



Education Act 1980

1980 CHAPTER 20

Establishment, discontinuance and erection of schools

[^{F1}15 Reduction of school places

- (1) Subject to subsection (2) below, this section has effect where—
 - (a) a local education authority, in the case of a county school, or the governors, in the case of a voluntary school, intend to reduce the number of pupils in any relevant age group who are to be admitted to the school in any school year [^{F2}beginning on or after 1st August 1981] to a number which is four-fifths or less than four-fifths of the standard number applying under this section to the school in relation to that year and age group; and
 - (b) in the case of a primary school, the standard number is twenty or more.
- (2) Where the age group in question includes children who will not have attained the age of five years within six months after their admission, those children shall be disregarded both in determining the number of pupils who are to be admitted and the standard number applying under this section.
- (3) The authority or governors, as the case may be, shall publish their proposals with respect to the reduction in such manner as may be required by regulations made by the Secretary of State and submit to him a copy of the published proposals; and sub-sections (3), (5), (6), (7) and (8) of section 12 above shall apply to proposals published under this section by a local education authority and subsections (3) and (4) of section 13 above shall apply to proposals published under this section by the governors of a voluntary school as they apply in relation to proposals published under those sections respectively.
- (4) The published proposals shall be accompanied by a statement of the effect of section 12(3) or, as the case may be, section 13(3) as applied by subsection (3) above.
- (5) Subject to subsections (6), (7) and (8) below, if pupils in any age group were admitted to a school in the school year beginning in 1979, the number admitted in that year shall be the standard number applying to the school for that age group in any subsequent year.

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Education Act 1980, Section 15. (See end of Document for details)

- (6) Subject to subsections (7) and (8) below, if proposals under section 13 of the ^{M1}Education Act 1944 have fallen to be implemented in relation to a school and the first school year in relation to which they are to be wholly implemented begins after 1979, the number of pupils in any age group admitted to the school in the first school year beginning after 1979 in relation to which the proposals have been wholly or partly implemented shall be the standard number applying to the school for that age group in any subsequent year; but where the standard number would fall to be determined under this subsection by reference to a school year in relation to which the proposals have not been wholly implemented the Secretary of State may vary that number in its application to any subsequent school year.
- (7) Subject to subsection (8) below, if proposals under section 12 or 13 above have fallen to be implemented in relation to a school, the number stated in the proposals in accordance with subsection (2) of section 12 (or that subsection as applied by section 13) for any school year and age group shall be the standard number applying to the school for that age group in any school year in relation to which the proposals have been wholly implemented and, subject to any variation made by the Secretary of State, in any school year in relation to which they have been partly implemented.
- (8) The Secretary of State may by an order applying to any school or to schools of any class or description vary any standard number that would otherwise apply by virtue of the foregoing provisions of this section.
- (9) References in subsection (7) above to proposals under section 12 or 13 are references to the proposals with any modifications made by the Secretary of State under either of those sections; and any standard number applying under that subsection is without prejudice to the application under that subsection of a new standard number if further proposals fall to be implemented under those sections.
- (10) Neither section 12(9) nor section 13(5) above shall be construed as imposing any duty to admit pupils in accordance with the number stated in the proposals in accordance with subsection (2) of section 12 or that subsection as applied by section 13.]

Textual Amendments

- F1** S. 15 repealed and superseded (*prosp.*) by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 31(1), 231(7), 235(6), 236(6), 237(2), **Sch. 13 Pt. II** (but by S.I. 1988/1459, **art. 5(1)**), in relation to secondary schools, the repealing provision s. 31(1) comes into force on 4.8.1990)
- F2** Words inserted (temp) by S.I. 1980/489, **Sch. 4 para. 1**

Modifications etc. (not altering text)

- C1** S. 15(2) applied by Education Reform Act 1988 (c. 40, SIF 41:1), **ss. 70(3)**, 231(7), 235(6)
- C2** S. 15(3) restricted by Local Government Act 1985 (c. 51, SIF 81:1), **s. 21(6)**
- C3** S. 15(3)–(6) applied by Education Reform Act 1988 (c. 40, SIF 41:1), **ss. 70(3)**, 231(7), 235(6)

Marginal Citations

- M1** 1944 c. 31.

Status:

Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Education Act 1980, Section 15.