraph 3.7.9) reference was made to a potential issue relating to the timing of delivery for a new school. This matter has subsequently been discussed with the Scottish Futures Trust which has confirmed that the Scottish Government funding for a new school would be available in the 2015/16 financial year but that the costs incurred on the project prior to this could not exceed the level of funding required from the Council. In effect, this would mean that construction of the new school could commence no earlier than towards the end of the 2014 calendar year. The estimated timescales for the delivery of the new school are such that this is not considered to be an issue which would otherwise delay the delivery of the new school.

2.56 The main points from the options other than any site specific factors (which are detailed in Appendix 4) are summarised in the following table:

	Refurbish and extend	New build on existing site	Existing PHS site – PHS moves to Portobello Park	Existing PHS Site – PHS moves to Baileyfield	Cavalry Park	Baileyfield	Former Lismore Playing Fields
Requires St John's to move	No	No	No	No	Yes	Yes	Yes
Requires a temporary decant	Yes	Yes	No	No	No	No	No
Opening date for school <sup>(1)</sup>	October 2016	July 2016	April 2017	October 2018	November 2016	July 2016	October 2016
Capital costs to complete	£9.1m	£9.1m	£9.3m	£10.0m	£9.2m	£11.5m	£9.2m
Revenue costs for decant <sup>(2)</sup>	£1.4m+	£1.4m+	-	-	-	-	-

(1) In each case the timescales for delivery assume that, whilst any necessary statutory consultation would be undertaken during 2013, a decision on the way forward regarding the new school would not be taken until February 2014 at which point the project would start.

(2) These options require an appropriate decant location to be identified. The costs associated with the provision of temporary accommodation are estimated to be £1.4m excluding any provision for transport and other costs which may arise such as the rental of any site not in Council ownership. Costs could be reduced considerably if there was any suitable alternative accommodation within a reasonable distance from the existing school site.

2.57 Following the last Council meeting a letter was sent to parents and guardians of pupils at St John's RC Primary School advising the outcome from the Council meeting and explaining the options identified for a new school for which summary feasibility studies were produced. Copies of the letter and the studies are on the Council website <http://www.edinburgh.gov.uk/newportobelloschool>.

2.58 The Parent Council assisted in seeking a collective view from the school community on the options as an informal consultation exercise which is summarised in Appendix 5. The Parent Council undertook a survey which attracted 153 responses; the conclusions from this survey can be summarised as follows:

- Within the school community, the preferred options for redevelopment of the school are those which involve either retaining the current site, or relocating to the site immediately adjacent (that currently occupied by the existing Portobello High School) even though this would require waiting for vacant possession. 87% of the respondents identified one of these three options as their first choice.
- Of these, redevelopment and expansion on the current site (with an expanded site area) is the most preferred option. This was noted as involving partial or full decanting during the works.
- If a move to another site has to occur, the Scottish Power (Baileyfield) site is preferred over any other, although the Holy Rood site is significantly preferred to Lismore.

### **Proposed Way Forward – new St John’s RC Primary School**

2.59 There are two key issues associated with how this new school will be delivered:

- (i) Some options are inextricably linked to the approach taken to the delivery of the new Portobello High School and where this would be located which would, in turn, require St John’s to move to a different location.
- (ii) Two of the options would require an off-site decant. The additional costs which would arise as a result would be very significant (estimated to be £1.4m for temporary accommodation alone over the period of construction excluding any provision for transport and other costs) and would have to be funded from revenue budgets within which there is currently no provision. No additional funding support would be provided by the Scottish Government. At a time when revenue budgets are already under considerable pressure this represents a major issue associated with these options.

2.60 In the event that the new Portobello High School was built on either Portobello Park or Baileyfield, the option would be available to build the new St John’s RC Primary School as either a new build or refurbishment and partial new build on the existing site (but extended to 1.3 hectares) or as a new build on the adjacent High School site. The timescales for a new build on the adjacent High School site are entirely dependent on when the site is cleared and to what site the High School is relocated however both options result in considerably longer delivery timescales due to the related dependency. Further consideration is required of the following which will now be progressed to inform the statutory consultation which will have to be undertaken on a range of different options:

- What actual decant locations and options might be available and what are the associated costs;
  - To what extent might the refurbishment and partial new build option compromise the ability of the design to respond to the educational brief; and
  - For the two options which are based on the existing Primary School site being expanded to encompass an additional area currently occupied by the High School, when would access to this land be required and what would the impact on the High School be. The illustrative timescales shown for each of these options assume the area is released immediately it was required.
- 2.61 The other options would require the new St John's RC Primary School to be relocated to a new site. This might be either through necessity if a fall-back option is required for a new Portobello High School which means this would be unavoidable, or the school community may choose such an option.
- 2.62 Any proposal to relocate the school - either permanently or through a temporary decant - requires a statutory consultation process to be conducted under the Schools (Consultation) (Scotland) Act 2010. The further work required identified above will now be progressed with a view to undertaking the necessary statutory consultation process in 2013, most probably in tandem with the process to be undertaken in respect of fall-back options for a new Portobello High School.
- 2.63 It is proposed that a statutory consultation is carried out on the following two scenarios and options for a new St John's RC Primary School with views sought on the preference between the two scenarios and, within each scenario, the preference between the different options:
- (i) St John's RC Primary School remaining on the existing Portobello/St John's campus; determine the preference of:
    - a. refurbishment and partial new build on the existing site but extended to 1.3 hectares;
    - b. new build on the existing site but extended to 1.3 hectares; or
    - c. new build on the adjacent High School site on an area of 1.3 hectares.
  - (ii) St John's RC Primary School relocating to a new site; determine the preference of a new build on:
    - a. the former Lismore Playing Fields;
    - b. Cavalry Park; or
    - c. Baileyfield (if successfully purchased but not required, or approved, as a fall-back for a new Portobello High School).
- 2.64 A full consultation paper will be developed in advance of the consultation process based on the proposals set out in this report; Council is asked to

delegated authority to the Director of Children and Families to develop this paper. The range of statutory consultees and consultation process would be the same as that set out earlier in this report for the new Portobello High School but the details would obviously be specific to St John's RC Primary School.

### **Condition of Portobello High School**

- 2.65 Property Services has, in consultation with the school management, now completed a condition survey of the existing building and identified works which are required to keep the school fully operational until a new school is built. The works required, and the associated costs, increase depending on the timescales for when a new school is delivered which vary for each option. For a school being delivered within three years, as is estimated would be the case for building on Portobello Park, the costs required are an estimated £2.3m. Of the two fall-back options which it is proposed be subject to a statutory consultation, a new school on Baileyfield would entail a delivery timescale of just under five years and result in an increase in costs to an estimated £2.8m. The remaining fall-back option of a phased build on the existing, but extended, site would entail a delivery timescale of just less than seven years and result in an increase in costs to an estimated £2.9m.
- 2.66 It should be noted that many of these costs are those which had been previously identified as being necessary as part of the original estimated Wave 3 essential improvements works for the school but which were subsequently reduced when the decision was made to progress with the school as the first priority for delivery. It is the intention that the majority of the costs arising will be funded from the Asset Management Works budgets for the Children and Families estate in both current and future years however the capacity to so do still requires to be fully verified. Some costs are considered to be revenue in nature and further consideration is required regarding how these could be funded.

## **3. Recommendations**

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### **3.1 Council is recommended to:**

- Note the actions taken regarding the pursuit of legal options including the intended wide ranging consultation on proposals to introduce a Private Bill to the Scottish Parliament early next year and the conclusion of the review of the current classification of the Park as inalienable common good; and:
  - (i) approve the commencement of that Private Bill consultation and all other necessary actions in connection with the same; and
  - (ii) approve that no petition be made to the Court seeking a declarator that Portobello Park is not inalienable common good land;

- Approve the proposed index linked variation to the contract sum in the potential contract with Balfour Beatty as set out in this report;
- Approve the submission of a bid to purchase the former Scottish Power Site at Baileyfield and delegate authority to the Directors of Services for Communities and Children and Families to approve the terms of any offer to ensure best value is achieved for the Council;
- Approve that a statutory consultation is carried out on the following two fall-back options should the Council's preferred option to build on Portobello Park, as reaffirmed by Council on 25 October 2012, ultimately prove not to be possible:
  - (i) the relocation of Portobello High School to a new location on the Baileyfield site; or
  - (ii) the rebuild of Portobello High School on its existing site (but extended to include the area occupied by St John's RC Primary School) through a phased build process to avoid the necessity for a decant;
- Delegate authority to the Director of Children and Families to develop a detailed consultation paper on the proposed fall-back options for a new Portobello High School;
- Approve that the statutory consultation on the proposed fall-back options for a new Portobello High School should be undertaken during 2013 after the outcome of the separate consultation on the proposed closure of Castlebrae Community High School is known;
- Note the intention to return to a future Council meeting for a decision on the proposed fall-back options for a new Portobello High School;
- Approve that a statutory consultation is carried out on the following two scenarios and options for a new St John's RC Primary School with views sought on the preference between the two scenarios and, within each scenario, the preference between the different options:
  - (i) St John's RC Primary School remaining on the existing Portobello/St John's campus; determine the preference of:
    - a. refurbishment and partial new build on the existing site but extended to 1.3 hectares;
    - b. new build on the existing site but extended to 1.3 hectares; or
    - c. new build on the adjacent High School site on an area of 1.3 hectares.

- (ii) St John's RC Primary School relocating to a new site; determine the preference of a new build on:
- a. the former Lismore Playing Fields;
  - b. Cavalry Park; or
  - c. Baileyfield (if successfully purchased but not required, or approved, as a fall-back for a new Portobello High School).
- Delegate authority to the Director of Children and Families to develop a detailed consultation paper regarding any proposed temporary or permanent relocation of St John's RC Primary School;
  - Approve that the statutory consultation regarding any proposed temporary or permanent relocation of St John's RC Primary School should be undertaken during 2013 following completion of the remaining preparatory work necessary to inform the options;
  - Note the intention to return to a future Council meeting for a decision on any proposed temporary or permanent relocation of St John's RC Primary School;
  - Note the additional costs set out in this report which require to be incurred to keep the existing Portobello High School fully operational until a new school is delivered and that it is the intention that the majority of these costs which are capital in nature will be funded from asset management budgets in future years; and
  - Confirm during the forthcoming budget process that the £7m currently allocated in the 10 year capital investment programme in 2016/17 remains allocated for the Wave 3 School Replacement Programme.

**Gillian Tee**

Director of Children and Families



## Appendix 1

### Private Bill

#### **1 Introduction**

- 1.1 It is proposed that a project specific Private Bill be progressed. Whilst a Private Bill which sought to amend the existing legislation on a wider basis would potentially be of interest to other Scottish Local Authorities; extending the scope in this way would introduce significant additional risk, complexity and time.

#### **2 Pre-Parliamentary Process**

- 2.1 Before a Bill can be submitted to Parliament, it has to be drafted for the Council and the Council, as promoter of the Bill, must also have consulted on the Bill's objectives and alternative ways of meeting these objectives. It is considered that in respect of this Bill, such a consultation will provide clear evidence which supports the Council's belief that building the school on part of the Park is the preferred option of the majority of the local community.
- 2.2 There is no minimum set period for consultation but it must be appropriate to the nature of the proposal and genuine. The proposed consultation process is detailed below.
- 2.3 On completion of the consultation process there are a number of documents which the Council would have to submit to the Parliament including, most importantly, a Promoter's Memorandum. This must set out the Bill's policy objectives and specify in clear and reasonable detail what consultation was undertaken on the proposals in the Bill including details such as the means by which consultees were selected, how they were approached, when the Promoter consulted, what it consulted on and with whom, the number of responses received and what, if any, changes to the proposal were made as a result.

#### **3 Pre-Introduction Consultation Process**

- 3.1 The Guidance for Private Bills states that 'In all cases, it is imperative that the consultation undertaken was meaningful and effective. The Private Bill Committee will wish to satisfy itself that the promoter undertook a consultation process that was open, accessible, helpful, clearly timetabled and, where possible, adopted and demonstrated innovative and best practice.' It goes on to state 'it is not possible to give definitive guidance about who should be consulted and the kind of consultation that should be undertaken (i.e. formal written consultations, public exhibitions and meetings, information leaflets, etc). It will depend to a large extent on the size and nature of the project. It will usually follow that the larger and more contentious a project is, the more extensive the pre-introduction consultation should be'.

- 3.2 It is important that as many people as possible have had the opportunity to be aware of, and comment on, the proposals and to provide their views regarding the most appropriate use of the new area of open space which Council approved would be created on the site of the existing Portobello High School if the proposal to build the new school on Portobello Park was to proceed.
- 3.3 It is therefore recommended that we build on the successful consultation model that was used for the pre-planning consultation process for both the new Portobello and James Gillespie's High Schools. These adopted a road-show approach which provided an opportunity for people to find out more about the proposals before submitting their views. One of the benefits of this approach was that, by going out to local community venues, people who would not normally respond to a formal consultation process were engaged in the process at an early stage and, by using a wide range of communications tools, a high response rate was achieved.
- 3.4 Information on the proposals and the consultation process would be provided and distributed in a number of different ways including:
- The production of an information leaflet which would be sent directly to a wide range of residents within the local area who are most directly affected by the proposals (see below);
  - Posters in a variety of venues promoting the consultation process; road-shows and other events;
  - An exhibition in Portobello; Piershill and Central Libraries;
  - Consultation page/s created on the Council website to provide detailed information;
  - The provision of a number of manned information road-shows at a wide variety of community venues throughout the wider Portobello area;
  - Presentations to Portobello and Duddingston Community Councils and other interest groups if required;
  - Placing a number of adverts in the Evening News to promote the proposals and the consultation process to the wider Edinburgh public;
  - Two public meetings would be held; one in Portobello Town Hall to allow those in the local area to attend and the other in a city centre venue to allow other residents of Edinburgh the opportunity to hear about the proposals and offer their views. The Council would initially set out the proposals and answer any questions arising then local community groups who are both for, and against, the proposals would then also be invited to set out their views and answer any questions. The Council would arrange the meetings and facilitate an independent chair.
- 3.5 Whilst responses would obviously be welcome from anyone in the city, it is recognised that it is those residents within the local area who are most directly

affected and we wish to ensure that steps are taken to ensure that they are made aware directly of the proposals and the consultation process. It is therefore the intention that, at the outset of the consultation process, the information leaflet and any other relevant material would be sent directly to those in the wider Portobello area which has been defined as that bounded by the sea to the North, the railway line to the South, Holyrood Park to the West and the city boundary/bypass to the East. It is estimated that this will encompass approximately 15,000 households.

3.6 It is also necessary to ensure that we make it as easy as possible for comments to be provided regarding the proposals and also any views on the most appropriate use of the new area of open space which Council approved would be created on the site of the existing Portobello High School if the proposal to build the new school on Portobello Park was to proceed. A range of options will, therefore, be available to do this including:

- Printed questionnaires that attendees can fill in at any of the road-shows or pick up and return at libraries;
- An online version of the questionnaire will be provided on the Council website;
- The opportunity to provide written responses by post; and
- A dedicated email address will be established to allow people who wish to send their response electronically.

3.7 All responses will be reviewed in detail and a report provided to Council on 15 March 2013 to summarise the outcome regarding both the proposals and the views expressed regarding the potential uses of the new open space, and also responding to any key issues arising from the consultation process.

#### **4 Parliamentary Process**

4.1 It is currently estimated that the timescale for taking such a Private Bill through the Scottish Parliament could be approximately six months to a year from its introduction. The Parliamentary process would see a Private Bill Committee set up to consider the Bill comprising three to five MSPs, however no local MSPs can sit on the Committee.

4.2 Once the proposed Bill and required accompanying documents are lodged with the Parliament there are four stages to the Private Bill process which are set out below; this is summarised in a flowchart on the Scottish Parliament website <http://www.scottish.parliament.uk/parliamentarybusiness/Bills/25467.aspx>.

##### *60 Day Objection Period*

4.3 Objections may be lodged by any person, body corporate or unincorporated association whose interests would be adversely affected by the passage of the Bill. Those who wish to do so must lodge their objection with the Clerk during a

60-day period following the Bill being introduced, although the relevant Private Bill Committee has discretion to allow late objections where it is satisfied that the objector had a good reason for not lodging the objection in time. Objectors must set out the nature of their objection, explain whether their objection is against the whole Bill or merely a specific provision or provisions, and specify how their interests would be adversely affected by the passage of the Bill.

#### *Preliminary Stage*

- 4.4 The Private Bill Committee considers the general principles of the Bill and whether it should proceed, gives preliminary consideration to objections and decides if the paperwork submitted complies with the Parliament's Standing Orders and will allow for proper scrutiny of the Bill. At this stage a Preliminary Stage Report is prepared for consideration by Parliament as a whole which then decides whether to agree the general principles and whether it should proceed as a Private Bill.

#### *Consideration Stage*

- 4.5 Assuming the general principles of the Bill are approved by Parliament at the Preliminary Stage the Bill returns to the Private Bill Committee for Consideration Stage.
- 4.6 This involves two phases (i) the Committee meeting in a quasi-judicial capacity to hear evidence on the Bill and on objections to it and (ii) the Committee meeting in a legislative capacity to consider and dispose of amendments.
- 4.7 The role of the Committee during the first phase is to act as arbiter between the promoter and objectors. This involves allowing differences between the parties to be resolved by negotiation but also, where that is not possible, choosing between them. Before it can do so, the Committee must ensure that each party has had a fair opportunity to present its own case and question the opposing case. This may involve the leading of evidence (by both the promoter of the Bill and those who have lodged objections), and the cross-examination of witnesses and their evidence (by the promoter, objectors and Committee members).
- 4.8 Objections that are the same or similar may be grouped, with one or more objectors being selected by the Committee to lead evidence on behalf of the group.
- 4.9 This first phase concludes with the Committee preparing a report giving its decisions on the objections considered. The report may also indicate any areas where the Committee expects the Bill to be amended during the second phase of the Consideration Stage. During the second phase, the Committee considers any amendments to the Bill lodged by members of the Committee. Such amendments may have been prepared by the promoter in order to give effect to any recommendations contained in the Committee's Consideration Stage Report.

### *Final Stage*

- 4.10 The Bill (or amended version) goes to a full meeting of Parliament where there is a further opportunity for it to be amended (and at this stage, amendments may be lodged and moved by any MSP), followed by a debate and (if need be) a vote on whether or not the Private Bill should be passed.
- 4.11 If the Bill is passed, there is then scope for a potential challenge from the Advocate General, Lord Advocate or Attorney General, who have the power to prevent it being submitted for Royal Assent if there are unresolved doubts about the Parliament's legislative competence in connection with the Act. If they do not challenge the Bill within four weeks it would then go for Royal Assent and become law.

## Appendix 2

### Fall-Back Options for a New Portobello High School

#### LOCATION

Central location in catchment area (extended for combined school)

Safe and convenient user access routes

Well served by local transport links

#### EDUCATIONAL BENEFITS

Close proximity to associated cluster schools and facilities

Local access to a wider range of learning environments and resources

Size of the school higher than considered optimal and would require structures which are essentially 'schools within schools'

#### AVAILABILITY AND TIMESCALES

No decant required

Site in Council ownership

No requirement for statutory consultation on new site (or required for decant location)

#### TECHNICAL CONSTRAINTS OF SITE

Meets target area of 4.5 hectares (6.5 hectares for combined school)

Meets requirement for two full size sports pitches (three for combined school)

Site allows for flexibility of design and layout

No issues with noise or air quality

#### PLANNING

Adheres to local plan designation

No wildlife or conservation area issues

No likely archaeological issues

	Preferred Portobello Park	Option 1 Existing and Extended Site - No Phasing	Option 2 Existing and Extended Site - Phased Build	Option 3 New PHS Only - Baileyfield	Option 4 New PHS Only - Brunstane	Option 5 Combined School - Brunstane	Option 6 Combined School - Craigmillar
Central location in catchment area (extended for combined school)	✓	✓	✓	x	x	x	x
Safe and convenient user access routes	✓	✓	✓	-	x	x	?
Well served by local transport links	✓	✓	✓	✓	x	x	✓
Close proximity to associated cluster schools and facilities	✓	✓	✓	✓	x	x	x
Local access to a wider range of learning environments and resources	✓	✓	✓	✓	x	x	✓
Size of the school higher than considered optimal and would require structures which are essentially 'schools within schools'	n/a	n/a	n/a	n/a	n/a	x	x
No decant required	✓	x	✓	✓	✓	✓	✓
Site in Council ownership	✓	✓	✓	x	x	x	✓
No requirement for statutory consultation on new site (or required for decant location)	✓	x	✓	x	x	x	x
Meets target area of 4.5 hectares (6.5 hectares for combined school)	✓	x	x	x	✓	✓	✓
Meets requirement for two full size sports pitches (three for combined school)	✓	x	x	x	✓	✓	✓
Site allows for flexibility of design and layout	✓	✓	-	x	✓	✓	?
No issues with noise or air quality	✓	✓	✓	x	✓	✓	?
Adheres to local plan designation	✓	✓	✓	✓	x	x	?
No wildlife or conservation area issues	✓	✓	✓	✓	x	x	x
No likely archaeological issues	✓	✓	✓	✓	-	-	?

**Appendix 2 (continued)**

	<b>Preferred</b>	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>	<b>Option 4</b>	<b>Option 5</b>	<b>Option 6</b>
<b>Fall-Back Options for a New Portobello High School</b>	Portobello Park	Existing and Extended Site - No Phasing	Existing and Extended Site - Phased Build	New PHS Only - Baileyfield	New PHS Only - Brunstane	Combined School - Brunstane	Combined School - Craigmillar
<b>OTHER FACTORS</b>							
Legal impediment to allow appropriation of the land	x	n/a	n/a	n/a	n/a	n/a	n/a
Not dependent on relocation of St John's RC Primary School	✓	x	x	✓	✓	✓	✓
Phased construction would take much longer require the school to continue to operate alongside an active construction site	n/a	n/a	x	n/a	n/a	n/a	n/a
Potential significant site remediation issues	n/a	n/a	n/a	x	n/a	n/a	n/a
Use of adjacent existing sports facilities and potential use of other adjacent areas to be explored	n/a	n/a	n/a	-	n/a	n/a	n/a
Number of parking spaces allowed is 50% less than other site	n/a	n/a	n/a	x	n/a	n/a	n/a
The site is within the designated Green Belt	n/a	n/a	n/a	n/a	x	x	n/a
Would provide fully comprehensive school	n/a	n/a	n/a	n/a	n/a	✓	✓
Would deliver a new school for current Castlebrae Community High School catchment pupils quicker	n/a	n/a	n/a	n/a	n/a	✓	✓
If Castlebrae Community High School closed would avoid complexity of transition to new school in Craigmillar in the future	n/a	n/a	n/a	n/a	n/a	✓	✓
Potential negative impact on Craigmillar town centre regeneration	n/a	n/a	n/a	n/a	n/a	x	x
Requires significant increase in the up-front financial investment required (compared with building two separate schools)	n/a	n/a	n/a	n/a	n/a	x	x
If a phased build was adopted would ensure capacity would be right-sized to meet demand. However, would constrain the design, be more expensive in the long term and result in disruption on the site when future building extensions and/or adaptations were required	n/a	n/a	n/a	n/a	n/a	-	-
Scope for potential financial savings and the provision of more flexible accommodation if built to full capacity from the outset	n/a	n/a	n/a	n/a	n/a	✓	✓

**Appendix 2 (continued)**

	<b>Preferred</b>	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>	<b>Option 4</b>	<b>Option 5</b>	<b>Option 6</b>
<b>Fall-Back Options for a New Portobello High School</b>	Portobello Park	Existing and Extended Site - No Phasing	Existing and Extended Site - Phased Build	New PHS Only - Baileyfield	New PHS Only - Brunstane	Combined School - Brunstane	Combined School - Craigmillar
<b>IMPLEMENTATION TIMESCALES</b>							
Estimated completion date for the new school	Dec 2015	Sep 2017	July 2019	June 2017	Oct 2017	April 2018	April 2018
Estimated occupation and opening date for the new school	Jan 2016	Oct 2017	Aug 2019	Aug 2017	Oct 2017	April 2018	April 2018
<b>ESTIMATED COSTS TO COMPLETION</b>							
Capital costs	£32.3m	£36.1m	£39.2m	£38.1m	£37.4m	£54.1m	£48.0m
Revenue costs (for decant)	-	£7.5m+	-	-	-	-	-

Key assumptions for implementation timescales:

1. Where there is a dependency on an off-site build for St John's, progress project for High School in tandem so ready to start construction as soon as site available.
2. For the option to build on Portobello Park no new procurement process required and no extension to planning necessary.
3. For all options assumes a clean alternative site with no delay and/or additional time required for site remediation or enabling works.
4. For the option to build on Portobello Park assume legal impediment resolved by February 2014 and that no works on any fall-back options start until then.
5. The project timescales for some fall-back options have been increased as necessary to reflect any estimated extensions associated with phased build and combined school.
6. Occupation date for the school is the next available school holiday break.

Key assumptions for estimated costs to completion:

1. For all fall-back options the base cost is calculated using the Council defined parameters regarding space per pupil and the SFT programme metrics for cost per m2.
2. For all fall-back options inflation has been applied from the SFT reference date of Q2 2011 to the estimated mid-point of construction using the BCIS All-In TP Index.
3. Cost allowances have been provided for demolition, site remediation, access improvements, service diversions and infrastructure works as appropriate.
4. Estimated site acquisition costs have been incorporated as appropriate together with any estimated disposal proceeds from the existing sites where vacated.
5. No allowances have been incorporated for any potential abnormal, remediation or site enabling works for the combined school option at Craigmillar as no site identified.
6. For the combined school option at Craigmillar no site has been identified therefore it is not possible to establish with any certainty what the financial impact of land would be. For the purposes of this analysis it has been assumed that the residual land from the existing high school site of 2.16ha would be sold. The additional land required in the Craigmillar Town Centre of an estimated 4ha (6.5ha total less the 2.5ha assumed in the existing master plan) would be at no additional cost and is not reflected in the total above. However, this does carry an opportunity cost equivalent to the estimated value which could be realised from this land for housing development were it not to be used for a combined school which has taken into consideration when comparing the net financial position for each option in the main report.



## Appendix 3

### Feedback on options from Portobello High School and Feeder Primaries

#### 1 Portobello High School

- 1.1 A detailed response was received from Portobello High School Parent Council whose members created a survey to seek the views of parents in the school community; the response received is replicated below.
- 1.2 The survey used a simple Survey Monkey questionnaire and was compiled on behalf of the Portobello High School Parent Council (PC) and with the assistance of the PC's new school sub group. The survey was conducted at the request of the City of Edinburgh Council to assist it with further detailed consideration of fall back options for siting the new PHS and in the preparation of a related report to the Council to be published on 16 November.
- 1.3 Notification of the survey to parents and carers of pupils at the school was made via the PHS texting and email service and on the school's website. It was launched on the afternoon of 1 November and was closed on the evening of 6 November. To assist parents and carers links were provided to the option appraisals prepared by the Council on each of the fall back sites plus a summary of the pros and cons of each site.
- 1.4 The survey did not ask a question on the siting of the new school in Portobello Park as this was selected decisively by the CEC as the preferred site, a decision the PC very much agrees with.
- 1.5 386 responses were received which has been estimated to be about a third of the numbers of parent and carers of children at PHS.
- 1.6 Headlines from the survey include: the least popular options were the joint campuses (90% opposed to Craigmillar and 88% opposed to Brunstane), followed by rebuild on site with decant (77% opposition); a new build of PHS on the Brunstane site was opposed by nearly 71% of respondents. Roughly equal numbers were opposed to a phased rebuilding on the existing site (55% opposed) or building on the Baileyfield site (53%). Clearly no option received a majority in favour.
- 1.7 Responses to each of the fall back options were as follows (rounding may mean percentages do not add up to exactly 100%):
  - New school on the existing site requiring a decant: 77% were opposed to this option (with 65% 'strongly disagreeing'), with nearly 14% agreeing to it and 9% did not express a preference either way.

- Phased build on existing site – no decant: 55% were opposed (with just under 38% strongly disagreeing), 33% agreed to the option with nearly 12% registered no preference.
- Build the new school on the Baileyfield site: 53% were opposed to this option (just short of 32% strongly disagreeing), 32% agreed and just under 15% did not express a preference either way.
- Build the new school on the Brunstane site: nearly 71% opposed this option (with just under 48% strongly disagreeing), just over 14% agreed to the option with just over 15% registering no preference.
- Build a joint campus with Castlebrae at Brunstane: nearly 88% opposed this option (nearly 74% strongly disagreeing), under 6% agreeing and just less than 7% neither agreeing or disagreeing.
- Build a joint campus with Castlebrae at Craigmillar: 90% disagreed with this option (nearly 80% strongly), under 4% agreed and just over 6% did not have a preference.

1.8 The detailed results are as follows (not all questions were answered by each respondent and some were skipped):

Option	Strongly Disagree	Disagree	Neither agree nor Disagree	Agree	Strongly Agree
New build on existing extended site	246	47	34	40	12
Phased new build on existing extended site	142	65	45	83	42
New build on Baileyfield	121	81	55	80	43
New build on Brunstane	179	86	57	44	9
Joint campus for PHS and Castlebrae in Brunstane	278	54	25	17	4
Joint campus for PHS and Castlebrae in Craigmillar	302	38	24	10	4

1.9 A number of detailed comments were submitted via the survey monkey site used to collect the data but are not detailed here.

## 2 Duddingston Primary School

2.1 A very detailed response was received from Duddingston Primary School Parent Council whose members created a survey to seek the views of parents in the school community. The findings from the survey were summarised as follows being replicated in more detail below:

- An estimated 45% of households responded to the survey, representing children from a broad spread of classes and age ranges.

- 97% of the parents who responded were in favour of rebuilding the school on the Portobello Park site.
- Around two thirds of parents stated that they would not support any alternative site to Portobello Park for the school rebuild.
- Around a third of parents supported the other proposed sites, but there was no consensus about which of these would be the best site.
- Just under half of parents had considered other options for their children's education as a result of the rebuild issues.

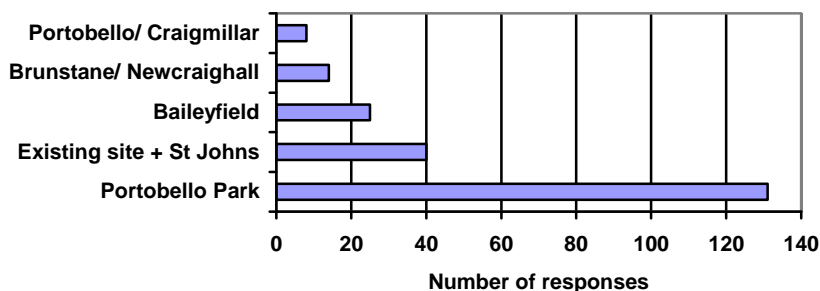
The submission concludes that, based on the survey findings, the recommendation to the Council that the Baileyfield Site is purchased as a fall-back option cannot be supported.

2.2 The aim of the survey was to determine what proportion of Duddingston parents were in support of the Portobello Park site for a rebuild of the PHS and whether they would be prepared to support the alternative options currently being considered. Information was also collected on whether parents had considered any alternative options to PHS for their children as a result of the current rebuild issues, and parents were invited to provide any other comments that they would like the Duddingston Parent Council to pass on to the CEC.

2.3 There were a total of 142 responses to the survey of which some were discounted as they were not currently a parent of a child at the school or only partially completed the survey. The remaining 134 respondents represent an estimated 45% of households sending one or more children to Duddingston Primary School (based on an assumed school roll of 450 children and an assumed average of 1.5 children per household). Respondents were asked which class(es) their children were in within the school, including the Nursery classes and the results showed that there was a good spread of participation from parents of children of all ages.

2.4 Parents were asked 'do you support the new PHS being built on Portobello Park?' Figure 1, below, shows that the overwhelming majority of parents who responded to the survey (97%, n=130) were in support of the Portobello Park option.

*Figure 1: Sites that Duddingston parents would support for the PHS rebuild*



- 2.5 Parents were also asked 'would you be prepared to support an alternative site to Portobello Park?' Around two thirds (63%, n=84) of parents stated that they would not support any alternative site to Portobello Park for the school rebuild.
- 2.6 Of the 37% (n=49) of respondents who said they were prepared to support an alternative site, most (n=40) backed a rebuild on the existing site (taking in the site of St John's school). A smaller number were prepared to support the Baileyfield site (n=29) and fewer still the Brunstane/Newcraighall site (n=14).
- 2.7 Respondents were allowed to say that they would support more than one of the alternative sites for the school, and 23 did tick more than one option. Therefore, they were asked which of the proposed sites would be their preferred option. The existing site was the preferred alternative option of 29 respondents (21% of the total).
- 2.8 Although it was not been recognised as a formal option, there were discussions about building a superschool for Portobello and Craigmillar. There was very little support for this option, with only 8 respondents (6% of the total) stating that they would support this option.
- 2.9 Clearly the bulk of the support from the Duddingston parent forum is for a rebuild on the Portobello Park site. Although around a third of parents said they would be prepared to support the other proposed options, there was no consensus about which would be the best site. The level of support for even the most popular alternative option (the existing site) is significantly less than for the Park.
- 2.10 To find out whether parents were so concerned about the rebuild issues, the survey asked whether they had considered other options for their children's secondary education. Therefore, the survey asked 'have you considered any alternative options to PHS for your child/children as a result of the current rebuild issues?' Just under half (45%, n=60) of parents responding to the survey had considered another option for their children. When asked what other options had been considered, the three options mentioned were private education (n=28), moving house/applying to a school in another catchment area (n=19) and the local Catholic School, Holyrood (n=12). It was commonly stated, however, that parents were considering these options with reluctance.
- 2.11 Sixty six respondents (49% of the total) felt strongly enough to make some final additional comment that could be passed on to the City of Edinburgh Council. These comments are very broad ranging, but they illustrate the strength of feeling amongst some parents about the school rebuild. These comments were submitted and have been reviewed but are not detailed here.

### **3 Towerbank Primary School Council**

- 3.1 A response was received from the Towerbank Primary School Parent Council which had met to discuss the site options presented and agreed the following unanimously:

- Portobello Park remains by far the best option for siting a new school and they were encouraged that the Council is pursuing all legal means possible to achieve this end.
- Should the preference to build on Portobello Park fail, their preferred fall-back option would be to build a new high school at the Baileyfield site as it has the most potential for further development being next to Standard Life, and because of its proximity to sports facilities at the Pitzs. The view was also expressed that a new build at Baileyfield would also have the great benefit of not requiring a decant or on-site phased construction which would be so disruptive to pupils and teaching staff.
- It was recognised that a new school at Baileyfield is by no means ideal both being too small a site for the school and being on the northern extreme of the catchment. It is also flanked by two main roads and there are concerns about safety getting to and from the school, pollution from traffic and railroads and congestion. These would clearly need to be addressed.
- The second alternative preference would be to rebuild a school on the existing site with phased construction and the proviso that sports pitches would be made available at Portobello Park. The members of the school council raised concerns over a decant as there doesn't seem to be a suitable site for pupils to be relocated to and risks undermining the quality of education and the cohesiveness of the school community. Concerns were also raised over the relocation of St John's and the delays this would add to the process.
- Finally, they would discount the Brunstane site as it is out of catchment and it is likely that planning would be a major obstacle to it being built.
- Similarly, all members were opposed to a combined school in Craigmillar, the location being out of catchment with longer journey times and less opportunity to travel by foot or bicycle. In addition to the location, many were opposed to a school as large as this. While it is very important that the site chosen is big enough to provide adequate facilities, it is also very important that the school is in the heart of the catchment area.

3.2 It was made clear that, while these were the views of parent representatives, they by no means include all the views of the Towerbank school community and parents and carers at the school had also been encouraged to send individual responses to Edinburgh City Council directly by email.

#### **4 The Royal High Primary School**

4.1 A very detailed response was received from Royal High Primary School Parent Council who undertook a short survey to gauge parents' feelings towards the proposals offered by the Council on alternative options for the High School build. The outcome was summarised as follows:

- 75 parents responded to the survey. Of these 56% were not prepared to support any option other than the Council's preferred option of the build on Portobello Park. 44% were willing to look at alternatives.
- 86% of respondents preferred option is a new build on Portobello Park. With 93% of all respondents supporting this as an option this was by far the preference.
- Only 10% of respondents preferred option is a new build on Baileyfield but 27% would support this as an option (compared with 37% regarding a rebuild on the existing site).
- The detailed analysis was as follows:

	<b>New build on Portobello Park</b>	<b>Rebuild on existing site</b>	<b>New build at Baileyfield</b>	<b>New build at Brunstane</b>
Which option would you support (tick all that apply)	93%	37%	27%	10%
Tick your preferred option	86%	6%	10%	0%

- We would also like to make clear that 90% of respondents were against the building of a 'superschool' (the combined Portobello and Castlebrae High Schools) either at Brunstane or Craigmillar.
- Another concern we have is that 42% of respondents have considered alternative options to Portobello High for their children when they reach secondary school age. The detailed report provided details of alternatives being considered which included moving out of the area completely; choosing private education or considering other schools mainly either Holy Rood or Leith Academy.

4.2 The response concluded that after looking carefully at our results we feel that we cannot offer the Council support in the purchase of the Baileyfield site or for the option of a combined school. However we will fully back the Council in taking forward the preferred option of a new build on Portobello Park.

4.3 The response urged that all of the comments and concerns made by the parents were read as it was considered vital the Council hear ALL of their voices after taking time to complete the survey. The comments submitted have all been reviewed but are not detailed here.

## **5 Parsons Green Primary School**

5.1 A very detailed response was received from the Parsons Green Primary School Parent Council who undertook a survey monkey exercise with parents on fall back options for Portobello High School. The response is replicated below.

5.2 The survey monkey was made available to approximately 160 parents by email over the period of six days along with the options and pros and cons papers. We have not in the time available carried out a paper exercise.

5.3 We think that the response rate is good for an on line survey and you will see that the results give clear views across 5 options. You will note that there are no options that score well. This perhaps is not surprising when these are fall back options. 82 responses were received, the results being as follows (each respondent provided their view regarding each option – a number of more detailed comments were also provided regarding each option which are not detailed here):

Option	Strongly Disagree	Disagree	Neither Agree or Disagree	Agree	Strongly Agree	Rating Average
New build on existing site- decant required	45.1%	22.0%	9.8%	14.6%	8.5%	2.2
Phased build on existing site - no decant	25.6%	24.4%	11.0%	24.4%	14.6%	2.78
Baileyfield	41.5%	29.3%	6.1%	19.5%	3.7%	2.15
Brunstane Estate	52.4%	28.0%	9.8%	9.8%	0.0%	1.77
Joint campus for PHS and Castlebrae - either Craigmillar or Brunstane?	75.6%	17.1%	4.9%	2.4%	0.0%	1.34

5.4 We did not include the option of building the School on the Park as this is not what you asked for views on. However, that remains the firm preferred option of the School Community here at Parsons Green. You may recollect that shortly before the summer we collected over 200 signatures from parents in favour of the build on the Park and that remains the overwhelming view of the parent community here. So we would urge you to move quickly on the legal options to enable the build to go ahead on the Park as quickly as possible.

5.5 We also want to re affirm our view that the New School should conform to the following Principles:

- be located at the heart of the school community/catchment to ensure that the school continues to reflect the character of the community it sits within and to maximise accessibility for pupils.
- deliver a building that is fit for purpose for the current school roll of 1,400 pupils, with a site size meeting the full requirement of 4.5ha with grass pitches available for pupils and the community.
- provide a building that is future-proof as far as is practical and recreation spaces and facilities that can be used by children and young people - but also offer open access for community use.
- under no circumstances require a decant or redrawing of the catchment or splitting of the current school.

## **Appendix 4**

### **Options for a New St John's RC Primary School**

	<b>Option 1a</b>	<b>Option 1b</b>	<b>Option 2</b>	<b>Option 2</b>	<b>Option 3</b>	<b>Option 4</b>	<b>Option 5</b>
	Existing and Extended Site - Refurb/extend	Existing and Extended Site - New build	New build on existing PHS Site - Park	New build on existing PHS Site – B/Field	New build on Baileyfield	New build on Lismore	New build on Cavalry Park
<b>LOCATION</b>							
Central location within catchment area	✓	✓	✓	✓	x	x	x
Safe and convenient user access routes	✓	✓	✓	✓	-	✓	x
Well served by local transport links	✓	✓	✓	✓	✓	-	x
<b>EDUCATIONAL BENEFITS</b>							
Close proximity to associated High School	x	x	x	x	x	-	✓
Local access to a wider range of learning environments and resources	✓	✓	✓	✓	✓	✓	✓
<b>AVAILABILITY AND TIMESCALES</b>							
No decant required	x	x	✓	✓	✓	✓	✓
Site in Council ownership	✓	✓	✓	✓	x	✓	✓
No requirement for statutory consultation on new site (or required for decant location)	x	x	✓	✓	x	x	x
<b>TECHNICAL CONSTRAINTS OF SITE</b>							
Meets target area of 1.3 hectares	✓	✓	✓	✓	✓	✓	✓
Meets requirement for sports pitch provision	✓	✓	✓	✓	✓	✓	✓
Site allows for flexibility of design and layout	x	✓	✓	✓	✓	✓	✓
No issues with noise or air quality	✓	✓	✓	✓	x	✓	✓
<b>PLANNING</b>							
Adheres to local plan designation	✓	✓	✓	✓	✓	✓	x
No wildlife or conservation area issues	✓	✓	✓	✓	✓	✓	x
No likely archaeological issues	✓	✓	✓	✓	✓	✓	✓



**Appendix 4 (continued)****Options for a New St John's RC Primary School**

	<b>Option 1a</b> Existing and Extended Site - Refurb/extend	<b>Option 1b</b> Existing and Extended Site - New build	<b>Option 2</b> New build on existing PHS Site - Park	<b>Option 2</b> New build on existing PHS Site – B/Field	<b>Option 3</b> New build on Baileyfield	<b>Option 4</b> New build on Lismore	<b>Option 5</b> New build on Cavalry Park
<b>OTHER FACTORS</b>							
Requires school to move to a new location	✓	✓	✓	✓	✗	✗	✗
The inherent constraints of re-using the existing building may compromise the ability of the design to respond to the educational brief	✗	n/a	n/a	n/a	n/a	n/a	n/a
Potential significant site remediation issues	n/a	n/a	n/a	n/a	✗	n/a	n/a
Number of parking spaces allowed is 50% less than other site	n/a	n/a	n/a	n/a	✗	n/a	n/a
Requirement to divest of excess land which carries financial risk	n/a	n/a	n/a	n/a	✗	n/a	n/a
A draft outline masterplan has already been developed involving the local community; a primary school on this site would represent a significant change	n/a	n/a	n/a	n/a	n/a	✗	n/a
Although not central in the catchment area the site is well located in relation to the existing school population	n/a	n/a	n/a	n/a	n/a	✓	n/a
The site is subject to a wide range of planning designations	n/a	n/a	n/a	n/a	n/a	n/a	✗
<b>IMPLEMENTATION TIMESCALES</b>							
Estimated completion date for the new school	Sept 2016	June 2016	March 2017	Sept 2018	June 2016	Sept 2016	October 2016
Estimated occupation and opening date for the new school	October 2016	July 2016	April 2017	October 2018	July 2016	October 2016	Nov 2016
<b>ESTIMATED COSTS TO COMPLETION</b>							
Capital costs	£9.1m	£9.1m	£9.3m	£10.0m	£11.5m	£9.2m	£9.2m
Revenue Costs (for decant)	£1.4m+	£1.4m+	-	-	-	-	-

## **Appendix 4 (continued)**

### **Options for a New St John's RC Primary School**

#### **Key assumptions for implementation timescales:**

1. Where there is a dependency on the high school site being released, progress project for the Primary School in tandem so ready to start construction as soon as site available.
2. For options involving school built on existing primary school site (extended to include the area occupied by High School) assumed area released when required.
3. The project timescales for some options have been increased as necessary to reflect any estimated extensions associated with planning complexity.
4. Occupation date for the school is the month following completion.
5. For all options the outcome of the way forward for the new Portobello High School (and any potential impact on St John's) requires to be clarified before the project could start. This has been assumed to be in February 2014.

#### **Key assumptions for estimated costs to completion:**

1. Base costs calculated using data from the recently completed feasibility studies – see October Council Report.
2. For all options inflation allowance updated from the reference date in the feasibility study to the estimated mid-point of construction using the BCIS All-In TP Index.
3. Cost allowances have been provided for demolition, site remediation, access improvements, service diversions and infrastructure works as appropriate.
4. Estimated site acquisition costs have been incorporated as appropriate together with any estimated disposal proceeds from the existing sites where vacated.

## Appendix 5

### Feedback on options from St John's RC Primary School

#### **1 Introduction**

- 1.1 A very detailed response was received from the St John's RC Primary School Parent Council which has been replicated in full below with the exception of the detailed analysis of responses which was also provided showing the points scoring by respondent on an anonymous basis but which has not been included.

#### **2 Background**

- 2.1 Following the meeting held at Portobello High School on the options for redevelopment of both PHS and St John's, as requested a flyer was issued to parents when they attended the parents meetings on Friday the 27th October. The results were received and collated by Saturday 3rd November and are summarised below.

#### **3 Process**

- 3.1 Within the survey flier, the background was described, and the six options under consideration were briefly summarised for parents. Most parents are aware of the options from the press, and from previous discussions over the last five years. Parents were requested to number their preferences in order from 1 to 6, 1 being their most preferred option, down to 6 being their least preferred option.
- 3.2 153 responses were received. The results were collated and set into a spreadsheet, (which was reproduced at the rear of the document provided). First preferences were noted.
- 3.3 However the ordering of other preferences also required to be taken into consideration. Therefore a scoring method was used to summarise the responses, awarding 6 points to the first choice, 5 to the second and so on, down to 1 for the least preferred.

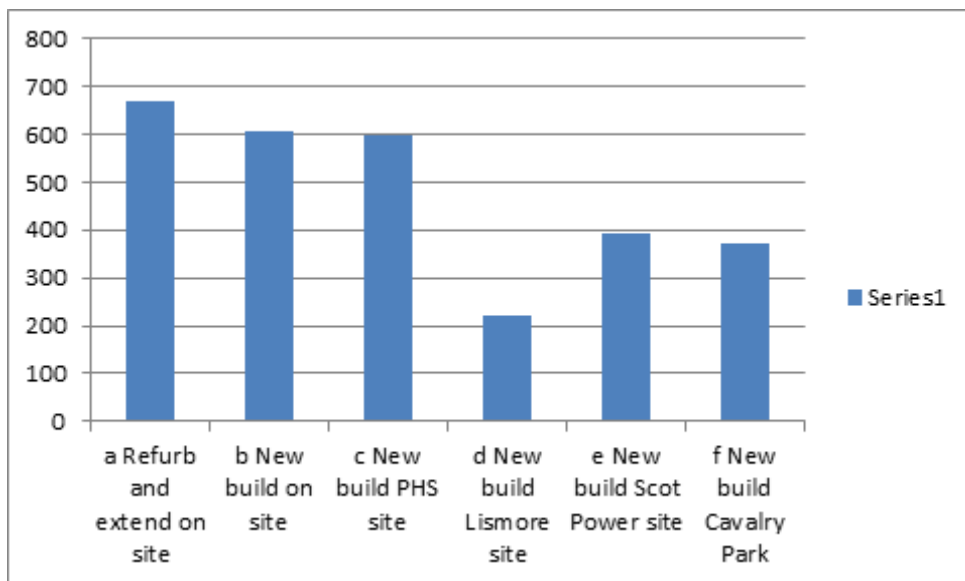
#### **4 Results**

- 4.1 In summary, considering first the respondents' preferred options, the responses were:
- 12 placed Scottish power as first choice;
  - 38 placed new build on the PHS site as first choice;
  - 29 placed new build on St John's site as first choice;
  - 7 placed New build at Holyrood first; and

- 66 placed refurbishment and extension on St John’s site as their first choice.

4.2 However awarding points to order of preference and totalling each options scores produced a more balanced spread of views, showing that the first three options; alter and extend on site; New Build on site; and New Build on PHS site were all ‘popular’.

4.3 The Scottish Power site option was less popular than these, although preferred over Cavalry Park (Holyrood) and Lismore site. Only new build on Lismore site was clearly isolated as the least popular option. These results are summarised in the bar chart below.



4.4 In addition to these results, the teaching staff at St John’s through discussion have arrived at the viewpoint that their preference would be for option C, a new building on the PHS site. This is in part stated as due to a wish to avoid decant and the associated costs.

## 5 Summary

5.1 What the survey tells us in summary is that within the school community, the preferred options for redevelopment of the school are those which involve either retaining the current site, or relocating to the site immediately adjacent (PHS). Even though this would require waiting for vacant possession.

5.2 Of these, redevelopment and expansion on the current site (presumably with expanded site area into the vacated PHS site area) is the most preferred option. This was noted as involving partial or full decanting during the works.

5.3 If a move to another site has to occur, the Scottish Power site is preferred over any other, although the Holy Rood site is significantly preferred to Lismore.