
STATUTORY INSTRUMENTS

2007 No. 496

The School Admissions (Alteration and Variation of, and Objections to, Arrangements) (England) Regulations 2007

Part 1

Restriction on alteration of admission arrangements following establishment or expansion

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4.—(1) For the purposes of section 89D(1)(d) the prescribed condition is that the proposals are not for the establishment of, or alteration to, a new foundation or voluntary school which is to provide education suitable only to the requirements of persons above compulsory school age.

(2) Where section 89D(2) applies in relation to a maintained school, the admission arrangements for the initial period and the period prescribed by paragraph (3) are to be the arrangements which fall to be implemented in accordance with the proposals or in accordance with the proposals as modified.

(3) For the purposes of section 89D(2)(a) the prescribed number of school years is two (“the prescribed period”).

(4) Section 89(1) and (2) to (10) does not apply to admission authorities for maintained schools to which section 89D applies, for school years falling within the initial period and the prescribed period.

(5) For the purposes of section 86(5) to (5B) the admission arrangements of all maintained schools to which section 89D applies that fall to be implemented in accordance with the proposals (with or without modifications) are, during the initial period and the prescribed period, to be treated as having been determined under section 89.

(6) For the purposes of section 89D(5) the prescribed circumstances are that there has been a major change in circumstances since the date when the admission arrangements were determined .

(7) At any time before the end of the prescribed period, upon the making of a reference by the admission authority (pursuant to section 89D(5) and paragraph (6)), the adjudicator may vary the admission arrangements.

(8) Where the adjudicator decides that the admission arrangements must be varied pursuant to paragraph (7), his decision is to be binding until the end of the prescribed period.