

**PERTH AND KINROSS COUNCIL**  
**LEARNING & FAMILIES COMMITTEE**

**2 NOVEMBER 2022**

**STATUTORY CONSULTATION – NEW PRIMARY SCHOOL AT BERTHA PARK**

**Report by Executive Director (Education and Children’s Services)**  
**(Report No. 22/265)**

**1. PURPOSE**

- 1.1 This report informs the Learning & Families Committee of the outcome and findings of the statutory consultation exercise undertaken in respect of the formal proposal to establish a new primary school at Bertha Park and establish a catchment area for the new primary school, as detailed in the published Consultation Report (attached as Appendix A).

<b>2. RECOMMENDATION</b>
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| 2.1 | <p>It is recommended that the Committee:</p> <ul style="list-style-type: none"><li>• Notes the contents of the Consultation Report (attached as Appendix A);</li><li>• Approves the establishment of a new primary school on a preferred site at Bertha Park, Perth with effect from August 2026;</li><li>• Approves the established catchment area for the new primary school as proposed;</li><li>• Approves the amendment of the catchment areas of Ruthvenfield Primary School, Pitcairn Primary School, Luncarty Primary School and Tulloch Primary School as proposed;</li><li>• Approves the transfer arrangements for directly affected primary pupils to attend secondary school as proposed; and</li><li>• Approves the interim admission arrangements for Ruthvenfield Primary School until the new primary school opens in August 2026 as proposed.</li></ul> |
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**3. STRUCTURE OF REPORT**

- 3.1 This report is structured over the following sections:

- Section 4: Background
- Section 5: Statutory Consultation Exercise
- Section 6: Education Scotland Report
- Section 7: Conclusion
- Appendices

## **4. BACKGROUND**

- 4.1 On 22 June 2016, the Council allocated funding for a new primary school within the Composite Capital Programme ([Report No. 16/277 refers](#)). This new primary school is to be built to accommodate pupil numbers from housebuilding within the strategic sites at the north and north west of Perth as it was anticipated that the catchment schools for these strategic sites would not be able to accommodate the projected pupil numbers.
- 4.2 There is a chronology of decisions leading to this report, including reports and options appraisals presented to Lifelong Learning Committee in relation to Ruthvenfield Primary School, the School Estate Transformation Programme and the new primary school at Bertha Park. These reports can provide, if required, fuller background information about the context of the decision that a new primary school is required and where that new primary school should ideally be located. These are as follows:
- August 2016 - 'Securing the Future of the School Estate' ([Report No. 16/347 refers](#)).
  - November 2016 – 'Securing the Future of the School Estate – Next Steps' ([Report 16/485 refers](#)).
  - March 2019 – School Estate Transformation Programme ([Report No.19/94 refers](#)).
  - September 2019 – 'School Estate Transformation Programme Strategic Sites North West/North Perth' ([Report No. 19/240 refers](#)).
  - 22 January 2020 - Lifelong Learning Committee ([Report No. 20/18 refers](#)).
  - 25 August 2021 - Lifelong Learning Committee ([Report No. 21/136 refers](#)).
- 4.3 Lifelong Learning Committee agreed that the Executive Director (Education and Children's Services) should commence a statutory consultation in respect of the new catchment areas and associated changes as required by the Schools Consultation (Scotland) Act 2010.
- 4.4 The duties in undertaking a statutory consultation on a relevant school proposal are outlined in the [Schools \(Consultation\) \(Scotland\) Act 2010 and the accompanying Statutory Guidance](#).
- 4.5 The main considerations relating to the proposal are fully explained in the published [Proposal Paper](#).

## **5. STATUTORY CONSULTATION EXERCISE**

- 5.1 A link to the [Proposal Paper](#) was issued by letter to those individuals and bodies listed in the Paper. The Proposal Paper was also published on the Council's website. The number of letters issued was 848.
- 5.2 The consultation period ran from Monday 16 May 2022 until Wednesday 29 June 2022 – a period of at least 30 school days, in line with statutory requirements.

- 5.3 Two public meetings were held to discuss the proposal. The first was on Tuesday 31 May 2022 where nine members of the public attended. The second was on Monday 13 June 2022 where two members of the public attended.
- 5.4 During the consultation period, representations were sought from interested parties, either in oral or written form or electronically. An online response form and generic email account was set up by the Council to receive representations and enquiries on the proposal.
- 5.5 In all, 10 online response forms were received. Nine responses agreed with the Council's proposal and one response disagreed with the Council's proposal. However, four online responses were invalid as they failed to provide a required name, address or email address to validate the response. The six valid online responses agreed with the Council's proposal. One written representation was received which disagreed with the Council's proposal.
- 5.6 Specific consultation meetings took place with directly affected pupils at Luncarty, Pitcairn, Ruthvenfield and Tulloch Primary Schools.
- 5.7 The Consultation Report, attached as Appendix A, is the Council's response to the issues raised during the consultation period on the Proposal Paper.
- 5.8 The Consultation Report was published on the Council's website for a period of no less than 3 weeks prior to final consideration by Learning & Families Committee on 2 November 2022.

## **6. EDUCATION SCOTLAND REPORT**

- 6.1 Education Scotland were provided with the options appraisal and proposal paper. They visited the sites of Luncarty, Pitcairn, Ruthvenfield and Tulloch Primary Schools and discussed the proposal with relevant consultees. They also received a copy of all written representations and the minutes of the public meetings. They then prepared a report on the educational aspects of the proposal in accordance with the Schools (Consultation) (Scotland) Act 2010.
- 6.2 The purpose of the report is to provide an independent and impartial consideration of Perth and Kinross Council's proposal to establish a new primary school on the site of Bertha Park, Perth.
- 6.3 The Education Scotland report is reproduced in full in the Consultation Report (Appendix A, Appendix 6).
- 6.4 The report supports the proposal, and the Council welcomes the report from Education Scotland and accepts its findings.

## **7. CONCLUSION**

7.1 The key points from the consultation are as follows:

- The report from Education Scotland acknowledges that the proposal has clear educational benefits for pupils. This includes providing a high-quality learning environment with a purpose-built design which has the potential to offer flexible learning and social spaces. The value of the new school to the local community is recognised, as well as the benefits of an additional nursery and Intensive Support Provision.
- The potential adverse impact of a change of school to a child's wellbeing has been recognised by the Council, and parents and children appreciate the Council allowing children to remain at their existing school should they wish.
- It has been acknowledged that the Council has been consulting and communicating effectively with stakeholders and should continue to engage them fully in the future planning and design stage, as well as continuing to support families through the process of transition to the new school and/or new catchment areas.
- Feedback from stakeholders generally has been that the approach developed in determining the proposed catchment areas and interim admission arrangements for Ruthvenfield Primary School has been sensible and appropriate. Stakeholders have considered the interim admission arrangements as a pragmatic approach of considering children with siblings at the school and who will reside within the new catchment in the priorities for admission. The addition of a new school at Bertha Park and the associated catchment review is considered sensible and shows a good understanding of the various communities being created with the new house building as well as showing clear connections with the existing communities for their further secondary education at Bertha Park High School.
- The Council's proposals have generally been supported by those who participated in the consultation, and the majority of those consulted have raised no issues or opposition to the proposal.

7.2 On the basis of the feedback received and taking account of the potential educational and social benefits of the proposal, it is recommended that the Committee approves the establishment of a new primary school at Bertha Park, the establishment of a catchment area for the new primary school and associated arrangements.

**Authors**

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**Approved**

<b>Name</b>	<b>Designation</b>	<b>Date</b>
Sheena Devlin	Executive Director (Education and Children's Services)	24 October 2022

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes/None</b>
Community Plan/Single Outcome Agreement	Yes
Corporate Plan	Yes
<b>Resource Implications</b>	
Financial	No
Workforce	No
Asset Management (land, property, IST)	No
<b>Assessments</b>	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	No
Sustainability (community, economic, environmental)	No
Legal and Governance	Yes
Risk	No
<b>Consultation</b>	
Internal	Yes
External	Yes
<b>Communication</b>	
Communications Plan	Yes

### 1. Strategic Implications

#### Community Plan/Single Outcome Agreement

- 1.1 This section sets out how the proposals relate to the delivery of the Perth and Kinross Community Plan/Single Outcome Agreement in terms of the following priorities:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

This report relates to Objective No. (ii).

#### Corporate Plan

- 1.2 This section sets out how the proposals relate to the achievement of the Council's Corporate Plan Objectives:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

This report relates to Objective No. (ii).

- 1.3 The report also links to the Education & Children's Services Vision, Values and Priorities in respect of the following key Priority area:

- Learning and Achievement

## **2. Resource Implications**

### Financial

- 2.1 There are no financial implications arising from this report. The Council has allocated funding for a new primary school within the Composite Capital Programme.

### Workforce

- 2.2 Not applicable.

### Asset Management (land, property, IT)

- 2.3 Not applicable.

## **3. Assessments**

### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

The function, policy, procedure or strategy presented in this report was considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

- (i) Assessed as **relevant** and actions taken to reduce or remove the following negative impacts:
- The Equality Impact Assessment did not identify that any parent, child or young person would be treated less favourably as a result of this proposal. The new primary school will comply with the Council's Accessibility Strategy and, therefore, would positively promote equal opportunities for any child who has a disability.
  - In terms of Socio-Economic Impact, the assessment identified that having a new school located in the community of Bertha Park means that it is more accessible for those who may be economically disadvantaged.

### Strategic Environmental Assessment

- 3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

The matters presented in this report were considered under the Environmental Assessment (Scotland) Act 2005 and no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

### Sustainability

- 3.3 Not applicable.

### Legal and Governance

- 3.4 The Head of Legal and Governance Services has been consulted in the preparation of this report. The recommendations of the report comply with the requirements of the Schools Consultation (Scotland) Act 2010. The establishment of a new school fulfils the Council's duty to provide adequate and efficient education in its area, in line with the Education (Scotland) Act 1980.

- 3.5 Not applicable.

### Risk

- 3.6 Not applicable.

## **4. Consultation**

### Internal

- 4.1 Consultation on this proposal has been undertaken with key stakeholders as part of the statutory consultation exercise.

### External

- 4.2 This report contains full details of the Statutory Consultation exercise undertaken in respect of this proposal and this is fully detailed in Appendix A.

## **5. Communication**

- 5.1 If Committee approves the recommendations within this report, the decision will be issued to all affected schools for communicating to parents and staff, as well as publication on the Council website. The Council will update its Geographic Information System to create and publish the amended catchment areas for the new school and affected schools in due course. The catchment maps are published on the Council website and are linked to



school registration applications where the correct catchment school is identified by pupils' home addresses in sufficient time for school registrations for Session 2026/27.

## **2. BACKGROUND PAPERS**

- 2.1 No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

## **3. APPENDICES**

- 3.1 Appendix A – Consultation Report  
Appendix B – Current Catchment Areas  
Appendix C – Proposed Catchment Areas