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Aberdeenshire Council

18 January 2023

Dear Laurence Findlay,

SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010: ABERDEENSHIRE COUNCIL – GARTLY SCHOOL

I refer to your email of 25 November 2022 notifying Scottish Ministers of Aberdeenshire Council's decision of 24 November 2022 to implement the proposal to close Gartly School. 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 24 November 2022 and expired on 14 December 2022. One representation was received.



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

Aberdeenshire Council may now implement its decision to close Gartly School in line with the timescales set out in its proposal paper.

We also noted in Education Scotland's report on the closure of Gartly School that in taking forward the closure proposal, Aberdeenshire Council will need to work with the community to explore future plans for the former school building and grounds and also consider the concerns regarding the capacity of Kennethmont School.

Yours sincerely,



Sam Anson
Deputy Director, Workforce, Infrastructure and Digital
Learning Directorate