



Education Reform Act 1988

1988 CHAPTER 40

PART I

SCHOOLS

CHAPTER V

MISCELLANEOUS

City colleges

105 Agreements for establishment, etc., of city technology colleges and city colleges for the technology of the arts.

- (1) The Secretary of State may enter into an agreement with any person under which—
 - (a) that person undertakes to establish and maintain, and to carry on or provide for the carrying on of either—
 - (i) an independent school to be known as a city technology college; or
 - (ii) an independent school to be known as a city college for the technology of the arts;and having (in each case) such characteristics as are specified in the agreement and in subsection (2) below; and
 - (b) the Secretary of State agrees to make payments to that person in consideration of those undertakings.
- (2) The characteristics mentioned above are that the school—
 - (a) is situated in an urban area;
 - (b) provides education for pupils of different abilities who have attained the age of eleven years^{F1} . . . and who are wholly or mainly drawn from the area in which the school is situated; and
 - (c) has a broad curriculum with an emphasis—

Status: Point in time view as at 01/08/1993.

Changes to legislation: Education Reform Act 1988, Cross Heading: City colleges is up to date with all changes known to be in force on or before 07 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (i) in the case of a school to be known as a city technology college, on science and technology; or
 - (ii) in the case of a school to be known as a city college for the technology of the arts, on technology in its application to the performing and creative arts.
- (3) An agreement under this section shall make any payments by the Secretary of State dependent on the fulfilment of—
- (a) conditions and requirements imposed for the purpose of securing that no charge is made in respect of admission to the school or, subject to such exceptions as may be specified in the agreement, in respect of education provided at the school; and
 - (b) such other conditions and requirements with respect to the school as are specified in the agreement.
- (4) Payments under an agreement under this section may be in respect of capital or current expenditure and, in so far as they relate to the latter, the agreement shall provide for their continuance (subject to the fulfilment of the conditions and requirements mentioned in subsection (3) above) for a period of not less than seven years or for an indefinite period terminable by the Secretary of State by not less than seven years written notice.
- (5) Where such payments relate to capital expenditure, the agreement shall provide for the repayment to the Secretary of State, in the event at any time of the school discontinuing or ceasing to have the characteristics specified in the agreement and in subsection (2) above, of sums determined by reference to—
- (a) the value at that time of the school premises and other assets held for the purposes of the school; and
 - (b) the extent to which expenditure incurred in providing those assets was met by payments under the agreement.
- (6) Without prejudice to subsection (4) above an agreement under this section may provide for indemnifying a person, in the event of the agreement being terminated by the Secretary of State, for expenditure—
- (a) incurred by that person in carrying out the undertakings mentioned in subsection (1) above; or
 - (b) incurred by that person (otherwise than by virtue of subsection (5) above) in consequence of the termination of the agreement.

Textual Amendments

F1 Words in s. 105(2)(b) repealed (1. 8. 1993) by [Further and Higher Education Act 1992 \(c. 13\)](#), ss. 12(8), 93(2), [Sch.9](#); S.I. 1992/831, art. 2, [Sch.4](#).

Status:

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