

SCHOOLS (CONSULTATION (SCOTLAND) ACT 2010 – LUING PRIMARY SCHOOL

1.0 EXECUTIVE SUMMARY

1.1 This report provides details of the outcome and findings of the statutory consultation exercise undertaken in respect of the formal proposal to close Luing Primary School as detailed in the published Consultation Report (**Appendix A**); and in accordance with the Schools (Consultation) (Scotland) Act 2010 as amended.

1.2 It is recommended that the Community Services Committee:

(a) Notes the contents of the Consultation Report (**Appendix A**); and

(b) Approves the implementation of the following Proposal as consulted on:

- i.) That education provision at Luing Primary School be permanently discontinued with effect from 31st May 2024; and
- ii.) that the delineated catchment area of Easdale Primary School shall be extended to subsume the whole delineated catchment area of Luing Primary School from 31st May 2024.

SCHOOLS (CONSULTATION (SCOTLAND) ACT 2010 – LUING PRIMARY SCHOOL

2.0 INTRODUCTION

- 2.1 When considering the future of a rural school the Education Authority must meet the preliminary requirements of s.12A the Schools (Consultation) (Scotland) Act 2010 as amended.
- 2.2 The Council is required to prepare and publish a Proposal Paper which clearly sets out the proposal on which the Council is consulting. The Proposal Paper must include details of the proposed date for implementation, an educational benefits statement, a summary of the consultation process and details of the supporting evidence or information used to formulate the proposal.
- 2.3 The 2010 Act also requires that at the close of the consultation process, Education Scotland must consider the educational aspects of the Council's proposal and prepare and submit a report to the Council for consideration by the Council when preparing its final Consultation report.
- 2.4 The Council is then required to prepare and publish its final Consultation Report taking into consideration the report from Education Scotland and all other responses received within the consultation period.
- 2.5 The Consultation Report must explain how the Council has reviewed the proposal, a summary of the points raised during the consultation period and the Council's response to them, details of any alleged inaccuracies or omissions, and, for rural schools, an assessment of rural school factors.
- 2.6 The Council will then make a decision on whether or not to implement the proposal.

3.0 RECOMMENDATIONS

3.1 It is recommended that the Community Services Committee:

(a) Notes the contents of the Consultation Report (**Appendix A**); and

(b) approves the implementation of the following Proposal as consulted on:

- i.) That education provision at Luing Primary School be permanently discontinued with effect from 31st May 2024; and
- ii.) that the delineated catchment area of Easdale Primary School shall be extended to subsume the whole delineated catchment area of Minard Primary School from 31st May 2024.

4.0 DETAIL

4.1 This report provides details of the outcome and findings of the statutory consultation exercise undertaken in respect of the formal proposal to close Luing Primary School as detailed in the published Consultation Report (**Appendix A**); and in accordance with the relevant provisions of the Schools (Consultation) (Scotland) Act 2010 as amended.

4.2 In accordance with the Schools (Consultation) (Scotland) Act 2010 as amended, a report was produced by Education Scotland on the educational aspects of the proposal (see Appendix 5 of **Appendix A**). The Education Scotland Report supports the proposal in that it has clear educational benefits for current and future pupils of Luing Primary School; lack of viability due to insufficient children within the catchment area; and the delivery of best value. However, the report does also acknowledge the opposition of many stakeholders to the proposal.

4.3 Having considered the report from Education Scotland and all other responses received within the consultation period, officers carried out a further review of the proposal and a Consultation Report was thereafter prepared and published for public scrutiny on the Council's [website](#) from 15th February 2024. This provided a full three week period prior to a final Committee decision on 7th March 2024, in

compliance with Section 9 (3) and Section 11 of the 2010 Act, as amended.

5.0 CONCLUSION

- 5.1 The Consultation Report for Luing Primary School has been prepared in accordance with the requirements of the Schools (Consultation) (Scotland) Act 2010 as amended.
- 5.2 Following the outcome of the statutory consultation exercise detailed in the Consultation Report (**Appendix A**), having due regard to relevant written and oral representations as well as Education Scotland's Report, and following a further review of the proposal and reasonable alternatives having regard to rural school factors, it is recommended that the decision is made to implement the Proposal as consulted on – namely, that education provision at Luing Primary School shall be permanently discontinued with effect from 31st May 2024; and that the delineated catchment area of Easdale Primary School shall be extended to subsume the whole delineated catchment area of Luing Primary School with effect from 31st May 2024.

6.0 IMPLICATIONS

- 6.1 Policy – An authority that is formulating a rural school Consultation Report must satisfy the requirements of the Schools (Consultation) (Scotland) Act 2010 as amended.
- 6.2 Financial – There are financial implications for each option.
- 6.3 Legal – The Consultation Report for Luing Primary School has been prepared in accordance with the requirements of the Schools (Consultation) (Scotland) Act 2010, as amended.
- 6.4 HR – None.
- 6.5 Fairer Scotland Duty:
- 6.5.1 Equalities - protected characteristics – None at present.
- 6.5.2 Socio-economic Duty – An EQSEIA was carried out in connection with the consultation and is attached as Appendix 2 of **Appendix A**.
- 6.5.3 Islands – an Island Communities Impact Assessment was undertaken and is attached as Appendix 7 of **Appendix A**.
- 6.6 Climate Change – Environmental impacts of any different travelling arrangements that may be required are addressed within the Consultation Report (**Appendix A**).

- 6.7 Risk – None.
- 6.8 Customer Service – None.
- 6.9 The Rights of the Child (UNCRC) – The views of primary school aged pupils residing in the Luing Primary School catchment area were sought as part of the consultation process. The Consultation Report (**Appendix A**) sets out how school pupils were engaged and what their feedback was.

DOUGLAS HENDRY

Executive Director with responsibility for Education

Councillor Yvonne McNeilly

Policy Lead for Education

13th February 2024

For further information contact:

Wendy Brownlie

Head of Education – Performance and Improvement

Wendy.Brownlie@argyll-bute.gov.uk

Brendan Docherty

Education Manager

Brendan.Docherty@argyll-bute.gov.uk

APPENDICES

Appendix A – Consultation Report – Luing Primary School