



Schools (Consultation) (Scotland) Act 2010

2010 asp 2

Special provision for rural schools

12 Factors for rural closure proposals

- (1) Subsection (2) applies in relation to any closure proposal as respects a rural school.
- (2) The education authority must have special regard to the factors mentioned in subsection (3).
- (3) The factors are—
 - (a) any viable alternative to the closure proposal,
 - (b) the likely effect on the local community in consequence of the proposal (if implemented),
 - (c) the likely effect caused by any different travelling arrangements that may be required in consequence of the proposal (if implemented).
- (4) For the purpose of subsection (3)(b), the effect on the community is to be assessed by reference (in particular) to—
 - (a) the sustainability of the community,
 - (b) the availability of the school's premises and its other facilities for use by the community.
- (5) For the purpose of subsection (3)(c)—
 - (a) the effect caused by such travelling arrangements includes (in particular)—
 - (i) that on the school's pupils and staff and any other users of the school's facilities,
 - (ii) any environmental impact,
 - (b) the travelling arrangements are those to and from the school of (and for) the school's pupils and staff and any other users of the school's facilities.

Commencement Information

11 S. 12 in force at 5.4.2010 by S.S.I. 2010/70, art. 2

Status: Point in time view as at 05/04/2010.

Changes to legislation: There are currently no known outstanding effects for the Schools (Consultation) (Scotland) Act 2010, Cross Heading: Special provision for rural schools. (See end of Document for details)

13 Explanation of approach

- (1) Subsections (2) and (3) apply in relation to any closure proposal as respects a rural school.
- (2) The proposal paper must additionally explain how the education authority complied with section 12 when formulating the proposal.
- (3) The consultation report must additionally explain—
 - (a) how the education authority complied with section 12 when reviewing the proposal under section 9(1),
 - (b) any change of attitude that the education authority has had which is attributable to its compliance with section 12 when reviewing the proposal under section 9(1).

Commencement Information

I2 S. 13 in force at 5.4.2010 by S.S.I. 2010/70, art. 2

14 Designation of rural schools

- (1) In this Act, a “rural school” is a school which is designated as such by its inclusion in the list of rural schools maintained by the Scottish Ministers for the purposes of this subsection.
- (2) In determining the question of rurality when considering whether a school falls to be included in or excluded from the list of rural schools, the Scottish Ministers are to have regard (in particular) to—
 - (a) the population of the community (or settlement) in which the school is located,
 - (b) the geographical circumstances of that community (or settlement) including its relative remoteness or inaccessibility.
- (3) The list of rural schools is to be accompanied by an explanation of how the Scottish Ministers devised the list—
 - (a) by reference to subsection (2), and
 - (b) if they consider it appropriate, by reference to any recognised criteria available from a reliable source.
- (4) The Scottish Ministers are to—
 - (a) monitor the list of rural schools (and update it as regularly as they consider necessary),
 - (b) publish it (including as updated) in such way as they consider appropriate.
- (5) An education authority must provide the Scottish Ministers with such information as they may reasonably require of it in connection with the list of rural schools.

Commencement Information

I3 S. 14 in force at 5.4.2010 by S.S.I. 2010/70, art. 2

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There are currently no known outstanding effects for the Schools (Consultation) (Scotland) Act 2010, Cross Heading: Special provision for rural schools.