

15 June 2007

Dear Councillor

**Strathaven Academy Redevelopment
Special Council Meeting**

I acknowledge your request for a special meeting of the Council.

You have stated that you have 6 areas of concern with decisions previously taken by the Council in relation to Strathaven Academy; these are:-

1. The Council has a duty to secure Best Value. You believe that the previous decision of the Council does not offer Best Value. Non-compliance with the duty of Best Value would mean that the Council acted contrary to the law. This would be a very serious matter with potentially significant adverse consequences for the Council which could result in a report to the Accounts Commission by the Controller of Audit. If a hearing resulted from such a special report, then those officers involved could be censured and those Councillors involved in the original decision censured, suspended or disqualified under the Ethical Standards legislation. The Council's reputation could be at risk.
2. You believe that inaccurate data on potential changes to the population serviced by Strathaven Academy has previously been presented by officers to members of the Council.
3. You believe that the arrangements for pupils transferring from Strathaven Academy do not provide any stability in the education of pupils.
4. You believe that arrangements to transport pupils to East Kilbride are unsafe.
5. You believe that adequate replacement leisure/community facilities have not been provided for during the construction phase of the school to the detriment of local groups.
6. You believe that the Council has not properly addressed the associated impact on the community.

Given the seriousness of the issues they have raised, which questions the competence and stewardship of the Council's officers, I need you to detail your written reasons for all of the 6 issues you have identified to enable me to prepare a balanced report to the Council which adequately reflects my view as the Proper Officer for the Council, as well as the views of each member who signed the request for a special meeting. Given the short timescale, I need your detailed response by 25 June 2007. I am in contact with the Council's external auditor who has confirmed that any significant change to the PPP contract at this stage may result in an audit investigation given that the Council, the Treasury and Scottish Executive Education Department all approved the existing arrangements.

Yours sincerely

**Archibald Strang
Chief Executive**