

Schools (Consultation) (Scotland) Act 2010

Report by Education Scotland addressing educational aspects of the proposal by Dumfries and Galloway Council to discontinue education provision at Hutton Primary School and realign its catchment area either to Applegarth Primary School or to split between Applegarth Primary School and Langholm Primary School.

June 2024

1. Introduction

1.1 This report from Education Scotland has been prepared by His Majesty's Inspectors of Education (HM Inspectors) in accordance with the terms of the [Schools \(Consultation\) \(Scotland\) Act 2010](#) ("the 2010 Act"). The purpose of the report is to provide an independent and impartial consideration of a proposal by Dumfries and Galloway Council to discontinue education provision at Hutton Primary School which is currently mothballed and; realign its catchment area to Applegarth Primary School or split and realign the catchment between Applegarth Primary School and Langholm Primary School. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' view. Upon receipt of this report, the Act requires the council to consider it alongside any relevant considerations the council received and then prepare its consultation report. The council's consultation report should include this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its consultation report at least three weeks before it takes its final decision. With all proposals the council needs to follow all statutory obligations set out in the 2010 Act. Where a council is proposing to close a school, there are specific additional obligations. These include notifying Ministers within six working days of making its final decision and explaining to consultees the opportunity they have to make representations to Ministers. There are special provisions that apply to close a rural school.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children of the schools; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and young people in the council area;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

1.3 In preparing this report, HM Inspectors undertook the following activities:

- attendance at the public meeting held on 21 May 2024 in connection with the council's proposals;
- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others; and
- visits to the sites of Applegarth and Langholm Primary Schools, including discussion with relevant consultees. HM Inspectors also visited the mothballed site of Hutton Primary School.

1.4 As the proposal, if implemented, will lead to the closure of a rural school, HM Inspectors also took account of the council's consideration of any reasonable alternatives to closure of Hutton Primary School, the likely effect on the local community and the likely effect of any different travelling arrangements of the proposed closure.

2. Consultation process

2.1 Dumfries and Galloway Council undertook the consultation on its proposal(s) with reference to the [Schools \(Consultation\) \(Scotland\) Act 2010](#).

2.2 The consultation period ran from 24 April until 7 June 2024. A public meeting was held on 21 May 2024 and attended by 14 members of the public. The council invited responses to the consultation in the form of letter, email and an online survey. Consultation meetings were also held with children attending Applegarth and Langholm Primary Schools. The council received 12 responses to the public consultation. Four supported the proposal to permanently close Hutton Primary School and eight did not. There was a mixed response to the second part of the proposal regarding the re-alignment of the catchment areas, with a few respondents in favour of each option.

3. Educational aspects of proposal

3.1 The council believes that there will be clear educational benefits for children should the proposal go ahead. These centre around the delivery of Curriculum for Excellence which is flexible, adaptable and responsive to the diverse needs of individual learners. As the numbers of children attending Hutton Primary School have fallen consistently over recent years, the council believes that the children benefit from learning alongside their peers in larger schools. Since the temporary closure of Hutton Primary School, the council has made efforts to assess the demand for education in its catchment area. Responses indicate a maximum school roll of four pupils. HM Inspectors agree there are sufficient educational benefits to merit the permanent closure of the school. HM Inspectors agree that children are benefitting from the range of learning opportunities at both Applegarth and Langholm Primary Schools. This includes opportunities to develop their capacity to work with others and build their social skills.

3.2 HM Inspectors met with a range of stakeholders in both primary schools impacted by the proposals. Almost all were in favour of closing the mothballed Hutton Primary School. However, a few people are concerned about what would happen to the building once it is formally closed. Whilst a few people think it is unfortunate that the village would lose its school, most feel that the projected school is unlikely to be viable. Children who met with HM Inspectors were in favour of closing the school and felt that either catchment option meant they would have more friends. Most parents and staff in Applegarth and Langholm Primary Schools are also supportive of the plan to close Hutton Primary School. As both schools have capacity, most stakeholder thought that either option would provide a good educational experience for children.

3.3 As the proposal, if implemented, will lead to the closure of a rural school, HM Inspectors also took account of the council's consideration of the factors to which it should have special regard:

3.4 The council consulted widely on the proposal to close the school, carrying out a pre-consultation exercise prior to the formal consultation. Taking account of the Community Empowerment (Scotland) Act 2015, the council in its pre-consultation phase discussed the options for the use of the building beyond closure. They engaged with a range of stakeholders including local community members. Whilst recognising that continued mothballing was not a viable option, community members felt that a decision regarding its future was desirable. Whilst there is concern amongst local people about the impact of the school closing, there is no agreed way forward for the use of the building in the longer term. As the village where the school is situated has a community hall with a vibrant programme of activities, it is unlikely that the community would request an asset transfer for Hutton Primary School. In its proposal, the council also considered the transport implications for children moving to Applegarth and Langholm Primary Schools. As

the current transport arrangements for Applegarth will continue, there is only a cost implication for Langholm Primary School should the second option be adopted. This could lead to some environmental impact in terms of additional vehicles on the roads. However, as the numbers of children requiring transport is small, this is not likely to be significant.

4. Summary

HM Inspectors agree that there are educational benefits to the council's proposal to close the building permanently. Children from the area are already benefitting from the educational opportunities available at Applegarth and Langholm Primary Schools. There was no clear agreement amongst stakeholders regarding re-aligning the catchment areas. Therefore, HM Inspectors would support the council's proposal to re-align the catchment to Applegarth Primary School as it would be more cost effective. Should the proposal go ahead, the council should continue to engage with the local community in the area surrounding the school. This may help to allay any concerns regarding the long-term use of the building.

HM Inspectors
June 2024