



## **REPORT TO MARR AREA COMMITTEE - 31 MARCH 2020**

### **GARTLY PRIMARY SCHOOL - UPDATE**

#### **1 Reason for Report/Summary**

- 1.1 At its meeting of 17 December 2019, the Marr Area Committee considered a report on the background and implications of the oil spill at Gartly Primary School. The report outlined the remediation works carried out to date, and the financial implications risks associated with carrying out further works.
- 1.2 This report provides an up-date on the position, including current and projected roll at Gartly primary School, Option Identification and Next Steps.

#### **2 Recommendations**

**The Committee is recommended to:**

- 2.1 **Acknowledge the responses received following the engagement exercise; and**
- 2.2 **Provide comment to Education & Children's Services Committee on next steps.**

#### **3 Purpose and Decision-Making Route**

- 3.1 The original fuel oil leak was identified at Gartly Primary School on 13 December 2018. As a result, despite extensive remediation works undertaken to excavate, process and properly dispose of a considerable volume of contaminated soil and other material, the problem was not resolved. The cost incurred to date is £451,154.
- 3.2 Initially, it was agreed that the school was to be decanted to Kennethmont Primary School with Nursery pupils going to Rhynie Primary School. Ward Members were briefed on the actions being undertaken, and it was anticipated the situation would be resolved relatively quickly.
- 3.3 Three public meetings took place on 5 February 2019, 23 May 2019, and 2 September 2019. These were well attended by concerned parents and carers, members of the local community, and supported by Officers from all Services involved. Several updates have been issued by the Head Teacher (supported by the Communications Team). Up-dates have also been shared with Ward Members and Scottish Government. A workshop was held for the parents/carers on 10 September to discuss the options in the context school could not be reoccupied until further remediation works were undertaken. As a result, Gartly Primary School has been temporarily relocated to Rhynie Primary School. The cost of work to improve Rhynie Primary School was approximately

£32,000). Home to school travel has been provided for all P1-P7 pupils to attend Rhynie Primary School (Nursery were already at Rhynie).

- 3.4 It should also be noted that there have also been discussions with the Consultant in Public Health Medicine at NHS Grampian. It is clear that there are no defined maximum acceptable levels of contamination and that the contamination requires to be fully removed, or treated to the same level, before the school can be re-occupied. A control school is being used to compare atmospheric contamination levels; Rhynie School is being used for this purpose (it is of comparable size and has oil fired boilers); there are no heating oil derived compounds in the air at that school and, during the latest monitoring period, the average air quality within Rhynie School hall was approximately 40 times lower than that in Gartly School Hall. There is no discernible contamination at the Rhynie site.
- 3.5 Officers have had further discussions with colleagues in Environmental Health, Education and NHS Grampian Health Protection Scotland regarding the effectiveness of the proposals. The conclusion of these discussions is that the only technical solution that can be considered at this stage is: Partial demolition, and, thereafter, excavation and reinstatement/rebuilding of demolished area.

In addition, there will be a requirement for some further improvements and decoration to be undertaken in order to ensure that the return to the Gartly building will be to a safe and comfortable environment.

- 3.6 The estimated costs associated with undertaking remediation and improvement works to Gartly is £872,000.

#### **4. Discussion**

##### **4.1 Current Position**

- 4.2 The pupils and staff decanted to Rhynie Primary School have adapted very well to their change of learning environment. Reports from the Head Teacher are very positive in relation to pupil progress and parental feedback.
- 4.3 The temporary decant of Gartly School to Rhynie is permissible whilst the school is unsafe to use and whilst the Council considers the options for re-opening the school. However, this position is not sustainable for a number of reasons, not least as parents require a degree of continuity regarding primary school provision in the area.
- 4.4 The school roll position is summarised below:



	2018 (Sept)	2019 (Sept)	January 2020	March 2020
P1-7	36	23	19	13
Nursery	15	13	15	14

4.5 The nursery projections also include Kennethmont pupils which does not have nursery provision.

4.6 The Council has a well-established process for roll projection. Based on pupils in the school in January 2020, PI admissions, etc, it was initially projected that there would be 26 pupils in August 2020 and 27 in August 2021.

However, for August 2020 figures have significantly reduced. It is now anticipated that there will be around 6 pupils in August 2020.

4.7 Option Identification

4.8 Clearly, before committing to additional capital expenditure of £872,000, it is important to ensure such expenditure represents educational benefit. This needs to be considered in context of the Schools (Consultation)(Scotland) Act 2010, and from a best value perspective. The Council also needs to be assured that the risk of contamination is removed. Accordingly, it is sensible to identify options.

4.9 It should be noted that, if the Council wishes to consider closure of the school, the procedure set out in the Schools (Consultation)(Scotland) Act 2010 would require to be followed. Because of its location, Gartly would be classed as a rural school, which means that the Council must identify the reasons for formulating the closure proposal, consider whether there are any reasonable alternatives, assess the educational benefits, the likely effect on the local community and the likely effect of any different travel arrangements of the closure proposal and any alternatives and be satisfied that the closure would be the most appropriate response to the reasons for the proposal. There is a presumption against closure of rural schools. The Council would thereafter undertake a consultation process in accordance with the 2010 Act after which, if the decision is taken to close the school, the Council would have to notify Scottish Ministers who will refer the proposal to the School Closure Review Panel for them to make a decision. In this case, the reason for making the proposal is clear, but the argument would then be over the appropriateness of closure against the problems and cost of safely remediating the site.

4.10 The Council will still be legally responsible for the Gartly school site if the school is closed and/or demolished. The Council will require to engage with the relevant regulatory authorities to determine remediation/decontamination requirements for the proposed future use of the site. Liability for any future remediation required by regulatory authorities at the Gartly school site will be for the Council to bear.

- 4.11 The focus of ECS is the quality of service provision and providing education benefit. It is essential that parents, children and the wider community are involved in this process. As outlined above, there is a presumption against closure of a rural school, and, accordingly, cognisance would need to be taken of this i.e. we would need to consider the option of continuing education in Gartly. Prior to embarking on any formal consultation, it would be important to undertake extensive engagement to ensure all stakeholders have an input. While this engagement takes place children of Gartly Primary School would continue to be educated in the Rhynie building.
- 4.12 This position was set out at a public meeting on 26 February 2020. At this meeting, officers outlined initial options. It was also noted it is important to parents/carers, pupils and members of the community to have an input into considering and developing these options. Indeed, it may be that other options are identified through early engagement with the community. It was emphasised that, if any option impacted on another school, appropriate parents/carers and communities (Committees) would also require to be involved in the engagement exercise. The information provided at the meeting is contained in Appendix 1.
- 4.13 The parental responses, due to be returned on 26 February 2020, have been collated and are attached as Appendix 2. Twelve of the thirteen responses note Option 1 as the preferred option i.e. Reinstate Gartly Primary school at a cost of £872,000 (plus the £451,000 already spent) i.e. £1,323,000 with no complete guarantee of "no contamination".

NB One parent has three children at Gartly and responded three times 4 (1), (2), (3). Subsequently, 2 additional responses have been received and are included the Appendix.

4.14 Next Steps

4.15 Effectively, the Council now has to consider the following scenarios:

- (i) Commit to remediation work at Gartly Primary School. This is the clear preference of those who have responded to the Council – Appendix 2.
- (ii) Undertake a comprehensive engagement exercise and option appraisal to consider the options identified in Appendix 1 and any other identified option. This exercise would take approximately 6 months and be led by the Learning Estate Team. Thereafter, an up-date will be provided to Marr Area Committee and Education & Children's Services Committee,

4.16 It is recognised that this is a difficult position for parents/carers, and, indeed, the wider community. While the clear preference of responses received are acknowledged, the Council also needs to consider the wider requirements across the Learning Estate.

- 4.17 It should be noted that there are currently a number of public health issues associated with Covid-19. This is likely to impact on the date engagement regarding options can commence.

## 5. Council Priorities, Implications and Risk

- 5.1 This report helps deliver Council Priority 9 - Deliver responsible, long-term financial planning.

- 5.2 The table below shows whether risks and implications apply if the recommendation is agreed.

Subject	Yes	No	N/A
Financial	X		
Staffing	X		
Equalities			X
Fairer Scotland Duty			X
Town Centre First			X
Sustainability	X		
Children and Young People's Rights and Wellbeing	X		

- 5.3 Depending on the preferred scenario, are likely to be financial and staffing implications. There will also potentially be implications for Sustainability and Children and Young People's Rights and Wellbeing. However, detailed work would be undertaken as part of the option appraisal process depending on the approach agreed by Committee(s).

- 5.4 An equality impact assessment is not required because this report provides an up-date and does not have a differential impact on any of the protected characteristics. However, it should be noted that an EIA will be required for future reports.

- 5.6 The following Risks have been identified as relevant to this matter on a Corporate Level: ACORP007 : Social Risk *link to Corporate Risk Register*.

## **6. Scheme of Governance**

- 6.1 The Head of Finance, Head of HR&OD and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are incorporated within the report and they are satisfied that the report complies with the Scheme of Governance and relevant legislation.
- 6.2 The Committee is able to consider this item in terms of Section B.1.2 of the List of Powers in Part 2A [List of Committee Powers in Part 2A](#) of the Scheme of Governance as it relates to making recommendations to an appropriate committee on any matter of policy which impacts it Area.

Laurence Findlay  
Director of Education & Children's Services

Report prepared by: Craig Clement, Head of Resources & Performance  
March 2020



**From mountain to sea**

## **GARTLY PRIMARY SCHOOL: OPTIONS DISCUSSION SESSION**

### **Appendix 1**

### **3 FEBRUARY 2020**

In order to prepare a report for Marr Area Committee on 31 March 2020, all stakeholders should have the opportunity to contribute to the development of what these options should be. The information below is presented to allow this process to proceed in a collaborative way that is open and transparent and takes account of all stakeholder input.

It is important that parents, pupils and members of the community have an input into considering and developing these options. Indeed, it may be that other options are identified through early engagement with the community.

The educational impact of all options requires to be considered. In addition, consideration needs to be given to best value, cost and community impact.

### **Options for Consideration**

- 1** Reinstate Gartly Primary School at a cost of £872,000 (plus the £451,000 already spent) i.e. £1,323,000 with no complete guarantee of "no contamination".
- 2** Demolish Gartly Primary School and make good the site at a cost of £245,000 (plus the £451,000 already spent) i.e. £696,000. Within this context, consideration could be given to the following:



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- (i) Consideration could be given to formalising the current arrangement i.e. permanent use of Rhynie Primary School for all pupils currently in Gartly catchment area, but still operating as two schools.
- (ii) Another option would be to merge Gartly Primary School with another neighbouring school and rezone catchment areas as required.

**NB** It should be noted that any such potential options will not have been discussed with relevant colleagues and communities at this stage. These discussions would take place during the next stage of this process.

- (iii) Split the current Gartly catchment zone to more than one school.

Under these circumstances, consideration also requires to be given to Early Years provision. This could include relocating both Gartly nursery and Rhynie nursery from Rhynie Primary School into a different building (possibly the community hall behind Rhynie Primary School) allowing further capacity.

- (iv) Another option is to build a new school. This could be a replacement for Gartly Primary School alone, with a capacity of around 50 pupils. However, this would not be in line with policy, which requires a minimum capacity of 200 pupils. Alternatively, a larger replacement school of 200 capacity could be built that would then involve a merger of more schools.

Consideration could also be given to extending one of the existing primary schools and merging additional schools into one, as an alternative to the new build discussed above.

**Gartly Primary School: Members of the Community Options Feedback: February 2020**

Response	Option	Comments
1	Option 1	Option 1 is the only option! Reinstate Gartly Primary School at a cost of £872,000 (plus the £451,000 already spent) i.e. £1,323,000 with no complete guarantee of "no contamination"
	Option 2	Second Option to me is (iv) Another option is to build a new school. This could be a replacement for Gartly Primary School along, with a capacity of around 50 pupils. However, this would not be in line with policy, which requires a minimum capacity of 200 pupils. Alternatively, a larger replacement school of 200 capacity could be built that would then involve a merger of more schools.
	Option 3	Option (iv) As above.
2	Option 1	Option Given that the regrettable situation with Gartly School has occurred and that remediation will be costly and lengthy and there are already enough places at other schools in the cluster to accommodate the expected roll up to 2027 it seems appropriate to look forward to the longer-term requirements of the cluster as a whole. In terms of climate damage mitigation and reduction of future operational expenditure it would seem appropriate to build a new low-carbon school with good outdoor facilities (all weather surface) to replace the existing 6 ageing infrastructure schools on the South/East side of Huntly. In terms of head teacher and teacher salaries and other running costs there would be significant savings to be made in combining the schools and catchment areas.

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<b>Response</b>	<b>Option</b>	<b>Comments</b>
<b>3</b>	Option 1	Reinstate Gartly school
	Option 2	Build school capacity 200 children
	Option 3	Extend Kennethmont school to accommodate Gartly school and nursery
<b>4 (1)</b>	Option 1	For my child it would be beneficial for Gartly School to be reinstated. During this time, it would be best to carry on teaching at Rhynie but still as Gartly. My child only knows Gartly and went through nursery here too. To change anything else so close to secondary I feel would set my child back. (Child) has already had an educational year wasted from summer 2018 to summer 2019. Any further change would not be good so late in primary.
<b>4 (2)</b>	Option 1	My child would highly benefit from being back in Gartly School for a number of reasons. The green outdoor space, the larger classroom space and all the resources there. The use of GP room. I think my daughter would go back to thriving in her setting she knows best (child) has been suffering headaches and is under doctor review in Aberdeen Childs hospital. This could be linked to the stress of this current situation. Children pick up on all worries. It is simply not fair for the children at the moment.
<b>4 (3)</b>	Option 1	Where to start. My child has had a very poor start to her education. For the first term being taught in a dinner hall is just not acceptable and not having a desk. Now in yet another environment which (child) has found very difficult. I believe (child) would benefit being back in Gartly where she can carry out her primary years. Since being placed at Rhynie (child) has been complaining of tummy aches, which diagnosed by a GP is anxiety pains. Having Gartly school reopen would set aside any worries for my daughter and she could concentrate on schooling.

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<b>Response</b>	<b>Option</b>	<b>Comments</b>
<b>5</b>	Option 1	Access to Rhynie in wintery conditions isn't an ideal option. What consideration is provided for travelling costs/savings.
<b>6</b>	Option 1	Reinstate Gartly Primary School. If the person in charge had done their job correctly you would not be in this fix today. I would have sacked him on the spot. What can you expect men sitting in their vans until 11o'clock most days, think on the money you would have saved? Ask any farmer and he will tell you to clean your ditches round about to let rain water away before you start to save it building up. The oil would have had a chance to seep out and the ground dried. Surely, it could be sprayed or sealed off by some means. But you are the experts. Several good firms start about 7 o'clock in this area. You cannot deprive the next generation of small children a school in their area through your mistakes, but mistakes are usually costly. So, get on with the job and be there to see them start on time. Have a look at the roof of the shelter shed and see their work they have no pride in their work it's a disgrace.
<b>7</b>	Option 1	I would like the school to be reinstated as soon as possible. All the other options will be more upheaval for the children.
<b>8</b>	Option1	I would like to get the school reinstated as soon as possible. Preferably by local firms and not by firms from Glasgow that has no interest in their work or the community.
	Option 2	In my opinion the whole project has been handled badly. As for the other options I don't agree with any of them as it would cause more upheaval and unrest for the children.
<b>9</b>	Option 1	Rebuild Gartly School.
<b>10</b>	Option 1	Reinstate Gartly School.

<b>Response</b>	<b>Option</b>	<b>Comments</b>
<b>11</b>	Option 1	<p>In our opinion, the only acceptable option presented to us is the full reinstatement of Gartly Primary School. All other options carry with them an unacceptably high risk of disruption to and reduction in the quality of our children's education.</p> <p>As a site, the facilities at Gartly are far superior to all other in the cluster, particularly the outdoor space which offers a secure space for play, sport, and natural outdoor education.</p> <p>As a rural community, it is vital that the school remains at the heart of the village. In order to ensure the future sustainability of Gartly, there needs to be a school to draw families to the area.</p> <p>Furthermore, as parents of a child with additional needs, the current situation is particularly disruptive. Due to his needs, our son will be unable to take the bus when he starts primary in August, so what should be four miles of driving a day is now 20 miles a day. To a child who needs a lot of preparation to cope with changes, it is very concerning that his early education has been put at risk due to the disruption when research shows that life-long effect that this can have.</p>
<b>12</b>	Option 1	<p>My preferred option is to reinstate Gartly School. I understand that the cost of doing this is substantial and have noted the mention of possible contamination still being present after the work is done. The cost and the possibility of continued contamination are, of course, a concern but I believe that it would be a huge loss to the community if the school were to be demolished.</p> <p>The Gartly school and nursery provides a centre for the large rural area that makes up Gartly, for the children, parents and community alike. The loss of the school would have a severe negative impact on the community for all ages – not just primary and nursery children.</p>

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<b>Response</b>	<b>Option</b>	<b>Comments</b>
<b>13</b>	Option 1	Reinstate Gartly Primary School.
	Option 2	Stay at Rhynie as Gartly pupils and own school.
	Option 3	Offer pupils the chance to split up into other schools in the local area.
	Option 4	Extend one of the other schools either Rhynie or Kennethmont to accommodate them.
	Option 5	If Gartly is not to open again it must be knocked down and put back to grass, as it would be bad for a village to have a school standing but nothing being done with it, especially when trying to get families to move into the local area!
<b>14</b>	Option 1	<p>As a parent of Rhynie pupils, I feel that I can only comment on those options which would have any impact on Rhynie school itself. The main option therefore being where the current situation would be "formalised" into a permanent solution; two schools operating independently under one roof.</p> <p>Where this was an acceptable temporary option, I cannot believe that this would be a viable permanent solution, for various reasons, both socially and educationally. Apart from the fact that I have never heard of a situation like this being implemented on a permanent basis anywhere else. I would like to trust that during the investigation into viable options by the Authority, HMI and the Education Services, a similar verdict would be found.</p> <p>I can understand that Gartly School would want to return to their original status as an independent school in their "home" setting, and sincerely hope that this may happen for them, should they so wish. However, should this take the proposed length of time of approximately 2-3 years, the current situation at Rhynie may well be in need of "readjusting" to cater for a slightly more inclusive environment.</p>

<b>Response</b>	<b>Option</b>	<b>Comments</b>
<b>15</b>	Option 1	<p><u>REMOVE</u> OPTION 2 (iv) – “build a new school....a larger replacement school of 200 capacity could be built that would then involve a merger of more schools”.</p> <p>Rhynie school building is perfectly adequate and capable of housing more pupils in its school without closing it</p>
<b>16</b>	Option 1	<p>I think the best option is option 1 – to rebuild Gartly School. A school is an asset to any small rural village and is important for the community. A village without a school will lead to a decline of young families moving to the area and will impact on house prices.</p> <p>As the rebuild will take at least 2.5 -3 years and possibly even longer, it could be an option to relocate Gartly to a school with less pupils and more space – for example Clatt. We have welcomed Gartly to share Rhynie School but it is a short term solution – there is now a lack of space, for example there is no available area for a quit space for pupils for music tutorials. This is only going to get more strained as the years go on and both school roll numbers increase. I think it would be very short sighted of the council not to consider this matter now as it will impact both schools in the future and may lead to resentment amongst the pupils and wider communities.</p>
<b>17</b>	Option 1	<p>We have discussed the options regarding the future of Gartly Primary school and we would like to make it clear that we want the two options that directly affect Rhynie taken off the table. These are</p> <p>2 (i) Consideration could be given to formalizing the current arrangement i.e. permanent use of Rhynie Primary School for all pupils currently in Gartly Catchment area, but still operating as two schools: and</p> <p>2 (iv) Another option is to build a new school. This could be replacement for Gartly Primary School alone with a capacity of around 50 pupils. However, this would not be in line with policy, which requires a minimum capacity of 200 pupils. Alternatively, a larger replacement school of 200 capacity could be built that would then involve a merger of more schools.</p> <p>Consideration could also be given to extending one of the existing primary schools and merging additional schools into one, as an alternative to the new build discussed about.</p>

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Response	Option	Comments
17	Option 1 (Cont)	<p>We have already had the decision to house Gartly as a separate entity within Rhynie thrust upon the school without any consultation whatsoever.</p> <p>Now, despite being assured that this was a short-term solution, and following a public meeting, it would appear that whatever decision is made with regards to the future of Gartly, Rhynie is to be stuck with this wholly unsuitable and short-sighted decision for at least another two years. That for many parents is too long, as it equates to the remainder of some pupils' final years at primary school.</p> <p>It is quite right that the parents at Gartly get to decide the future of their school, but it should not under any circumstances, be at the cost of the education and wellbeing of our pupils at Rhynie primary.</p> <p>Rhynie has a perfectly adequate school building, which is more than capable of catering for extra pupils without it being forced to house two schools under one roof or be unnecessarily closed to make way for another larger school, for the sake of a small number of pupils.</p> <p>We would very much appreciate if you would take our concerns on board.</p>
18	Option 1	<p>Reinstate Gartly Primary School at a cost of £872,000 (plus the £451,000 already spent) i.e. £1,323,000 with no complete guarantee of "no contamination".</p>
19	Option 1	<p>Part demolish and clear contaminated area. Could you then extend out car park side and rearrange so car park were, where the demolished area were, down that side. Create new entrance and children could exit to playing area/field from opposite side as they do now? It is such a large site compared to many, could it be turned around?</p>
	Option 2	<p>To extend Kennethmont School with Nursery for Kennethmont children and Gartly together, meaning many children can be part of the school. They will attend from early years like what Gartly was for many. Nursery was always part of the school community. Relationships formed early, children part of school shows, events, sports days, open day etc. They mix with older kids and are open to the school environment from a younger age. Kennethmont's roll will surely be set to rise depending the outcome of Gartly along with new housing currently being built and the proposal of 32 dwelling houses across the road, this would push the school above and beyond capacity with the possible need to extend in the future anyway.</p>

Response	Option	Comments
<b>19 (cont)</b>	Option 2	To extend Kennethmont School with Nursery for Kennethmont children and Gartly together, meaning many children can be part of the school. They will attend from early years like what Gartly was for many. Nursery was always part of the school community. Relationships formed early, children part of school shows, events, sports days, open day etc. They mix with older kids and are open to the school environment from a younger age. Kennethmont's roll will surely be set to rise depending the outcome of Gartly along with new housing currently being built and the proposal of 32 dwelling houses across the road, this would push the school above and beyond capacity with the possible need to extend in the future anyway.
	Option 3	To merge all early years into community hall of Rhynie. This would provide early years to move forward for the future of 1140 hours in a self-standing environment. Hopefully, however with some consideration with regards to placements i.e. with some children who will be attending the same schools to develop with those in their areas. Will this still allow the pre school children to have a close relationship with their school? Hours may be gained but feel they will miss out on so much more that being part of Gartly offered.
	Option 4	If the above happened this would free up enough room within Rhynie that you would have no need to build a "super school". This could be detrimental to not just Gartly but surrounding areas if it were built. (Communities such as Clatt, Kennethmont, Lumsden could greatly suffer as a result). (Presuming Rhynie would be the key location anyway as it's the central village). Would make sense to use what was there already. Time is already passing without going through more than one area.
	Option 5	If the decision was made to not reopen: Instead of completely demolishing, could the bottom end be taken down, contamination removed. Top end of building be saved to create a community space i.e. for bowling, for the community to use (along the lines of Culsalmond), bowls, pool, badminton hires etc. Community projects – reinstate wildlife garden etc.