

The Highland Council
Education, Children and Adult Services Committee
26 January 2017

Agenda Item	9.
Report No	ECAS 05/17

Statutory Consultation – Closure of Kinbrace 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 Kinbrace Primary School, dividing its catchment area between the catchments of Helmsdale and Melvich Primary Schools.

1. Background

- 1.1 On 18 May 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 Kinbrace Primary School. The Proposal Paper approved by Committee suggested that the bulk of the Kinbrace catchment area would be re-assigned to that of Helmsdale Primary School, with a small area around Forsinard being reassigned to the catchment of Melvich Primary. The transfer of part of the catchment to Melvich Primary would also mean that any children from Forsinard (there are none at present within the affected age group) would transfer to Farr High School for secondary education, rather than Golspie High School.
- 1.2 Kinbrace Primary School has been “mothballed” since the end of session 2012-13, and current population figures within the school catchment indicate a likely maximum school roll of 3 by 2019-20.
- 1.3 The final proposal for decision, following conclusion of the statutory consultation process, is circulated as **Booklet A**.
- 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 Consultation Report was published on 19 December 2016. No further representations were received within the specified 3 week period.

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 the attached **Booklet A**. This provides details of all consultation comments received, the report from Education Scotland, and the Council’s response to comments arising from the consultation.

- 2.2 There were a total of 10 written responses received from parents and other stakeholders during the consultation period, and one further letter was received after the closure date for the consultation exercise. Seven of the letters actively opposed any re-opening of Kinbrace School and did not express opposition to the closure proposal. Two letters expressed opposition to the proposed closure whilst acknowledging that there were insufficient numbers to justify re-opening the school at present. Both these responses argued in favour of continuing to mothball the school. One letter expressed opposition to closure and suggested either re-opening the school or continuing to mothball. The letter received outwith the consultation period did not oppose the closure of Kinbrace Primary but raised two concerns, both of which are addressed in the Final Report.
- 2.3 In their report, Education Scotland recognised that the proposal offers the prospect of clear educational benefits to the children affected. They noted the majority of parents in the Kinbrace catchment were, on balance, in favour of the proposal. Whilst parents acknowledged the potential reduction in occasional local events with Kinbrace residents, they recognised the benefits afforded by the children attending a larger school with a greater number of children. Although the majority of Kinbrace parents would prefer less travelling time for their children, they do not consider it the most significant factor in determining where they wish their children to be educated.
- 2.4 The proposal within the booklet 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

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 M** 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 N of the Proposal Paper.

4.4 **Climate Change/Carbon Clever** – the Proposal Paper addressed the environmental impact of the proposal, and highlights the estimated effects on carbon emissions from the closure of school and transport arrangements (**Appendix 1**, sections 8, 9, 10, 11, 12, 15 and 21).

4.5 **Risk** – the main risks associated with the recommendation relate to the potential for call-in by Scottish Ministers. Officials 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 the affected schools are rural 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 O** 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 Kinbrace Primary School, dividing its catchment area between those of Helmsdale and Melvich Primary Schools.

Designation: Director of Care and Learning

Date: 11 January 2017

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