



**RTPI**

mediation of space · making of place

The Royal Town Planning Institute in Scotland  
57 Melville Street  
Edinburgh  
EH3 7HL

Tel: 0131 226 1959

Fax: 0131 226 1909

[www.scotland.rtpi.org.uk](http://www.scotland.rtpi.org.uk)

Registered Charity No: 262865

Scottish Charity Registration Number SC 037841

15 September 2008

School Closure Consultation CRE 995  
CSU, Spur U5b Saughton House  
Broomhouse Drive  
Edinburgh  
EH11 3XD

Dear Sir or Madam

**SAFEGUARDING OUR RURAL SCHOOLS AND IMPROVING SCHOOL CONSULTATION PROCEDURES: CONSULTATION RESPONSE**

The Royal Town Planning Institute (RTPI) welcomes the opportunity to respond to this consultation.

The RTPI is the UK body chartered to represent the planning profession and offers these comments from the point of view of a diverse and politically-neutral professional body committed to supporting devolved government in Scotland. The Institute has approximately 2000 members in Scotland, working across all sectors of central government, local government, government agencies, the voluntary sector, private consultancy, the development industry and academia.

Since devolution, the Institute has empowered its RTPI in Scotland Office, together with its Scottish Executive Committee, with the responsibility for working with government and public bodies generally for the improvement of the planning system in Scotland. This is in accordance with its charter obligation to work for the public interest.

The Institute's responses to the questions in the consultation document are set out below.

**Q1. Do you support the proposal to require local authorities to have regard to certain matters before they can proceed to consultation on the closure of a rural school?**

Yes, and indeed to the closure of any Scottish school.

**Q2. Do you agree with the four matters we propose requiring that authorities should have regard to before proposing a rural school closure? These are:**

- alternatives to the closure of the school
- likely overall impact of the school's closure on the communities which it serves
- likely impact of closure specifically on the community's subsequent use of the school's building facilities and grounds
- likely impact that new travel to school patterns and arrangements would have on pupils and other school users and the environment.

Yes, but to these we would add the development plan, and in particular the Local Plan or Local Development Framework which would itself implement the Local Housing Strategy.

**Q3. Do you agree that it is not appropriate to set up a rural schools fund?**

No comment.

**Q4. Do you agree with the proposed definition of "rural schools"?**

No. Drive time is a somewhat crude figure, which might better be replaced by the more realistic time taken by public transport – even in rural areas, a majority of people, and certainly children, do not drive or have use of a car.

**Q5. Do you support requiring local authorities to publish a statement setting out the educational benefit of the school closure proposal?**

Yes. The statement should also contain indications of the other benefits (and disbenefits) anticipated, including any implications for Community and Development Plans (see below).

**Q6. Do you agree that it should be left to the authority as to how it sets out an educational benefit statement?**

No.

**Q7. Do you agree that HMIE's views should be sought in all cases?**

Yes, along with other relevant views.

**Q8. Do you support the proposed changes to the way consultations should be conducted? These are:**

- introducing a requirement that a consultation paper should be published containing certain information;

There should be a scoping paper prepared first.

- establishing a mechanism for addressing allegations of factual inaccuracies in a consultation paper;

Yes, and an Inquiry Report afterwards.

- extending the list of people who must be consulted;

Yes

- updating the way consultations are publicised;

Yes

- updating how people can respond to a consultation;

Yes

- extending the minimum consultation period to 6 weeks of term time;

Six weeks is far too short, even of term time. It is believed that such a proposal should be promoted in the Local Authority's Community and Local Development Plans.

and

- introducing a requirement that the authority publish a Consultation Report, 28 days before the final decision is taken.

No, this is insufficient time. As a proposal in the Local Development Plan there would be proper discussion and, where necessary, the opportunity for a Public Inquiry where the needs of the community, including their educational needs, could be seen to be properly considered.

**Q9. Do you agree that Ministers should take a power to issue ‘statutory guidance’ to which authorities would have to have regard?**

No. A useful distinction should be made between the Scottish Policy (including the presumption against closure) and guidance. In the planning field the latter is provided in the form of a suite of Planning Advice Notes which as well as guidance can also incorporate helpful case studies – this is the model which the Institute would advocate.

**Q10. Are you content with the present system of referrals of closure cases to Ministers?**

No.

**Q11. If not, what changes would you wish to see made, and why.**

In view of the importance of the school at the heart of the community (and this applies not just to rural schools) we advocate the consideration of such matters in the context of the Community and Local Development Plans where they can be carefully weighed by the community, the Local Authority, and a Planning Reporter, as necessary, before (very rarely) reaching Scottish Ministers.

**Q12. Do you agree with the proposal to place the responsibility on authorities to satisfy themselves regarding the provision of denominational education?**

Yes

**If so, do you agree with the proposal to continue to allow referral to Ministers if the Church or denominational body has an objection?**

Yes, (albeit this should be a rare occurrence if proposals are fully aired in Development Plan preparation), but a referral route should also be available to objecting Community Councils.

**Q13. Do you agree with our proposal that in future only school closure cases should be referable to Ministers?**

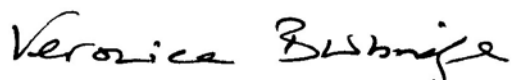
Yes on the understanding that they will first be considered as part of the Community and Development Plan proposals.

**Q14. If you have any other comments or suggestions to make on, or any addition to, the proposals set out in this consultation paper, please include these in your response.**

No comment.

The Institute trusts that these comments are of assistance and has no objection to them being made available to the public in the usual way. Should you wish any clarification or further assistance, please do not hesitate to contact me at our Edinburgh office: 57 Melville Street Edinburgh, EH3 7HL, phone: 0131 226 1959, or by email: [scotland@rtpi.org.uk](mailto:scotland@rtpi.org.uk)

Yours faithfully



National Director

## RESPONDENT INFORMATION FORM

### Safeguarding our rural schools and improving school consultation procedures: proposals for changes to legislation

If you intend to e-mail your consultation response to us, please complete the form below and send as an attachment (accompanying your response) to the following address: [schoolclosure.consultation@scotland.gsi.gov.uk](mailto:schoolclosure.consultation@scotland.gsi.gov.uk). The form below will help ensure we handle your response appropriately. Thank you for your help.

Please double click the appropriate answer box and select the 'checked' option (under the 'Default Value' heading).

Name: The Royal Town Planning Institute in Scotland

Address: 57 Melville Street  
Edinburgh  
EH3 7HL

1. Are you responding as: (please tick one box)
- |                                      |                                     |              |
|--------------------------------------|-------------------------------------|--------------|
| an individual                        | <input type="checkbox"/>            | (go to 2a/b) |
| on behalf of a group or organisation | <input checked="" type="checkbox"/> | (go to 2c)   |

#### 2a. INDIVIDUALS

Do you agree to your response being made available to the public (in the Scottish Government library and/or on the Scottish Government website)?

- Yes (go to 2b below)
- No, not at all

- 2b. **Where confidentiality is not requested**, we will make your response available to the public on the following basis (**Please tick one** of the following boxes)

- Yes, make my response, name and address all available
- Yes, make my response available, but not my name or address
- Yes, make my response and name available, but not my address

#### 2c. ON BEHALF OF GROUPS OR INDIVIDUALS:

Your name and address as respondees **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government website). Are you content for your response to be made available also?

- Yes
- No

3. We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in future, but will require your permission to do so.

Are you content for the Scottish Government to contact you again in the future for consultation or research purposes?

- Yes
- No