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Audrey May – Executive Director  
Children and Families Service  
Dundee City Council  
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20 June 2023

Dear Audrey,

## **SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010: DUNDEE CITY COUNCIL – LAW NURSERY SCHOOL**

I refer to your letter of 16 May 2023 notifying Scottish Ministers of Dundee City Council's decision of 15 May 2023 to implement the proposal to close Law Nursery. 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 three-week period from the date that a closure decision is made. In relation to this closure proposal, the three-week period began on 15 May 2023 and expired on 4 June 2023. No representations were received.

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

Dundee City Council may now implement its decision to close Law Nursery in line with the timescales set out in its proposal paper. As noted in Education Scotland's report on the proposal Dundee City Council should continue to engage with parents to provide reassurance concerning the capacity of early learning and childcare provision locally.

Yours sincerely,



**Sam Anson**  
**Deputy Director, Workforce, Infrastructure and Digital**  
**Learning Directorate**