

Councillor Barnacle

Letter from Councillor Barnacle sent on 11 April 2019 to Richard Lochhead MSP, Minister for Further Education, Higher Education and Science, regarding Blairingone Primary School.



Dear Richard

Perth & Kinross Council Consultation Report Relating to Closure of Blairingone Primary School in Kinross-shire

I note from your colleague, John Swinney, that he will not be exercising any Ministerial role in relation to any Perth and Kinross Council (PKC) school closure proposal, given his constituency falls within PKC's area. I understand from him that Ministerial responsibility will be exercised by yourself, hence the enclosed correspondence.

PKC's Lifelong Learning Committee voted on 27 March 2019 to close the above school in my ward in contentious circumstances, I attach the amendment that lost by one vote. Notwithstanding continuing concerns around the process of this vote (prompting the enclosed motion to our full council of 24 April 2019 seconded by myself), I also believe the consultation report contained omissions and inaccuracies regarding housing development interest and the extent of the school catchment. I find PKC's forward planning role in this decision particularly concerning, when they have been negative throughout the process on pupil projections but on 22 March 2019, 5 days before the decision, they ask the interested developers' agent to provide a robust master plan and phasing strategy to accompany an application for outline consent that would include play provision adjacent to the school proposed for closure. I attach my email of 29 March 2019 to John and my address to the committee.

I also enclose copy of my letter of 3 October 2018 to Sheena Devlin referred to and background documentation. I very much hope that this letter and enclosures will persuade you and your colleagues to call in the proposed closure for further scrutiny and respectfully request that you do so.

Yours sincerely,

Councillor Michael Barnacle
Independent Member for Kinross-shire

**27 March 2019
Statutory Consultation – Blairingone Primary School**

Amendment

That the committee:

- Notes the contents of the Consultation Report (attached as Appendix A)
- Approves that education provision at Blairingone Primary School is continued beyond 28 June 2019; and
- Instructs the Executive Director (Education and Children's Services) to investigate the viability of a nursery class within Blairingone Primary School to help sustain the future school roll.

**MOTION TO FULL COUNCIL
Wednesday 24 April 2019**

Motion on the voting rights of religious representatives on the Lifelong Learning Committee

Background

Currently the Council is required under the terms of the Local Government (Scotland) Act 1973 to have three religious representatives on any committee established by the Council to discharge their responsibilities as an education authority.

In the case of Perth & Kinross Council this is the Lifelong Learning Committee. The Local Government (Scotland) Act 1973 sets out that the three religious representatives shall comprise: one nominated by the Church of Scotland; one nominated by the Catholic Church; and one appointed by the Council taking regard for the next largest religion (Christian Other at the time of the last census) in Perth & Kinross.

A Scottish Government spokesperson recently clarified the Scottish Government's interpretation of the Local Government (Scotland) Act 1973 in recent press articles where they state, "where an education authority appoints a committee to discharge their functions, the Local Government (Scotland) Act 1973 requires councils to appoint members to that committee, including religious representatives." they go on to state "voting rights on committees are a matter for each local authority".

Proposed Changes

In line with the above clarification statement by the Scottish Government, the following is proposed:

That the Council agrees to amend the Scheme of Administration with effect from 1st May 2019 to agree that only elected members of the Council with a mandate from the electorate should be allowed to vote on the Lifelong Learning Committee.

Implementation

The Council instructs the Head of Legal & Governance to implement the agreed changes to all relevant Council documentation so that they take effect from the 1st May 2019.

Proposed by Councillor Xander McDade

Seconded by Councillor Mike Barnacle

RECEIVED 11.23 am 10/4/2019 C. Flynn

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Copy of an email sent from Cllr Barnacle to John Swinney on 29 March 2019

Dear John

PKC Consultation Report Relating to Closure of Blairingone Primary School

PKC's Lifelong Learning Committee voted on 27 instant to close the above school in my Ward. The vote was carried by one committee member, the votes of the religious representatives on the committee carrying the decision, since the votes of elected members only would have secured the amendment to continue education at the school. Three of the local members support retention of the school.

Whilst due process may have been followed in this regard, I am particularly aggrieved by this decision, especially as the religious members of the committee do not make available to the public their contact details. I attach a copy of my address to the committee and you will note my reference to a letter of 3 October 2018 to Sheena Devlin, Executive Director of Education and Children's Services at PKC; I sent you a copy of this letter at the time, along with background information, but I am not sure you got sight of that.

I feel the content of the address contains sufficient reasons for you to call in the proposal for further scrutiny and would respectfully request that you do so. I have copied in relevant fellow councillors who may wish to put together a joint letter with me before the deadline of 17 April 2019 and would also be happy to meet with you before then to discuss this issue further.

Yours sincerely

Councillor M Barnacle
Independent Member for Kinross-shire



Blairingone Primary School