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Douglas Hutchison
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South Ayrshire Council
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Wellington Square
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Dear Mr Hutchison,

**SECTION 22D CONSENT: EDUCATION (SCOTLAND) ACT 1980
SOUTH AYRSHIRE COUNCIL – RELOCATION OF ST CUTHBERT’S PRIMARY SCHOOL**

South Ayrshire Council recently carried out a statutory consultation under the Schools (Consultation) (Scotland) Act 2010 ('the 2010 Act') to close Cairn Primary School and Early Years Centre and Gardenrose Primary School and Early Years Centre in Maybole. The proposal also included the relocation of St Cuthbert's Primary School, a denominational school in Maybole, to the proposed new Maybole Campus. As the decision involved the relocation of a denominational school, the Council referred the proposal for Ministers' consent under section 22D of the Education (Scotland) Act 1980 ('the 1980 Act').

Sections 22C and 22D of the 1980 Act set out the legal framework for Ministerial consent to be sought in relation to decisions by education authorities to close, or make some other significant changes, to the provision of denominational schools in their area.

Section 22D

Section 22D applies where the Council's proposal results in a significant deterioration in the position of denominational schools compared with other local authority schools as respects the distribution and provision of school education including the provision of accommodation.

In order for section 22D to apply, all three requirements set out in section 22D(2)(a) to (c) must be met.

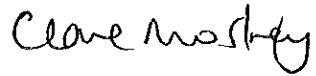
After careful consideration of the Council's proposal, and communication with the Scottish Catholic Education Service (SCES) and the Diocese of Galloway, Ministers have concluded that the Council's proposal does **not** amount to a significant deterioration in the provision,



distribution or availability of denominational education compared to that of other public schools in the area. Therefore, section 22D does not apply in this case and Ministerial consent is not required.

I am copying this letter to SCES and the Bishop of Galloway.

Yours sincerely



Clare Morley
School Funding, Infrastructure and Organisation