



HIGHLAND COUNCIL

CARE AND LEARNING SERVICE

REVIEW OF THE PROPOSAL TO ESTABLISH A NEW PRIMARY SCHOOL TO SERVE THE TORNAGRAIN HOUSING DEVELOPMENT

This report has been prepared following a review of the proposal:

To establish a new primary school to serve the Tornagrain housing development, and to amend the delineated area (catchment area) of the current Croy Primary School, in order to create the catchment area for the new school.

Having had regard (in particular) to:

- Relevant written representations received by the Council (from any person) during the consultation period:
- Oral representations made to it (by any persons) at the public meeting held at Croy Primary School on 8 October 2024:
- The report from Education Scotland.

this document has been issued by the Highland Council under the requirements of the Schools (Consultation) (Scotland) Act 2010.

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1.0 Background

- 1.1 Highland Council's Education Committee, at its meeting on 12 September 2024, agreed that a statutory consultation be undertaken on the proposal to establish a new primary school to serve the Tornagrain housing development, and to amend the delineated area (catchment area) of the current Croy Primary School, in order to create the catchment area for the new school.
- 1.2 **Appendix A** is the original consultative paper and provides full details of the above proposal. **Appendices B-C** are the appendices to the original proposal.

2.0 Consultation process

- 2.1 The formal consultation period ran from Monday 23 September 2024 to Friday 22 November 2024. Written representations on the proposal were sought from interested parties as defined within the Schools (Consultation) (Scotland) Act 2010.
- 2.2 In accordance with statutory requirements, the following were consulted:

- (i) Parents of pupils attending Croy Primary School; including parents of pre-school pupils
- (ii) The Parent Council of Croy Primary School
- (iii) Members of Parliament and Members of the Scottish Parliament for the area affected by the proposal
- (iv) Staff of Croy Primary School
- (vi) Trade union representatives;
- (vii) Croy and Culloden Moor Community Council

2.3 The proposal document was advertised on the Highland Council website.

2.4 A public meeting was held at Holm Primary School on 8 October 2024. The meeting was advertised in advance on the Highland Council website and Facebook page, and in the *Inverness Courier*.

2.5 Following receipt of written representations received by Highland Council and consideration of oral representations made at the public meetings, officials reviewed the proposals.

2.6 The outcome of this review process is reflected in the response, conclusion and recommendations outlined below.

3.0 Responses received

3.1 The note of the public meeting is at **Appendix 2**. The note records a total of 45 questions. No participants expressed direct opposition to the proposed new school. A number expressed concern about the condition of the Croy Primary building, or about potential negative effects on the school and community of Croy. Others raised issues around road safety, or about the catchment area for the new school.

3.2 A list of those who responded in writing during the public consultation is at **Appendix 3**, whilst copies of the actual responses are at **Appendix 3i – 3iv**. Pupils (including the nursery class children) at Croy Primary School completed, or were assisted to complete, age adapted questionnaires.

3.3 A majority of the children expressed support for the proposal. 101 children expressed a view, of whom 58 thought the new school should be built whilst 43 did not. When asked whether there should be two schools, or a new school for both Croy and Tornagrain, almost 80% of children favoured the two-school option. The various points raised in opposition are addressed in Section 4 below.

3.2 Three other written responses were received. One response expressed opposition to the new school, on the grounds there would not be enough children to justify it. Another raised a concern about the proposed location of the new school, on grounds of disturbance, loss of privacy etc. The other response asked a question about road safety. These matters are also addressed in Section 4 below.

4.0 Issues raised during the consultation period

- 4.1 The main arguments opposed to the proposal are summarised below, together with the responses from the Council. In many cases different responses have made the same or very similar arguments, and where this occurs the arguments have been addressed only once.
- 4.2 Points of concern raised by the pupils at Holm Primary are at Issue 1 below. Points raised in the written responses are at Issues 2-4 below.
- 4.3 The majority of questions raised at the public meeting were answered directly during the meeting, the note of which is at **Appendix 3**. Other issues will be addressed in follow-up correspondence from Highland Council.

Issue 1

A new school would mean children being separated from their friends.

Response 1

This might happen to some children, but no-one who is already in the P1-7 classes at Croy Primary will be made to move to the new school when it opens.

Issue 2

Tornagrain doesn't need a school, there's not enough children there to make a new school worth building. Many children in Tornagrain go to other schools like Cawdor, some to schools in Inverness and further afield. So the demand of a school in Tornagrain lessened even more.

Also many children are leaving Tornagrain every year and the number is dropping significantly, we know multiple families who have left in the past year. And more to come in the next few years, building houses elsewhere in the Highlands for example. Tornagrain population seems to be getting older and the majority age seems to definitely be 40+.

In a time of financial crisis building a new school for such a small number of children does not make sense.

Response 2

At the time of writing, there are 157 primary school pupils living within the Croy Primary catchment. Of these, 43 pupils are currently enrolled as placing requests to other schools. The majority are in P5-7.

In recent years the Council has had to add demountable units to the accommodation at Croy Primary to accommodate the rapidly climbing roll at the school. Further units will need to be added prior to the construction of

the new school, but there are limitations on the size of the Croy Primary site, and eventually the number of pupils will go beyond the point where they can be accommodated by the addition of further classrooms.

The Council's school roll forecasts are published on its website, and those for the schools in the Culloden Academy group – including Croy Primary – can be found on the link below.

[School roll forecasts April 2024 | Culloden Academy](#)

It can be seen from the forecasts that, without a new school, the roll at Croy Primary is forecast to rise to almost 300 pupils by 2038-39.

Issue 3

In the absence of a layout or design plan, it's difficult to comment fully on the new school proposal. However what I have read so far a multi use games area and/or open grass area is mentioned which could be for community use.

Please see attached photos of the area behind my garden. I would strongly object to an open multi use games area or grass pitch in the field behind my garden. This is because it will ruin my privacy due to the noise generated whilst the garden is used, and also within the house as the sitting room and bedroom faces onto the back garden and proposed school site area.

I am a 70 plus years old retiree with sensory impairment. The random use of the field behind my house as a multi-use ball games at all hours and days has caused problems in the past which have been highlighted to the landowner Moray Estates.

I have lived here over the last seven years and the field space (in my photo attachment) has been used on an odd annual occasion but this has been organised, controlled and advertised which I was able to deal with by making alternative arrangements.

I hope my objection is taken seriously as my life would be severely impaired should a school/community games area be situated behind my house. My partner who lives with me is in full agreement with this objection.

Response 3

The residential property referred to is within a row that was built within the original site allocated for the school, as set out in the original 2009 Planning Application (09/00038/OUTIN) and in a 2011 brochure produced by Moray Estates setting out the new development. The proposed location of the school has therefore been known since 2009. We don't yet know how buildings and outdoor spaces will be allocated within the remaining school site.

If the proposed new school is approved, the eventual design will require

detailed planning permission, and as part of that process, local residents will have the opportunity to comment on or object to the proposal. In taking decisions on a full planning application, account will be taken, as far as possible, of the physical proximity of adjoining properties.

Issue 4

Could you also confirm that the site is on, or there are plans to construct, a safe route to school for walking and wheeling from the Tornagrain housing development it is intended to serve?

Response 4

Should the new school be approved, there will be intensive discussion with stakeholders about the detailed design requirements, including Safer Routes to Schools (SRTS). The formal Planning process for building a new school would also require the Council to consider traffic and other assessments.

The Council acknowledges that in this area the houses would be close to the new school and children will be unlikely to use public transport. Some will be dropped off by car but many will be walking or cycling to school. The Council will be looking to provide safe routes for walking and cycling, as these have a positive social impact.

A Stakeholder Group will be formed to provide input to the specification, design and construction of the new school. That Group would also engage in discussion in regard to SRTS matters.

5.0 Summary of the issues raised by Education Scotland

- 5.1 In line with legislative requirements, Education Scotland was invited to submit comments on the Council's proposals. A copy of the report from Education Scotland is appended – **Appendix 4**.
- 5.2 In their report, HM Inspectors agree with the educational benefits as set out by the Council in the proposal. They state that there is a clear need for The Highland Council to address the rising roll at Croy Primary School and the existing schools in the area do not have the capacity to accommodate this. A new school in Tornagrain should provide a modern learning environment in the community children live in.
- 5.3 HM Inspectors recommended that The Highland Council work with stakeholders to address the concerns they have raised. This includes in regard to safe routes to Croy Primary School during the interim period whilst any new school is built. If the proposal is agreed, The Highland Council should also consider the suggestions raised by stakeholders about the catchment area for the proposed new school.

6.0 Responses to the Issues Raised by Education Scotland

Issue 5

The Council should address local concerns around safe routes to Croy Primary School during the interim period whilst any new school is built.

Response 5

- For the entirety of the current existing school route there is a footpath link that runs between Tornagrain and Croy (Croy Primary School). This is an adequate footpath provided for the supervised walking of pupils along this walking and wheeling route to school. Characteristics are as follows:

Route length is 1500m or thereby consisting of (starting from Tornagrain end):

- o 760 m of rustic/rural unbound footpath, width in the main 1.8m but varies due to encroachment, non street lit, footpath is separated from the road by a grass strip and bank, the width and height of which varies but it provided good separation.
- o 740m of formed tarmac (metalled) footway, width in the main 1.8m but varies. 480m of this section are adjacent to the single track road with roadside kerbing. The remaining 260m (when entering the village) is separated from the road edge by either gravel or grass. Lighting commences on entering the village of Croy itself.

In 2023 a Safer Routes to School Scheme was delivered to provide a section of footpath around an existing lay-by which, once constructed, resulted in the footpath link being complete between Tornagrain and Croy Primary School.

- The carriageway itself is single track with the passing places and the Councils Speed Compliance Tool shows the mean average speed of vehicles on the 60mph section of the route to be 22.3 mph*.
- Travel arrangements for all pupils should comply with “The Highland Council Home-to-School Transport Policy” and routes are assessed using the ‘Assessment of Walked Routes to School Guidelines’ from Road Safety GB.
- The Council are happy to liaise with the community re any remaining concerns they have re this existing route.

Issue 6

The Highland Council should also consider the suggestions raised by stakeholders about the catchment area for the proposed new school.

Response 6

This issue relates to a small number of houses at “old” Tornagrain, currently located on the boundary of the Croy and Balloch primary school catchments, but lying within that of Balloch. Responses to consultation pointed out that if the new school is created, it will be much closer to these houses than Balloch Primary. It is argued therefore, that the Balloch PS catchment should be amended, to move these properties into the catchment area of the new school for Tornagrain. The current proposal is that the new school catchment should be carved from within the existing Croy PS catchment.

The suggestion made, to move “old” Tornagrain into the new catchment, is not unreasonable in itself. However the relevant legislation requires that any changes to catchment areas are subject to consultation with all pupils, parents and staff of any affected school. The current consultation has not included the pupils, parents or staff of Balloch Primary, so it would not be possible to make this change following the current consultation.

If however, the new school is approved as a result of the current consultation, it would be possible to carry out a further consultation on this specific issue of the catchment boundary between Balloch PS and the new school, with views being invited from the pupils, parents and staff of Balloch Primary. There would be sufficient time to do this before the new school comes into operation. Highland Council will give this further consideration, following the outcome of the current consultation.

Although Highland Council’s school enrolment system is primarily based on the principle of school catchment areas, parents do of course have a right to request that their children are placed in a school other than that designated for their home address.

7.0 Review of Catchment Issues

- 7.1 The Proposal Paper set out 3 potential options for the future catchments of Croy Primary and the new school, with one option being recommended. There were no comments on this aspect of the proposal. It is therefore recommended that the catchment area of the new school should be that outlined at Appendix B of the original Proposal Paper.
- 7.2 The issue of the boundary between the new school and that of Balloch Primary is considered at Response 6 above.

8.0 Effects on School Transport

- 8.1 An assessment of the effects on school transport can be found at S.8 of the Proposal Paper, and the assessment has not changed since.
- 8.2 Safer Routes to Schools issues are addressed at Responses 4 and 5 above.

9.0 Effects on Staff and School Management Arrangements

- 9.1 An assessment of the effects on school transport can be found at S.9 of the Proposal Paper, and the assessment has not changed since.

10.0 Effects on the Community

- 10.1 An assessment of the effects on the community can be found at S.10 of the Proposal Paper.
- 10.2 During the consultation, concerns were expressed about the loss of community green space in Croy, due to land being taken up by the demountable accommodation provide to allow the school to cope with the increased roll. The creation of the new school offers the best prospect of resolving these concerns, by easing roll-related pressures on Croy Primary.

11.0 Alleged omissions or inaccuracies

- 11.1 No alleged omissions or inaccuracies were identified during consultation.

12.0 Overall Review of Consultation Exercise

- 12.1 The consultation exercise has not identified any significant opposition to the Proposal. Aside from the pupil responses, only three written representations were received, only one of which expressed opposition to the principle of the new school being established. One other response expressed opposition to the suggested design of the future school building.
- 12.2 If the current proposal is adopted, the new school will have an agreed catchment area as set out at Appendix B of the original Proposal Paper (a further copy of which is attached for ease of reference). Having reviewed the consultation responses, The Council will also give consideration to a further consultation, potentially amending the catchment boundary between the new school and Balloch Primary School.

13.0 Legal issues

- 13.1 Throughout this statutory consultation Highland Council has complied in full with the requirements of the Schools (Consultation) (Scotland) Act 2010.
- 13.2 As provided for in section 1 of the Education (Scotland) Act 1980, it is the duty of the Council to ensure adequate and efficient provision of school education within Highland. The above, and all other legislative requirements, have been taken into account in the preparation of this Report.

14.0 Conclusion

- 14.1 The consultation process has complied fully with legislative requirements and has provided an opportunity for all parties to identify key issues of concern.

These issues have been fully considered and the Council's response detailed in sections 4 and 6 above.

- 14.2 Education Scotland staff visited Croy Primary School to speak to parents, pupils and staff. They also had the opportunity to review in detail the proposal document, all written responses, and the notes of the public meetings.
- 14.3 The Assistant Chief Executive (People) on reviewing all of the submissions, the notes of the meeting, and the Education Scotland report; concludes that the Proposal for a new school should be implemented and that the catchment area should be delineated as per Option B of the Proposal Paper. The reasons for this conclusion are set out above.

15.0 Recommendation

- 15.1 It is therefore recommended that Highland Council proceeds with the course of action set out at Paragraph 14.3 above.

Kate Lackie
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30 January 2025