



**Perth & Kinross Council  
Education & Children's Services  
Statutory Consultation Public Meeting**

**Minute of Meeting Held on Monday 12 November 2018  
At 7.00pm in Abernyte Primary School**

**Present**

|                            |  |
|----------------------------|--|
| Councillor Caroline Shiers | Convener, Lifelong Learning Committee                |
| Sheena Devlin              | Executive Director (Education & Children's Services) |
| Sharon Johnston            | Head of Service, Early Years & Primary               |
| Karen Robertson            | Service Manager - Business Services                  |
| Carol Taylor               | Service Manager - Resources                          |

**In Attendance**

|                         |                           |
|-------------------------|---------------------------|
| Councillor Angus Forbes | Perth and Kinross Council |
| Caroline Nash – Minutes | Perth and Kinross Council |

29 members of the public

**Welcome and Introductions**

Councillor Shiers opened the meeting and welcomed the members of the public in attendance to the statutory consultation public meeting and introduced herself and the Council Officers to the members of the public.

**Format of Meeting**

Sheena Devlin explained the format the meeting would follow and how other similar events had been undertaken.

**The Proposal**

Sheena Devlin explained the consultation proposal to the attendees:

The Council proposes that subject to the outcome of this proposal:

- Provision of a school at Abernyte Primary School be permanently discontinued with effect from 1 July 2020, or as soon as possible thereafter;
- That the pupils of Abernyte Primary School catchment area permanently receive their education at Inchtute Primary School, from 2 July 2020 or as soon as possible thereafter; and
- That the delineated catchment area of Inchtute Primary School be permanently extended to subsume the whole delineated catchment area of Abernyte Primary School from 2 July 2020.

Sheena Devlin advised that copies of the slides can be provided.

### **Statutory Consultation Process**

Karen Robertson outlined the process of the statutory consultation. She highlighted that the process is strictly determined by legislation to ensure thorough and robust processes across authorities in Scotland. The legislation sets out how and when the Council must undertake certain activities. The process started with the consideration by Lifelong Learning Committee on 22 August 2018 which granted permission to undertake a statutory consultation. Karen Robertson emphasised that no decisions regarding the permanent future of Abernyte Primary School have been made. The Council must first seek the views of statutory consultees and report back to Committee with recommendations.

The Proposal Paper including an educational benefits statement was published on the Council's website and statutory consultees were written to. Public notice adverts and social media were used to publicise the consultation to other interested parties. The period of consultation will run from Monday 29 October 2018 to Friday 14 December 2018 which includes a period of 33 school days. The purpose of this consultation is to seek representations from interested parties.

Anyone who wishes to make their views on the proposal known to the Council can do so, and there are a number of ways they can do this, whether online, in writing or in person. Any representations are minuted and will be included as verbal representations.

#### **Q. Is this the first public consultation?**

**A.** Yes, this is the statutory consultation period. The pre-consultation work which was undertaken to inform the options appraisal was pre-consultation work and is not part of the statutory consultation. This consultation is to seek formal representations on the proposal and people can complete an online form, email to a specific email address or write to the Council to express their views on the proposal. All representations made will be submitted to Education Scotland who have a statutory role in this process. Education Scotland have a 3-week period to prepare their own report on the educational aspects of the proposal and visit the affected schools.

#### **Q. Will report from Education Scotland be a public report?**

**A.** Yes, the report will be published by the Council as part of the Consultation Report and it will be published by Education Scotland on the same day the Council makes the report public.

#### **Q. Who is Education Scotland?**

**A.** SD explained Education Scotland is a Scottish Government executive agency who support and inspect the quality and improvement in Scottish education. Education Scotland operates as an executive agency and operates independently and impartially, whilst remaining directly accountable to Scottish Government ministers. Education Scotland undertakes inspection, review and reporting within the overall context of the National Performance Framework.

#### **Q. Has the proposal paper been given to Education Scotland?**

**A.** Karen Robertson confirmed that the Education Scotland have the proposal paper. At the end of the consultation period all representations and a summary of the consultation is sent to Education Scotland prior to their visits to prepare their report.

Education Scotland will commence their visits week commencing 7 January 2019 and will meet with focus groups of staff, pupils and parents. Education Scotland will make contact with the Headteacher to discuss who would be available for them to meet.

**Q. Would the consultation with Education Scotland invite parents of children not currently attending the school?**

**A.** Sheena Devlin informed that we could ask Education Scotland.

Post meeting note – No. Education Scotland will meet with a focus group of parents of pupils currently attending Abernyte Primary School. Other interested parties may make their views known as part of the consultation process by making a formal representation.

**Q. Why can't the proposal paper be altered? We don't agree with the proposal.**

**A.** Karen Robertson explained that the proposal as it stood had been agreed by Lifelong Learning Committee. Officers are undertaking statutory consultation on the proposal to close Abernyte Primary School which was agreed by Committee. This consultation is the formal opportunity for consultees to make their views on the proposal known for these to be considered as part of the statutory process.

The Council must consider all representations and respond to these within its Consultation Report which is prepared after Education Scotland has provided the Council with its report. The Consultation Report has to be published for 3 weeks prior to being submitted to Lifelong Learning Committee. The estimated time for the final report on the outcome of the consultation and recommendations to be submitted to Lifelong Learning Committee is May 2019.

**Q. What will happen when the recommendation is made?**

If the recommendation is to approve the proposal to close Abernyte Primary School and Lifelong Learning Committee does not approve the recommendation, then that is the end of the process and the same proposal cannot be revisited for 5 years. However, if the Committee agree with the proposal then this decision must be notified to the Scottish Minister within 6 days.

Scottish Ministers then have 8 weeks to consider the Council's decision and make a decision on whether or not consent is to be given to implement the proposal. Within the first 3 weeks representations can be made directly by any persons to Scottish Ministers. If a decision is made to call-in the Council's proposal then Scottish Ministers will refer this to the independent School Closure Review Panel who then have up to 16 weeks to make a decision on the proposal.

**Q. Are these timelines on the Council website?**

**A.** Yes, these are set out within the Proposal Paper. All reports and documents are on the Abernyte consultation page on the Council website. Future reports and documents will continue to be published there.

**Q. What can be raised with Scottish Ministers?**

**A.** If the Council decides to proceed with the proposal to close Abernyte Primary School, consultees have the opportunity to make any representations they wish to make on the proposal directly to Ministers.

**Q. Is this another level of governance by Scottish Ministers?**

**A.** Sheena Devlin informed that it is not a political decision. If Scottish Ministers call in the Council's proposal, this is then referred to an independent School Closure Review Panel for determination. This is set out within the Proposal Paper and information on the School Closure Review Panel is available on the Scottish Government website.

**Q. When would Scottish Ministers become involved?**

**A.** Only if a decision is taken by Perth and Kinross Council at the end of the consultation process to implement the proposal. This would be notified to Scottish Ministers to consider if consent is to be given or whether to issue a notice of call-in for the matter to be referred to the School Closure Review Panel.

**Comment** - The pre-report to Lifelong Learning Committee was all about the school roll. We have information from other parents that they were interested in attending the school and that would bring the school roll up to 11 or 12 pupils. We have spoken with John Swinney who told us the Scottish Government wouldn't close the school on monetary grounds.

**Comment** - Recommendation needs to consider the future school rolls. The key consideration should be put to Councillors that in 5 years' time you'd have to build a new campus at Inchtute.

**A.** Sheena Devlin informed the meeting of the current occupancy of Inchtute Primary School is 81% projected to go up to 92% in 2022/2023.

**Q. Is that the extent of your planning? 4 years in advance?**

**A.** Carol Taylor explained that projections were undertaken 4 years in advance as that is based on known birth rates and pupils under 5 years old living in catchment areas.

**Q. If working backwards down the Carse, what are the occupancy rates in the other schools?**

**A.** Carol Taylor advised that Longforan is 78% and whilst she did not have the exact figures to hand for Errol, Errol is below 70%.

**Q. The upper school is getting bigger and years 5, 6 and 7 are much lower. When presented to the next stage, can this not just be a global figure but broken down into year groups?**

**A.** Sheena Devlin and Carol Taylor are happy to investigate that.

**Comment** - There is the assumption that the Scottish population will increase

**A.** Carol Taylor responded that the 0 -19 age group has decreased in Scotland, however it is acknowledged that this is not the case in the Carse of Gowrie.

**Comment** - There is a need to look further than the next 4 years.

**A.** Sheena Devlin advised that she is happy to consider this.

**Comment** - Facts are based on GP figures; however there are 6 new children moving into the catchment area.

**A.** Carol Taylor advised that the Council was made aware of a family with 3 children moving into the catchment area and these were included in the figures.

Sheena Devlin informed that these pupils were not living in the catchment area when the report was done.

**Comment** - The future school roll figures used were just for the catchment area and are not factually correct.

**A.** Sheena Devlin explained that fundamentally the data for the school catchment area is used as these are the pupils who live in the catchment area and are entitled to attend the school.

**Q. What about the pupils all across the Carse that are not in the catchment area who want to attend?**

**A.** Karen Robertson advised that parents from across the Carse have always been able to make placing requests for their children to attend Abernyte Primary School if they wanted to do so. To date, there is no evidence that is the case as the numbers of placing requests for pupils from outwith the catchment area to attend Abernyte Primary School is very low. If parents have not made placing requests, these are not included in the projected rolls on the suggestion that parents want to make a placing request but haven't done so. Evidence would be required of the details of who these people are who want to make a placing request but have not done so and this can be provided to the Council so this can be investigated further.

**Comment** - I have moved up to start work in Dundee and have put a placing request into Inchtute as I was informed Abernyte Primary School is closing and I don't want to move the children more than once. Other people could be in the same situation.

**Comment** - The consultation period is too damaging and stopping people from enrolling their children in the school.

**Q. Could the catchment area being extended be an option and if not why not?**

**A.** Karen Robertson advised that the catchment area being extended had been considered following the pre consultation work to inform the options appraisal. The initial work to determine if there was support for the catchment area to be extended was not conclusive. This was reported to Lifelong Learning Committee in March 2018 and it was agreed that further work on the potential to review and extend the catchment area was to be undertaken. This work was undertaken between Easter and the Summer and the outcome of this was reported to Lifelong Learning Committee in August 2018 where it was determined that the option of extending the catchment area to include the part of Inchtute catchment area which is north of the A90 would not create an increased and sustainable pupil roll for Abernyte Primary School.

**Q. Could a different catchment area be looked into?**

**A.** This proposal is not consulting on extending the catchment area but representation can be made as part of the consultation process.

**Comment** - Ask if those that don't have school age children if they want the catchment to extend.

**Comment** – We asked for a catchment review and you asked the 7 families that already have children in Inchtute Primary School. You should have asked those who have nursery children and you didn't do that.

**A.** Carol Taylor advised that the Council tried to contact the nursery parents and the Parent Council were very helpful in providing information to do this, however people didn't come forward to participate..

**Comment** - The size of the response was so small, and it was based on a small bit of data.

**A.** Carol Taylor advised that she spoke to 17 families north of the A90.

**Q. Why not consider the Knapp area?**

**A.** Knapp was considered as part of the Longforgan on-line questionnaire.

**Comment** - I have had no contact from the Council and I live north of the A90 and have a 3 year old and another on the way.

**Comment** – I saw the consultation advertised on Facebook. I couldn't find the information easily on the Council website to register for this meeting. I wonder how hard the Council tried to reach and be proactive.

**A.** Sheena Devlin advised she will take the feedback regarding the Council website and review that.

**Comment** – The consultation implies no potential pupils. There is scope we are aware of for 23 children to attend Abernyte Primary School.

**A.** The proposal is correct based on the information known to the Council. The purpose of the consultation is to seek views and gather any further information that needs to be taken in to account. The detail of this should be provided as part of representations made to the Council to evidence these pupils.

**Comment** - There are others that are not here and therefore are not hearing what we are.

**A.** The options appraisal and proposal paper are published on the Council website which contain the detail of the Council's proposal. Interested parties can make representation on the proposal whether or not they attended either of the public meetings.

**Q. Will the final report include anything regarding the difference in pupil numbers?**

**A.** The present information within the proposal paper is based on known pupils and potential pupils in the catchment area. If we find that other people that have moved into the area or made placing requests to attend Abernyte Primary School and the pupil numbers have changed, this will be reflected in the Consultation Report.

**Comment** - People will bring their child to Abernyte if it remains open.

**A.** Sheena Devlin advised that if people are making placing requests to attend then this information and evidence should be provided to the Council.

**Q. What about considering Option 5 to extend the catchment area?**

**A.** The options appraisal was considered by Lifelong Learning Committee in August and that option was not approved. As instructed by Committee we are undertaking statutory consultation on the approved option to propose to close the school.

**Comment** - If you increase the catchment area and let the school grow over the next 10 years then it would grow.

**Q. If the community provides a report with everyone in the potential catchment area and includes placing requests, would it be provided in the report and submitted to the Scottish Government?**

**A.** Yes, all information submitted as part of the statutory consultation would be included in the Council's final Consultation Report.

**Q. What about a dual catchment area?**

**A.** Karen Robertson advised that dual catchment areas do not provide any certainty of a sustainable pupil roll as parents would then have a right not to choose to attend their nearest school. There are also a number of different elements which the Council would need to consider in terms increased transport costs to support a dual catchment area.

**Comment** - You only had 15 / 20% of parents respond to the catchment consultation. Parents were told that if they had siblings they wouldn't have a choice for younger siblings to stay at the same school if the catchment changed. Families would be split through a catchment change.

**A.** Perth and Kinross Council cannot commit that siblings would get in to the previous catchment school after a catchment area has changed as these pupils would no longer be entitled to attend that school once the catchment was changed.

**Q. Would Perth and Kinross Council accept placing requests for 2-year olds?**

**A.** No. Parents cannot legally make a placing request for a child until they are deemed to be of school age.

**Q. Is there an option to put in a placing request but not move the child until they know if the school will remain open?**

**A.** No. Placing requests can only be made for the school session that the pupil is expected to attend the school.

**Comment** – When parents were consulted on the catchment area change they had information of 5 pupils on the school roll at Abernyte. If it was 18-20 their view might be different.

**Comment** – The population projection has been calculated using the same method as before and how accurate is it? What does it mean for Inchtute and the Carse? In the last few years Errol has been extended, doesn't that show that these projections were wrong? The Council should be using two sources of data to project pupil numbers.

**A.** Carol Taylor advised that the projected roll is based on GP figures for under 5's and actual pupil numbers. This model was not used prior to the Errol extension.

## **Vision and Background**

Sheena Devlin outlined the process of the school estate review so far. Communities had been encouraged to participate in the pre consultation work to inform the options appraisal using a wide variety of mechanisms, including a drop-in session, email as well as the availability of an online questionnaire. This information was presented to Lifelong Learning Committee on 21 March 2018. Further work was undertaken to investigate extending the catchment area. The outcome of this was presented to Lifelong Learning Committee on 22 August 2018, and it was approved that a statutory consultation be undertaken on the proposal to close Abernyte Primary School and this meeting is part of that process.

### **Q. What process to date has already been taken?**

**A.** Pre-consultation is not part of the Statutory Consultation. The formal Consultation commenced on 29 October 2018 and this is the first part of the Statutory Consultation. The Options Appraisal and Proposal paper are on the website which detail the work which has been undertaken to inform this proposal.

### **Q. Could notices be put in shops and nurseries etc?**

**A.** Sheena Devlin advised that she is happy to look at that.

## **Current Arrangements**

The capacity of Abernyte Primary School is 44 pupils. At Census 2017 there were 5 pupils. There are currently 11 pupils living in the catchment area and 6 of these attend other PKC schools. There is a duty on Council to make best use of public resources and ensure best value is achieved whilst optimising the educational experience for every pupil.

**Comment** – The School Estate Review is all about money and assets, not education. To achieve best value for the pound requires wider change, utilise assets in the best way possible.

### **Q. Why build a nursery at Inchtute when a nursery could be incorporated in Abernyte? This would offer wrap around care.**

**A.** Sheena Devlin advised that the expansion of the Early Learning and Childcare is very much demand-led regarding the locations approved for expansion.

**Comment** - People are happy to drive to 'Red Squirrel' so why couldn't Abernyte be used?

**Comment** – The school could play a wider part, offering educational activities. It has a massive safe playing field. Consider using the school on a whole Carse basis – giving it a stay of execution.

### **Q. You are moving children from Longforgan to Errol into a portacabin. Why not disperse Longforgan pupils into Abernyte rather than use a portacabin?**

**A.** Sheena Devlin explained that the arrangements being put in place for a temporary decant of Longforgan pupils whilst the school extension is being built has been carefully considered.



Abernyte is not big enough to take all the pupils from Longforgan and it is best to keep the pupils together than disperse across other schools.

**Comment** - If the school had 17 pupils then it would pay for itself as £3,000 per pupil is paid from Scottish Government.

Sharon Johnston explained regarding the Early Learning and Childcare expansion moving from 600 hours to 1140 hours and the Scottish Government funding which determined what could and couldn't be done. Funding was received in May 2018 and the Council had to look at what provision was in place and where expansion would be required due to demand. It has been agreed by Committee that the nursery in Inchtute Primary School is to be expanded.

**Comment** - How much money is being spent? 'Red Squirrel' is a Partner Provider and Perth and Kinross Council currently fund 600 hours and the nursery will provide 1140 hours.

**Comment** - Abernyte building can be used as a nursery and it's free as it is already here. Abernyte could provide wrap around care, safe start, after school care.

**A.** Sharon Johnston advised that it is not free to a private business.

### **Educational Benefits**

Sharon Johnston detailed a summary of the key Educational Benefits which are set out in detail in the Proposal Paper.

The Educational Benefits Statement is an important part of the process and Education Scotland will assess the educational aspects of the Council's proposal. The Educational Benefits set out what education provision would be provided to children if the school was to close and education was to be provided in a different setting. It is not intended to provide a comparison between the two schools.

**Comment** - I am astonished that the Education Benefits is a description of what would be provided if the pupils were to attend Inchtute.

**Comment** - Do you need to be provided with the dictionary definition of benefit to understand what benefit means?

**A.** Education Scotland have to assess the education that is provided and we provide excellent education in all our schools.

**Comment** - Why write an Educational Benefit Statement. Accept the fact that schools can be different and still provide an excellent education.

**A.** The Council has a legal requirement to prepare an Educational Benefits Statement as part of any school closure proposal.

**Comment** - We see - you have requirements and have to meet them. Making judgements on schools.

**Comment** - If the school closes, my child will be unable to come here so that's not a benefit.

**Comment** - Don't shoot the messenger but I think that parents in developing their response to the Council need to consider what are the relevant benefits of having a child educated at Abernyte? That should be what the consultees set out in their response.

**Comment** - I wouldn't have to put in a placing request if there wasn't the threat of closure at Abernyte. What if there are other parents in the same situation?

**Comment** – The Scottish Government give guidance on rural schools and not a minimum occupancy for schools. I have seen no evidence of this. The Council is supposed to consider innovative ideas and there is no evidence of this in the work which the Council has done. This is against the legislation.

### **Travel Arrangements**

Karen Robertson advised that the approximate travel distance between Abernyte Primary School and Inchtute Primary School was 3.4 miles. If Abernyte Primary School was permanently closed, all children would be transported by the Council to Inchtute Primary School, including those who currently attend Inchtute Primary School from Abernyte Primary School catchment area as a placing request.

**Comment** - When putting the proposal together did you look at the distance for pupils to other schools and not just that Abernyte pupils would go to Inchtute? It's a shorter distance to Longforan rather than move to Inchtute for some.

**Q. If the proposal is not approved and Abernyte Primary School remains open, will the Council do a new catchment review? Will pupils go to same school as siblings?**

**A.** It is not possible to speculate on what the outcome will be or whether any further catchment review would be proposed. A further statutory consultation would be required if that were to be the case.

**Comment** – You have spoken about travel, catchment areas, finance and Educational Benefits. What about the social aspect of the school? 6 pupils came to Inchtute Church with fantastic poems regarding the Act of Remembrance. Parents and grandparents etc. came down and effectively there were all ages of the community joined together for the Remembrance Service as they do for Harvest Festival and other events. These are attended by the whole community. The proposal should look at all to ensure it is evenly balanced. Please include social benefit as well as impact on the community.

**Q. Why not have a nursery here at Abernyte as well as Inchtute?**

**A.** Local Authority nursery provision is dependent on demand.

**Comment** - You are building a nursery in Inchtute.

**A.** The Council is extending the current nursery at Inchtute Primary School.

**Q. What is the basis of the £333,000 property upgrade costs? The costs in the previous 3 years were only £14,000.**

**A.** Carol Taylor stated that Property Colleagues had provided the figures based on future requirements. Her recollection was that there were energy efficiency works included in the figures, however she would seek to clarify this.

Sheena Devlin thanked everyone for attending and advised that a further public meeting was to take place in Inchturlach Primary School on 14 November 2018. The meeting was then closed at 9.00pm.