

The City of Edinburgh Council

10.00am, Thursday, 9 May 2024

Outcome of the Statutory Consultation proposing the closure of Cameron House Nursery

Executive/routine
Wards

Executive
15 – Southside/Newington

1. Recommendations

1.1 It is recommended that the Council:

- 1.1.1 Approves the formal closure of Cameron House Nursery to allow the future of the building to be determined and notify Scottish Ministers of this decision; and
- 1.1.2 Notes that Scottish Ministers have an eight-week period in which they may 'call in' the Council decision for further scrutiny.

Paul Lawrence

Executive Director of Place

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Outcome of the Statutory Consultation proposing the closure of Cameron House Nursery

2. Executive Summary

- 2.1 Education, Children and Families Committee on 7 November 2023 agreed to progress a [statutory consultation](#) in the Prestonfield area to seek people's views on the proposed formal closure of Cameron House Nursery.
- 2.2 The statutory consultation was concluded on Friday 22 December 2023. Following the consultation, this report recommends that the proposal, as set out in the statutory consultation paper, is approved.

3. Background

- 3.1 Education, Children and Families Committee on 7 November 2023 agreed to progress a statutory consultation in the Prestonfield area to seek people's views on the proposed formal closure of Cameron House Nursery.
- 3.2 Cameron House Nursery has been unused since 2019 and the statutory consultation to formally close the nursery is the first step in determining the future of the building.
- 3.3 Cameron House Nursery was registered for 28 Early Learning and Childcare places with nearby Prestonfield Primary School Nursery registered for 64. There are also two private nurseries less than 10 minutes' walk away: Little Monkeys (60 registered places) and St. Margaret's (121 registered places). The Council works in partnership with both private nurseries.
- 3.4 Cameron House Nursery and the Prestonfield Primary School are only 300m apart. Prestonfield Primary School's nursery classes have been able to meet all demand for nursery places in the area and Cameron House Nursery was registered as 'inactive' in 2019.
- 3.5 Predicted demand for nursery places in the Prestonfield area is not expected to rise to the point that Cameron House Nursery is required again. Since 2019, the Cameron House Nursery building has suffered from anti-social behaviour including

the recent fire vandalism and the official closure proposed in the statutory consultation is required as the first stage of the process of declaring the property as no longer needed for operational requirements.

- 3.6 A survey in July 2023, before the fire damage, indicated Cameron House Nursery requires £311,000 of investment to its fabric. Further investment would be required to bring the building and grounds up to an appropriate standard to operate as a nursery again.
- 3.7 The current costs of ‘mothballing’ the building are largely the additional security measures employed to prevent further anti-social behaviour following the fire. These costs are £27,757 per year.

4. Main report

- 4.1 The statutory consultation to which this paper refers has been undertaken according to the requirements set out in the [Schools \(Consultation\) \(Scotland\) Act 2010](#) as amended by the [Children and Young People \(Scotland\) Act 2014](#).
- 4.2 The statutory consultation period ran from Monday 13 November 2023 to Friday 22 December 2023. The full statutory consultation paper is available online at the following link: <https://consultationhub.edinburgh.gov.uk/sfc/cameron-house-nursery/>
- 4.3 The Consultation Hub included an online questionnaire, public meeting information and full consultation papers. The consultation hub and the public meeting were advertised through posters, leaflets and e-mails to key stakeholders including local elected members, community council and other community groups.
- 4.4 Respondents were encouraged to use a response questionnaire which was available online using the Council’s Consultation Hub. Responses to the consultation could also be submitted by email or letter. Three (3) representations were received through the Consultation Hub.
- 4.5 Consultation Hub responses were two local residents and the Grange and Prestonfield Community Council. From the three responses, one person supported the proposals whilst two did not.

Key Issues and Council Response

- 4.6 The themes and issues that were raised through the Consultation Hub were:
- The need to stop the anti-social behaviour that the empty building attracts;
 - Concern over the loss of a highly valued nursery setting;
 - Concern over the rationale provided for the decision to register Cameron House Nursery as ‘inactive’ in 2019; and
 - Disputing the description of access to Cameron House Nursery as unsuitable.
- 4.7 Appendix 2 provides a summary of the issues that were raised and the Council’s response. The full submissions are available to elected members on request.

Public Meeting

- 4.8 A public meeting was held on Wednesday, 29 November 2023 at Prestonfield Primary School which one (1) member of the public attended. A minute of the meeting is provided in Appendix 1.

Education Scotland

- 4.9 As required by the [Schools \(Consultation\) \(Scotland\) Act 2010](#) as amended by the [Children and Young People \(Scotland\) Act 2014](#), all the responses received during the public consultation were made available to Education Scotland for their consideration. Education Scotland visited Prestonfield Primary School nursery classes and Cameron House Nursery and discussed the educational aspects of the proposals with staff, parents and pupils before producing their final report. The purpose of the report is to provide an independent and impartial consideration of the proposal.
- 4.10 The full Education Scotland report is attached at Appendix 3. In summary, HM Inspectors agree that the current arrangements provide nursery provision in buildings that are more modern and accessible than could be provided at Cameron House.
- 4.11 The report also recommended that the Council should consult with local people about the future of the building and whether it can be developed as a community facility. Section 5 (Next Steps) details the how the future of the building will be managed should the proposal be approved.
- 4.12 HM Inspectors also recommend that in its final consultation report, the Council should outline more fully the educational benefits and set out the actions it has taken to address any alleged inaccuracies in the information provided in the consultation paper about the decision to register Cameron House Nursery as 'inactive' in 2019. The educational benefits are outlined in Appendix 4 and Appendix 2 provides details about the decision to register Cameron House Nursery as 'inactive'.

5. Next Steps

Referral to the Scottish Ministers

- 5.1 Should the Council approve the recommendation to formerly close Cameron House Nursery, the [Schools \(Consultation\) \(Scotland\) Act 2010](#) as amended requires that the Council notify Scottish Ministers of that decision within a period of six working days.
- 5.2 At the same time as it notifies the Scottish Ministers of the decision, the Council must publish on its website notice of the fact that the Scottish Ministers have been

notified and provide the opportunity for people to make representations to the Scottish Ministers.

- 5.3 Anyone interested in making representation to Scottish Ministers must do so within a three-week period from the day the decision is taken by the Council.
- 5.4 Ministers have eight weeks (the three-week representation period plus a further five weeks) from the date of the Council decision to decide whether to 'call in' the decision. Through the 'call-in' process, Ministers may overturn the Council decision to close Cameron House nursery or attach conditions to it.
- 5.5 The grounds for 'call-in' are set out in the [Schools \(Consultation\) \(Scotland\) Act 2010](#) as amended and are limited. Call-in is permissible only where Ministers consider that the Council may have failed to comply with the requirements imposed on it under the 2010 Act in a significant regard; or where the education authority has failed to take proper account of a material consideration relevant to its decision to implement the proposal.

The future of the Cameron House Nursery building

- 5.6 Should the Council approve the recommendation to formerly close Cameron House Nursery and, following the elapse of Scottish Ministers call-in period, the building and grounds would be declared surplus to requirements by the Children, Education and Justice Service. It would then be offered to other Council services via the Corporate Property Investment Group.
- 5.7 Should no other Council service wish to use the building, community or voluntary organisations could express an interest in a Community Asset Transfer. This would require a viable business plan to be in place. If there is no interest in the building through these processes then commercial opportunities to generate income from the site would be considered.
- 5.8 Accordingly, should the Council approve the recommendations in this report, a further report on the future of the building will be made available to the appropriate Council Committee in autumn 2024.
- 5.9 Should the Council not approve the recommendation to formerly close Cameron House Nursery, the [Schools \(Consultation\) \(Scotland\) Act 2010](#) as amended sets out that a repeat of the necessary statutory consultation process could only be undertaken after a five year period. Accordingly, consideration would have to be given to funding the reinstatement of Early Years services from this setting or that the building remains 'mothballed' until such time as a decision to close it can be revisited.

6. Financial impact

- 6.1 There are no financial implications arising directly from this report. However, should the Council approve the recommendation to formerly close Cameron House Nursery, it will allow the future of the building to be determined.
- 6.2 However, should another Council service require the building, or the recommendations in this paper not be approved, it will need significant investment to make the building operational and meet the Council's net-zero aspirations. A business case would be required to be progressed through the Corporate Property Strategy governance processes.
- 6.3 If a Community Asset Transfer was successful, it would result in a revenue saving and allow another organisation to invest in the building.
- 6.4 Should commercial opportunities ultimately be considered for the property it would generate income for the Council through a capital receipt or ongoing rental revenue.

7. Equality and Poverty Impact

- 7.1 The recommendations in this report have been made following a statutory consultation undertaken according to the requirements of the [Schools \(Consultation\) \(Scotland\) Act 2010](#) as amended by the [Children and Young People \(Scotland\) Act 2014](#). This Act is designed "to provide strong, accountable statutory consultation practices and procedures that local authorities must apply to their handling of all proposals for school closures and other major changes to schools. These consultation processes are expected to be robust, open, transparent and fair, and seen to be so."[\(Schools \(Consultation\) \(Scotland\) Act 2010 : guidance\)](#)
- 7.2 Accordingly, by following the established process set out in the Act, the Council has provided those stakeholders most affected by these proposals with an opportunity to have their say and raise any concerns or issues. This Outcomes Report sets out the Council's response to the issues raised during the consultation and suggests any mitigating measures that may be required.
- 7.3 Equality Duty covers the protected characteristic of age, which refers to a person having a particular age or being within an age group. The age group most directly impacted by the proposal to formally close Cameron House Nursery are pre-school aged children and their families in the Prestonfield area. Cameron House Nursery has not operated for over five years and nursery provision is provided 300m away at Prestonfield Primary School Nursery. There is no impact, from the proposal, on current pre-school aged children and their families.
- 7.4 Due to the length of time that the service and building has been inactive, no negative impacts arising from the decision to permanently close Cameron House nursery have been identified through the Integrated Impact Assessment (IIA) undertaken.

- 7.5 All comments and responses received during the consultation, including Education Scotland’s report, and the Council’s response to them, are outlined in Appendix 2.

8. Climate and Nature Emergency Implications

- 8.1 Cameron House Nursery was built in 1937 and is ‘B’ – listed. The condition of the building is currently rated as C from a survey carried out before recent fire damage. The age, design and listing status will limit the improvements that can be made to the building’s efficiency. Irrespective of the eventual future use for the site, from a carbon perspective the building will require to be fully renovated or demolished to make way for a more modern building or buildings. In either scenario, the future operational carbon impact of the site will be improved.

9. Risk, policy, compliance, governance and community impact

- 9.1 The statutory consultation to which this paper refers has been undertaken according to the requirements set out in the [Schools \(Consultation\) \(Scotland\) Act 2010](#) as amended by the [Children and Young People \(Scotland\) Act 2014](#)
- 9.2 Although concerns were raised about the loss of Cameron House Nursery to the area, the Educational Benefits (Appendix 4) outline the reasons why the formal closure will not impact nursery provision in the area.
- 9.3 The recommendation will allow the Cameron House Nursery building’s future to be determined which is necessary to ensure it does not suffer further damage and deterioration.
- 9.4 The ‘Next Steps’ section above sets out the risks associated with decisions to approve or reject the proposals in this paper.

10. Background reading/external references

- 10.1 The consultation hub has the proposal details and consultation paper:
<https://consultationhub.edinburgh.gov.uk/sfc/cameron-house-nursery/>

11. Appendices

Appendix 1 - [Public Consultation Meeting Minute.](#)

Appendix 2 - [Consultation Hub and Education Scotland responses and Council Responses.](#)

Appendix 3 - [Education Scotland Report.](#)

Appendix 4 - [Educational Benefits.](#)

Record of Meeting

Proposal to Close Cameron House Nursery

Public Consultation Meeting held at 6.30 pm, Wednesday 29 November 2023, Prestonfield Primary School, Edinburgh.

Present: 2 members of the public

In Attendance:

Tom Wood (Independent Chair);

City of Edinburgh Council Officers: Lynn Patterson (Head of Education, North West/ Early Years & Wellbeing), Robbie Crockatt (Learning Estate Planning Manager), Scott Campbell (Learning Estate Planning Officer) and Daniel Baigrie (Committee Officer).

1. Introduction

Tom Wood introduced himself and advised that he had been invited by the City of Edinburgh Council as an independent person to chair the public consultation meeting. Mr Wood thanked everyone for coming along and explained his role as well as introducing the key officers in attendance. It was explained that the consultation would continue until the 22 December 2023 and the public had the opportunity to feed in comments until then.

The Schools (Consultation Scotland) Act 2010 required the Council to conduct a public consultation. The public consultation would provide people with the opportunity to express their views and feed directly into the consultation process.

2. Presentation/Proposal

Cameron House Nursery was registered for 28 places but demand had dropped to just four in 2019, when it was registered as 'inactive'. The four children were allocated spaces at the nearby Prestonfield Primary School Nursery.

Cameron House Nursery was built in 1937 and is a B listed building, owing in the most part to the stained-glass windows which depict a day in the life of a child. Historic Environment Scotland have surveyed the stained-glass. In the present state £311,000 of expenditure would be required to bring the building up to standard for use as a nursery.

These works would include addressing access issues as there is currently no step-free access.

The presentation noted that there was enough capacity at Prestonfield Primary School Nursery to accommodate current nursery age children. There was no prediction that greater nursery capacity would be needed in the future, as there are no significant housing development locally.

The close proximity of St Margaret's Nursery and Little Monkey's Private Nursery were noted as additional alternative provision.

On the site there is also a shed and an Air Raid Shelter, previously used as storage for the local Gala Committee.

It was noted that there had been instances of anti-social behaviour on the site including a fire.

3. Questions/Comments

Question 1: A member of the public asked what would happen to the site and building if the closure of the nursery is approved.

Answer: In the first instance it will be offered to other service areas within the City of Edinburgh Council. If no council service area is interested, then there will be an opportunity for community groups or voluntary organisations to express an interest in a Community Asset Transfer. This would require a community group or voluntary organisation to prepare a viable business plan. If there is no community group or voluntary organisation interested then the property and land will be put on the open market for sale.

Question 2: A member of the public asked who the land belongs to?

Answer: The land, made up of the 100 square meter nursery and 200 square meters of outdoor space belongs to the City of Edinburgh Council.

Question 3: A member of the public asked what happened to the former Queen Anne Nursery in Clearburn Crescent?

Answer: It was sold for private use.

4. Conclusion

Mr Wood brought questions to a close and thanked everyone for all their contributions which were extremely valuable. Mr Campbell noted that the final decision will be taken by the Education, Children and Families Committee in April 2024. The Education Scotland representative present noted that following the consultation process, when the report recommendations are available, they will consider the educational benefit of the proposed closure and come back to the City of Edinburgh Council with comments.

Appendix 2: Consultation Hub Comments and Council Responses

The Council received three (3) representations in relation to the proposal to formally close Cameron House Nursery. The following sets out the issues and points raised via these representations and the Council's response to them:

| Issue/Point Raised | Council Response |
|---|--|
| Issue 1 | |
| <p>Issue 1 A respondent questioned the accuracy of the consultation paper in setting out the circumstances that led to Cameron House Nursery being registered as 'inactive' in 2019.</p> | <p>The timeline below details the circumstances that led to Cameron House Nursery being registered as 'inactive' with the Care Inspectorate.</p> <ul style="list-style-type: none"> • May 2018: Expansion and refurbishment of Prestonfield Primary School nursery classes carried out in anticipation of 1140 hours entitlement. • Internal works completed at Prestonfield PS nursery class in October 2018. Landscaping programmed for later. • May 2019: Notification of planned windows, M&E and decoration works at Cameron House Nursery sent to Care Inspectorate. • August 2019 Cameron House intake is twelve (12) children who are relocated to Prestonfield PS Nursery along with Cameron House staff in anticipation of refurbishment taking place. Staff and parents made aware of arrangements. Works to Cameron House put on hold in light of low numbers to allow future intake and demand to be monitored. • March 2020 First national lockdown – Covid-19 No children were on the waiting list for Cameron House Nursery • May 2020 Two children are registered to return to Cameron House Nursery in August 2020. |

| | |
|--|---|
| | <p>The parents of the children chose to remain at Prestonfield.</p> <ul style="list-style-type: none"> • August 2020 <p>Cameron House was registered 'inactive' with the Care Inspectorate</p> <p>The key points from this timeline are only 12 registered children (43% capacity) at the setting at the point where they were relocated to Prestonfield PS Nursery in anticipation of the refurbishment works being carried out in August 2019.</p> <p>After Covid-19's first lockdown was starting to end, only two children (7% capacity) were registered to return to Cameron House in August 2020.</p> <p>With a newly expanded service, designed to deliver 1140 hours entitlement at nearby Prestonfield, Cameron House Nursery was deemed to be no longer required nor fit for purpose. Please see Appendix 5 Educational Benefits for more details.</p> |
| <p>Issue 2 The accuracy of statements in the consultation paper describing the access to Cameron House as 'not fit for purpose' was questioned.</p> | <p>The Council believes that the description is appropriate.</p> <p>There is only one access route to Cameron House nursery. This route is up an incline with steps. It does not support easy access for buggies or push chairs. It also presents serious issues for anyone with mobility issues especially wheelchairs.</p> <p>See pictures of the access route below.</p> |



Schools (Consultation) (Scotland) Act 2010

Report by Education Scotland addressing educational aspects of the proposal by The City of Edinburgh Council to close Cameron House Nursery.

January 2024

1. Introduction

1.1 This report from Education Scotland has been prepared by His Majesty's Inspectors of Education (HM Inspectors) in accordance with the terms of the [Schools \(Consultation\) \(Scotland\) Act 2010](#) ("the 2010 Act"). The purpose of the report is to provide an independent and impartial consideration of The City of Edinburgh Council's proposal to close Cameron House Nursery. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal. Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision. Where a council is proposing to close a school or setting, it needs to follow all statutory obligations set out in the 2010 Act, including notifying Ministers within six working days of making its final decision and explaining to consultees the opportunity they have to make representations to Ministers.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children and their families of the setting; any other users; and other children and families in the council area;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

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

- attendance at the public meeting held on 29 November 2023 in connection with the council's proposals;
- consideration of all relevant documentation provided by the council in relation to the proposal, and related consultation documents, written and oral submissions from parents and others; and
- visits to the site of Cameron House Nursey and Prestonfield Nursery, including discussion with relevant consultees.

2. Consultation process

2.1 The City of Edinburgh Council undertook the consultation on its proposal(s) with reference to the [Schools \(Consultation\) \(Scotland\) Act 2010](#).

2.2 The consultation ran from 13 November until 22 December 2023. A public meeting took place on 29 November 2023 and was attended by one member of the public and officers from The City of Edinburgh Council. The consultation paper was made available to the public via the council website. Leaflets were also distributed to local homes adjacent to the nursery building and to Prestonfield Primary School and Nursery. Posters and consultation papers were delivered to Newington Library and Cameron House Community Centre. Direct emails were sent to the parent

council at Prestonfield Primary School, Grange/Prestonfield Community Council and local nurseries.

2.3 The council received three email responses to the consultation regarding the closure of the nursery. One respondent agreed with the proposal and two others disagreed.

3. Educational aspects of proposal

3.1 In their proposal, the council states that there will be no change to nursery provision in the area as a result of the permanent closure of Cameron House Nursery. The nursery closed in 2019 due to pending building works. At this time, there were only four children registered for a nursery place and they moved to the nearby Prestonfield Nursery. HM Inspectors agree that Prestonfield Nursery provides a more modern and accessible building than Cameron House Nursery would be likely to provide if it were to reopen. In its final proposal, it would be helpful for the council to provide a fuller educational benefits statement to support stakeholders to better understand the positives to this proposed closure.

3.2 All the parents HM Inspectors met at Prestonfield Nursery, had experience of the provision at Cameron House Nursery. Parents were happy with the current nursery at Prestonfield. However, they do not agree with the rationale for the council's proposal to permanently close the building and feel that it is a loss to the local community. They think that the small capacity of Cameron House Nursery was helpful in meeting the individual needs of children, in particular those with additional support needs.

3.3 Staff at Prestonfield Nursery who met HM Inspectors have concerns about the overall provision of nursery places in the Prestonfield area. They stated that this would be the second closure in the area. In its proposal the council states there is no significant housing developments planned in the Prestonfield area, and they predict that the current nursery provision in the area is sufficient.

3.4 Stakeholders would value more information on the future of the building should this proposal be agreed. Since its temporary closure its condition has deteriorated. Stakeholders would like to see the site be retained for community use.

3.5 During the consultation period consultees identified alleged inaccuracies in the proposal relating to the numbers of children registered at Cameron House Nursery prior to its closure. The council will need to ensure that it takes the necessary steps to investigate these alleged inaccuracies. In its final consultation report, the council will need to set out the actions it has taken to address these.

4. Summary

HM Inspectors agree that the current arrangements provide nursery provision in buildings that are more modern and accessible than could likely be provided at Cameron House. Stakeholders have concerns about the future of the building. If this proposal is agreed the council should consult with local people about its use, including whether it can be developed as a community facility. In its final consultation report, the council should outline more fully the educational benefits and set out the actions it has taken to address any alleged inaccuracies notified to it.

HM Inspectors
January 2024

Appendix 4 : Educational Benefits

In 2021 it became a statutory requirement to provide 1140 hours of early learning and childcare. This translates into 30 hours a week entitlement, a rise from the 16 hours entitlement previously.

The increase from part day to full day entitlement meant a number of changes had to be made to the Nursery estate in the city, including a number of brand new nurseries being built.

In the Prestonfield area it meant expanding the nursery at Prestonfield Primary School to be able to support the new entitlement.

The key educational benefits of this include:

- Improved kitchen facilities to support lunch and snack provision for children;
- Improved facilities for children including break out spaces, more space for play indoors and outdoors and quiet spaces;
- Co-located primary and nursery better supports families who have siblings of different ages;
- The co-location of services supports children transitioning to the primary school;
- Co-location also provides the two sets of staff (Primary and Nursery) to collaborate on supporting children from ages 3 to 12 years;
- Better staff facilities to support the increased staffing including full time positions.

Cameron House Nursery was built in 1937 and designed to support part-time provision. It was a well regarded service but the building was very limited when it came to adapting it for 1140 hours entitlement.

The main issues were:

- It is 'B' listed and the building layout meant expanding the facilities was very difficult;
- The capacity of Cameron House Nursery (28 places) simply wasn't needed with the newly expanded provision at Prestonfield Primary School;
- Access to the building does not meet modern standards of accessibility and there was no practical way to eliminate this issue.

The consultation paper provides details of the capacity for Early Years places available in the area and demonstrates that even with the closure of Cameron House nursery, at peak times there are sufficient funded places available to meet demand. At its peak in 2015/16 the area saw demand for 124 places. Within a 10 minute walk of Cameron House between Prestonfield Primary School and partners there are 162 funded places. However, with a falling birth rate in the area and across the city generally, projections suggest that demand in future years will not exceed 80 places.

Summary

The proposal to close Cameron House Nursery is based on the following main educational grounds:

- Prestonfield Primary School Nursery, 300m away, has been expanded to meet the needs of children and staff under the statutory 1140 hours entitlement.
- Cameron House Nursery would not be a suitable building/location to modify and expand to meet the needs of children under the 1140 hours entitlement.
- Prestonfield Primary School Nursery meets the demand for places for the area.

Co-locating the Nursery and Primary School brings benefits to children and families.