



# Learning and Skills Act 2000

## 2000 CHAPTER 21

### PART I

#### LEARNING AND SKILLS COUNCIL FOR ENGLAND

##### *Local councils*

#### **19 Local councils**

- (1) The Council must establish a committee (to be called a local learning and skills council) for each area of England specified by the Secretary of State.
- (2) A local council is to consist of not less than 12 and not more than 16 members appointed by the Council with the approval of the Secretary of State.
- (3) The Secretary of State must appoint one of them as chairman after seeking the Council's advice.
- (4) Members of a local council may be (but need not be) members of the Council.
- (5) Schedule 2 contains provisions about local councils.

#### **20 Functions of local councils**

- (1) A local council—
  - (a) must perform in relation to its area such of the Council's duties as the Council specifies;
  - (b) may exercise in relation to its area such of the Council's powers as the Council specifies.
- (2) A local council—
  - (a) must perform in relation to such places outside its area as the Council specifies such of the Council's duties as the Council specifies;

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- (b) may exercise in relation to such places outside its area as the Council specifies such of the Council's powers as the Council specifies.

## **21 Guidance to local councils**

- (1) In relation to each financial year of the Council it must prepare guidance for each local council.
- (2) The guidance must include—
  - (a) objectives which a local council should achieve in seeking to carry out its functions;
  - (b) time limits within which it should achieve the objectives.
- (3) The guidance must set a local council's budget for the financial year.
- (4) The Council must consult the regional development agencies and local education authorities on the guidance.
- (5) After consulting under subsection (4) and (if appropriate) altering the guidance the Council must issue the guidance to the local council.
- (6) A regional development agency is a development agency established by section 1 of the Regional Development Agencies Act 1998.

## **22 Plans of local councils**

- (1) A local council must prepare a plan for each financial year of the Council.
- (2) A plan must include—
  - (a) a statement of the needs regarding education and training of the population of the local council's area;
  - (b) a statement of the needs of employers in the local council's area regarding education and training of their employees and potential employees;
  - (c) a statement of how the local council proposes to carry out its functions in the light of the needs mentioned in paragraphs (a) and (b);
  - (d) proposals as to how the local council intends to achieve in the financial year any objectives which should be achieved in the year in conformity with guidance issued by the Council under section 21;
  - (e) the local council's financial proposals for the year, taking account of guidance issued by the Council under section 21;
  - (f) a statement of the likely effect of the local council's activities on the economic development and regeneration of its area.
- (3) A plan must include—
  - (a) a statement of the education and training (and connected organised leisure-time occupation) whose provision the local council would like a relevant local education authority to secure in the local council's area for persons who have attained the age of 19, and
  - (b) proposals as to the financial resources with which the authority will be provided by the Council to enable the authority to secure the provision of such education and training (and connected organised leisure-time occupation).
- (4) In preparing a plan a local council must have regard to—

- (a) any matter contained in guidance issued by the Council under section 21 (in addition to the matters mentioned in subsection (2) above);
  - (b) the strategy of any relevant regional development agency prepared under section 7 of the Regional Development Agencies Act 1998 or published under section 7A of that Act;
  - (c) any strategy prepared by any relevant local authority under section 4 of the Local Government Act 2000 (strategies for promoting well-being).
- (5) In preparing a plan a local council must consult—
- (a) any relevant regional development agency;
  - (b) any relevant local authority;
  - (c) such other persons as the Secretary of State may specify.
- (6) After consulting under subsection (5) and (if appropriate) altering the plan the local council must seek the Council’s approval of it; and the Council must consult any relevant regional development agency on whether the plan should be approved.
- (7) The Council must approve the plan or require the local council to make specified alterations of it; and if alterations are required the local council must make them.
- (8) The local council must publish the plan as approved by the Council or as altered in accordance with the Council’s requirements.
- (9) A plan must be taken into account in deciding the extent to which—
- (a) a local council has carried out its functions in a satisfactory way;
  - (b) a director of a local council has carried out his functions in a satisfactory way.
- (10) For the purposes of this section—
- (a) a regional development agency is a development agency established by section 1 of the Regional Development Agencies Act 1998;
  - (b) a regional development agency is a relevant agency if any of its area falls within the area of the local council concerned;
  - (c) a local education authority is a relevant authority if any of its area falls within the area of the local council concerned;
  - (d) “local authority” means a local authority as defined in section 1(a) of the Local Government Act 2000 and the Greater London Authority;
  - (e) a local authority is a relevant authority if any of its area falls within the area of the local council concerned.

## **23 Duty of local education authorities**

- (1) If a local education authority does not secure the provision of education and training (and connected organised leisure-time occupation) in accordance with provisions included in a plan under section 22(3) the Secretary of State may direct the authority to do so.
- (2) The authority must act in accordance with the direction, but only if the Council provides it with any financial resources which the authority reasonably requires to enable it to do so.

## **24 Guidance and plans: timing**

- (1) This section applies to guidance under section 21 and plans under section 22.

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- (2) The guidance in relation to the Council's first financial year must be prepared as soon as is reasonably practicable after the year starts.
- (3) The guidance in relation to any subsequent financial year of the Council must be prepared in time for the guidance to be issued under section 21, and a plan to be published under section 22, before the financial year starts.
- (4) The plan for the Council's first financial year must be prepared as soon as is reasonably practicable after the year starts.
- (5) The plan for any subsequent financial year of the Council must be prepared in time for the plan to be published under section 22 before the financial year starts.