

SCHEDULES

SCHEDULE 6

STATUTORY PROPOSALS: PROCEDURE AND IMPLEMENTATION

PART III

MANNER OF IMPLEMENTATION OF STATUTORY PROPOSALS

Introductory

- 11 In this Part of this Schedule “proposals” means proposals falling to be implemented under paragraph 5 or 10.

Proposals relating to community or maintained nursery schools

- 12 (1) This paragraph applies to proposals relating to a community or proposed community school or to a maintained nursery school.
- (2) The proposals shall be implemented by the local education authority by whom they were published under section 28(1) or 29(1).

Proposals relating to foundation or voluntary controlled schools

- 13 (1) This paragraph applies to proposals relating to a foundation or voluntary controlled school or a proposed such school.
- (2) Where the proposals were published by a local education authority under section 28(1) or 29(1), they shall be implemented by the authority.
- (3) Where the proposals were published under section 28(2)—
- (a) by promoters, or
 - (b) by the governing body,
- they shall be implemented by the local education authority and by the promoters or (as the case may be) the governing body, respectively, to such extent (if any) as the proposals provide for each of them to do so.
- (4) Where the proposals were published by the governing body under section 29(2), they shall be implemented—
- (a) by the governing body; and
 - (b) by the local education authority as well.

Proposals relating to voluntary aided schools

- 14 (1) This paragraph applies to proposals relating to a voluntary aided school or a proposed such school.

Status: This is the original version (as it was originally enacted).

- (2) Where the proposals were published by the governing body under section 28(2) or 29(2), they shall be implemented—
- (a) in the case of proposals published under section 28(2) so far as relating to the provision of any relevant premises for the school, by the local education authority;
 - (b) in the case of proposals published under section 29(2), by the governing body and the authority; and
 - (c) otherwise by the governing body.
- (3) Where the proposals were published under section 28(2) by promoters, they shall be implemented—
- (a) so far as relating to the provision of any relevant premises for the school (but subject to sub-paragraph (5)), by the local education authority; and
 - (b) otherwise by the promoters.
- (4) In sub-paragraph (2) or (3) “relevant premises” means—
- (a) playing fields, or
 - (b) buildings which are to form part of the school premises but are not to be school buildings.
- (5) Nothing in sub-paragraph (3) requires a local education authority to provide any such premises where—
- (a) the new voluntary aided school is to be established in place of one or more existing independent, foundation or voluntary schools falling to be discontinued on or before the date of implementation of the proposals; and
 - (b) those premises—
 - (i) were part of the premises of any of the existing schools (whether it was an independent school or a foundation or voluntary school); and
 - (ii) (if it was a foundation or voluntary school) were not provided by the authority.
- (6) Where the proposals were published by a local education authority under section 29(1), they shall be implemented by the authority.

Proposals relating to community or foundation special schools

- 15 (1) This paragraph applies to proposals relating to—
- (a) a community or foundation special school; or
 - (b) a proposed such school.
- (2) Where the proposals were published by a local education authority under section 31(1), they shall be implemented by the authority.
- (3) Where the proposals were published by the governing body under section 31(2)(a), they shall be implemented by the local education authority and by the governing body, respectively, to such extent (if any) as the proposals provide for each of them to do so.
- (4) Where the proposals were published by the governing body under section 31(2)(b), they shall be implemented—
- (a) by the governing body; and
 - (b) by the local education authority as well.