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3 March 2020

Dear Mr Kelman,

SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010: STIRLING COUNCIL – CROFTAMIE NURSERY

I refer to your email of 17 January 2020 notifying Scottish Ministers of Stirling Council's decision of 9 January 2020 to implement the proposal to close Croftamie Nursery. Ministers have considered this proposal in line with the requirements set out in the Schools (Consultation) (Scotland) Act 2010 ("the 2010 Act").

Under section 17 of the 2010 Act, 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) the 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.

Section 15(2) of the 2010 Act requires an education authority to provide a copy of the proposal paper and the consultation report prepared under the Act to Ministers when notifying them of a closure proposal.

Section 15(4) of the 2010 Act requires Ministers to take into account any relevant representations made to them by any person during the 3 week period from the date that a closure decision is made. In relation to this closure proposal, the 3 week period began on 9 January 2020 and expired on 29 January 2020. A total of 7 representations were received.

The report prepared by Education Scotland under section 8 of the 2010 Act noted that Stirling Council should to continue to engage with all stakeholders, including children, their parents and staff, in relation to the specification, design and location of the new nursery

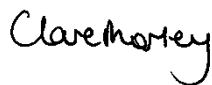
provision. It should also ensure that local community groups which currently meet in Croftamie Nursery building are supported in exploring alternative options.

Stirling Council indicated in its consultation report that it would continue to engage with the local community and other stakeholders in taking the proposal forward and determining alternative options for community groups that use the building.

Having reviewed the documents provided by Stirling Council under section 15(2) and considered all relevant representations made under section 15(4), Ministers consider that Stirling Council has fulfilled its obligations under the 2010 Act and do not intend to issue a call-in notice for this proposal.

Stirling Council may now implement its decision to close Croftamie Nursery in line with the timescales set out in its proposal paper.

Yours sincerely,



CLARE MORLEY
School Funding, Infrastructure and Organisation Unit
Learning Directorate