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Sheena Devlin  
Executive Director of Education and Children's Services  
Perth and Kinross Council  
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Perth  
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21 May 2019

Dear Ms Devlin,

**SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010: PERTH AND KINROSS COUNCIL – BLAIRINGONE PRIMARY SCHOOL**

I refer to your email of 1 April 2019 notifying Scottish Ministers of Perth and Kinross Council's decision of 27 March 2019 to implement the proposal to close Blairingone Primary School.

A three week period began on 27 March 2019 for any person to make a representation to Scottish Ministers requesting that the decision should (or should not) be called in by them for further investigation (as provided for by section 15(4) of the Schools (Consultation) (Scotland) Act 2010 ("the 2010 Act")). That period expired on 16 April 2019 and four representations were received.

Under section 17 of the 2010 Act, the Scottish Ministers may only issue a call-in notice if it appears to them that the education authority may have failed:

*(a) in a significant regard to comply with the requirements imposed on it by (or under) this Act so far as they are relevant in relation to the closure proposal, or*

*(b) to take proper account of a material consideration relevant to its decision to implement the proposal.*

Having reviewed Perth and Kinross Council's Proposal Paper and Consultation Report, the Scottish Ministers consider that Perth and Kinross Council has fulfilled its obligations under the 2010 Act and consequently have decided not to issue a call-in notice for this proposal.

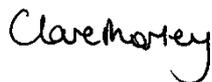


The representations received evidenced concerns from local councillors around the role of the two religious representatives on Perth and Kinross Council's Lifelong Learning Committee in the decision to close the school. They criticised the fact that their votes were in effect casting votes in the Council's decision to close the school. They expressed concerns that the process was undemocratic due to the religious representatives being unelected, and that they did not participate in any debate, or provide any contact details to permit members of the public to make representations to them in the same way that they could make representations to elected members.

However, we are content that the Council's decision was taken in accordance with agreed policies. While councils vary in their individual arrangements as to whether the religious representatives have voting rights, these are matters for the council. The representations received could not therefore be part of Ministers' consideration in deciding whether or not to call in the closure proposal.

Perth and Kinross Council may now implement its decision to close Blairingone Primary School in line with the timescales set out in its proposal paper.

Yours sincerely,



**CLARE MORLEY**  
**School Infrastructure Unit**