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Fiona Robertson  
Executive Director  
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1 April 2022

Dear Fiona,

**SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010: MIDLOTHIAN COUNCIL – ST. MARGARET’S RC PRIMARY SCHOOL**

I refer to your email of 15 February 2022 notifying Scottish Ministers of Midlothian Council’s decision of 15 February 2022 to implement the proposal to close St. Margaret’s RC Primary School. Ministers have considered this proposal in line with the requirements set out in the Schools (Consultation) (Scotland) Act 2010 (“the 2010 Act”).

Under section 17 of the 2010 Act, Ministers may only issue a call-in notice if it appears to them that the education authority may have failed:

- (a) in a significant regard to comply with the requirements imposed on it by (or under) the Act so far as they are relevant in relation to the closure proposal, or
- (b) to take proper account of a material consideration relevant to its decision to implement the proposal.

Section 15(2) of the 2010 Act requires an education authority to provide a copy of the proposal paper and the consultation report prepared under the Act to Ministers when notifying them of a closure proposal.

Section 15(4) of the 2010 Act requires Ministers to take into account any relevant representations made to them by any person during the 3 week period from the date that a closure decision is made. In relation to this closure proposal, the 3 week period began on 15 February 2022 and expired on 7 March 2022. No representations were received.

Having reviewed the documents provided by Midlothian Council under section 15(2) and considered all relevant representations made under section 15(4), Ministers consider that Midlothian Council has fulfilled its obligations under the 2010 Act and do not intend to issue a call-in notice for this proposal.

Midlothian Council may now implement its decision to close St. Margaret's RC Primary School in line with the timescales set out in its proposal paper.

Yours sincerely,



**Andy Drought**  
**Deputy Director, Workforce and Infrastructure**  
**Learning Directorate**