

PERTH AND KINROSS COUNCIL
LEARNING & FAMILIES COMMITTEE

2 NOVEMBER 2022

STATUTORY CONSULTATION – ABERNYTE PRIMARY SCHOOL

Report by Executive Director (Education and Children’s Services)
(Report No. 22/264)

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 amend the catchment area for Abernyte Primary School, as detailed in the published Consultation Report (attached as Appendix A).

2. RECOMMENDATION
<p>2.1 It is recommended that the Committee:</p> <ul style="list-style-type: none">• Notes the contents of the Consultation Report (attached as Appendix A); and• Approves the amendment of the catchment area for Abernyte Primary School to include the area north of the A90, currently within Inchtute Primary School catchment area, with effect from August 2023.

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

4. BACKGROUND

- 4.1 On 4 November 2020, Lifelong Learning Committee approved the scope and principles to be used to underpin the options appraisal to be developed for a catchment review for Abernyte Primary School ([Report No. 20/208 refers](#)). Lifelong Learning Committee requested the Executive Director (Education and Children’s Services) to submit a completed options appraisal to Lifelong Learning Committee in May 2021.
- 4.2 On 26 May 2021, Lifelong Learning Committee considered the outcome of the options appraisal ([Report No. 21/64 refers](#)). The proposed recommendations

within the report were considered and amended by the Lifelong Learning Committee in their [deliberations](#).

The Lifelong Learning Committee subsequently approved the recommendations of the [options appraisal](#) to maintain a school capacity of 44 pupils at Abernyte Primary School and undertake a statutory consultation on a proposal to amend the catchment area for Abernyte Primary School to include the area currently within the Inchtute Primary School catchment area north of the A90 within the catchment of Abernyte Primary School. This area would be removed from the current catchment area of Inchtute Primary School. It was also noted that the introduction of nursery provision is not required at Abernyte Primary School at this time.

- 4.3 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](#).
- 4.4 The main considerations relating to the proposal are fully explained in the published [Proposal Paper](#).
- 4.5 The purpose of increasing Abernyte Primary School's catchment area would be to meet the principle of building a sustainable school roll for Abernyte Primary School.

5. STATUTORY CONSULTATION EXERCISE

- 5.1 A link to the [Proposal Paper](#) was issued by letter to those individuals and bodies listed under Distribution within the document. The Proposal Paper was also published on the Council's website. The number of letters issued with details of the Proposal Paper was 370.
- 5.2 The consultation period ran from Monday 16 May 2022 until Wednesday 29 June 2022 – a period of at least 30 school days.
- 5.3 One public meeting was held to discuss the proposal on Thursday 9 June 2022. Nine 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, 12 online response forms were received. 10 responses agreed with the Council's proposal and two responses disagreed with the Council's proposal. No written representations were received.
- 5.6 Specific consultation meetings took place with pupils at both Abernyte Primary School and Inchtute Primary School.

- 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 three weeks prior to final consideration by the 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 both Abernyte and Inchtute Primary Schools and had discussion with relevant consultees. They also received a copy of all written representations and the minute of the public meeting. 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 amend the catchment area for Abernyte Primary School to include the area north of the A90 currently within Inchtute Primary School catchment area with effect from August 2023.
- 6.3 The Education Scotland report is reproduced in full in the Consultation Report (Appendix A, Appendix 4).
- 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 that have been highlighted during the consultation period are as follows:
- The report from Education Scotland acknowledges that the proposal has potential educational benefits for pupils. This includes the potential for a larger number and wider range of peers in Abernyte Primary School, which may allow children to access a learning environment where there may be groups of learners at all stages of school, providing a better age and gender balance.
 - It is unlikely that the proposal will adversely affect Inchtute Primary School due to the small number of pupils living in the area north of the A90. Pupils already in attendance at Inchtute Primary School will not be required to move schools and will be able to complete their education at Inchtute Primary School.
 - The Council's proposals have generally been supported by those stakeholders who responded, 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 amendment of the catchment area for Abernyte Primary School.

Authors

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Approved

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes/None
Community Plan/Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	
Financial	No
Workforce	No
Asset Management (land, property, IST)	No
Assessments	
Equality Impact Assessment	No
Strategic Environmental Assessment	No
Sustainability (community, economic, environmental)	No
Legal and Governance	Yes
Risk	No
Consultation	
Internal	Yes
External	Yes
Communication	
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 Education and Children's Services has a statutory duty to transport primary pupils living more than 2 miles from their catchment school. There may be additional transport costs to transport pupils living north of the A90 to Abernyte Primary School. These may be new enrolments from north of the A90 attending Abernyte Primary School, any pupils from Inchtute Primary School choosing to move to their new catchment school, or where parents opt to send younger siblings to Abernyte Primary School. Once existing pupils living north of the A90 have finished at Inchtute Primary School, it will no longer be necessary to provide transport to Inchtute Primary School from north of the A90 which will balance out any temporary additional transport costs.

This expenditure will be contained within the existing Education and Children's Services Revenue budget.

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 **not relevant** for the purposes of EqIA.

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.

- 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 amendment of the catchment area, the decision will be issued to both schools for communicating to parents and staff, and for publication on school websites and school handbooks, 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 both Abernyte Primary School and Inchtute Primary School. 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 2023/24.

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 Area – Abernyte Primary School
Appendix C – Current Catchment Area – Inchtute Primary School
Appendix D – Proposed Catchment Areas