

The Highland Council

Education, Children and Adult Services Committee
26 October 2016

Agenda Item	13
Report No	ECAS 69/16

Statutory Consultation – Closure of Achfary Primary School

Report by Director of Care and Learning

Summary

Following conclusion of the statutory consultation process, this report and accompanying information sets out a recommendation to discontinue the provision of education at Achfary Primary School, re-assigning its catchment area to that of Scourie Primary School.

1. Background

- 1.1 On 17 March 2016 this Committee agreed to commence a statutory consultation, per the requirements of the Schools (Consultation) (Scotland) Act 2010, to discontinue the provision of education at Achfary Primary School. The original Proposal Paper approved by Committee suggested that the Achfary catchment area should be reassigned to the catchment area of Kinlochberrie Primary School. However, the Proposal Paper also identified an alternative option, under which the Achfary catchment would be reassigned to the catchment area of Scourie Primary. The Paper also stated that Highland Council would welcome the community's views on the best way to re-assign the catchment area of Achfary Primary School.
- 1.2 Achfary Primary School has been "mothballed" since the end of session 2011-12, and current population figures within the school catchment indicate a maximum school roll of 2 by 2019-20.
- 1.3 Circulated separately in **Booklet A** is the final proposal for decision, following conclusion of the statutory consultation process.
- 1.4 The legislation requires that any proposal for decision must be published at least 3 weeks in advance of the meeting at which any decision may be made, to allow time for further representations. The proposal was published on 26 September 2016.

2. The Proposal

- 2.1 The proposal for decision, the original proposal issued for consultation, and relevant appendices for consideration by the Committee are circulated separately in **Booklet A**. They provide details of all consultation comments received, the report from Education Scotland, and the Council's response to comments arising from the consultation.
- 2.2 The majority of written representations received were in support of the proposal to close Achfary Primary, as were the comments made at the public meeting. The main issue raised in consultation was the reassignment of the catchment area.

Almost all the responses opposed the original suggestion that the Achfary catchment should be reassigned to that of Kinlochbervie Primary, suggesting instead that it should be reassigned to that of Scourie Primary.

2.3 Having fully considered the responses received, officials are in agreement that the Achfary catchment should be reassigned to the Scourie Primary School catchment, rather than that of Kinlochbervie Primary School. The detailed reasons are set out in Section 10 of the Final Consultation Report. The recommendation to close Achfary Primary School remains unaltered.

2.4 The proposal within **Booklet A** sets out the rationale for the recommendation, and relevant supporting information, which includes:

- The educational benefits of the proposal;
- The current school buildings condition and suitability scores;
- The community impact of the proposal;
- The environmental impact of the proposal;
- The school transport and travel time implications of the proposal;
- The financial implications of the proposal.
- The implications for catchment areas

2.5 **Booklet A** also contains details of any further representations received, since the proposal report was published on 26 September.

3. Next Steps

3.1 Following consideration by the Committee, if the recommendation is agreed the following timeline will be followed as required by the legislation.

- The recommendation of the Committee will be considered by the full Highland Council.
- If ratified by full Council, the Council must, within 6 working days of the Committee decision, advise Scottish Ministers of the decision it has reached, provide them with the proposal paper and consultation report, and publish a notice stating that Ministers have been advised and the process through which representations may be made to Ministers regarding call-in of the proposal.
- From the date of the Council decision, there is a period of 3 weeks in which representations to Scottish Ministers regarding call-in of the proposal can be made by any interested party.
- Scottish Ministers then have a further up to 5 weeks in which to decide whether or not they will issue a call-in notice.

4. Implications

4.1 **Resources** – are as detailed within **Appendix I** to the Proposal Paper.

4.2 **Legal** – the statutory consultation has been taken forward as per the requirements of the Schools (Consultation) (Scotland) Act 2010.

4.3 **Equalities** – are as detailed within **Appendix J** of the Proposal Paper.

4.4 **Climate Change/Carbon Clever** – the proposal report addresses the environmental impact of the proposal, and highlights the estimated effects on

carbon emissions from the closure of school and transport arrangements (**Appendix 1**, paragraphs 8.9, 9.12, 10.13, 12.4).

4.5 **Risk** – the main risks associated with the recommendation relate to the potential for call-in by Scottish Ministers. Officers have sought to mitigate the risk through review and evaluation to ensure that procedurally the requirements of the Act and statutory consultation process have been met.

4.6 **Gaelic** – none of the affected schools offer Gaelic Medium education.

4.7 **Rural** – all 3 affected schools are rural primary schools as defined by Scottish Government, and consideration has been given to the requirements relating to rural schools within the Schools (Consultation) (Scotland) Act 2010. A Rural Impact Assessment and can be found at **Appendix K** to the Proposal Paper.

5. Recommendation

5.1 Members are asked to consider the proposal set out within the Consultation Report and associated appendices and, having given consideration to further representations received, agree to recommend to the Council:

- That the Council discontinue education provision at Achfary Primary School, reassigning its catchment area to that of Scourie Primary School.

Designation: Director of Care and Learning

Date: 17 October 2016

Author: Brian Porter, Head of Resources
Ian Jackson, Education Officer