

*Status: Point in time view as at 25/05/2007. This version of this provision has been superseded.*

*Changes to legislation: School Standards and Framework Act 1998, Paragraph A4 is up to date with all changes known to be in force on or before 25 June 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)*

## SCHEDULES

### SCHEDULE 22

#### DISPOSALS OF LAND IN CASE OF CERTAIN SCHOOLS AND DISPOSALS ON DISCONTINUANCE

#### [<sup>F1</sup>PART A1

##### FOUNDATION, VOLUNTARY AND FOUNDATION SPECIAL SCHOOLS IN ENGLAND: DISPOSALS OF LAND

#### Textual Amendments

- F1** Sch. 22 Pt. A1 inserted (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), Sch. 4 para. 2; S.I. 2007/935, art. 7(p)

#### *Disposal of land by governing body of foundation, voluntary or foundation special school*

- A4 (1) This paragraph applies where the disposal is made.
- (2) The governing body must notify the authority that the disposal has been made and of the amount of the proceeds of disposal.
- (3) Where—
- (a) the authority gave notice of their claim to the whole or a part of the publicly funded proceeds of disposal in accordance with paragraph A2(7)(c), and
  - (b) the “appropriate amount” has been determined in accordance with paragraph A3(3) to be an amount greater than zero,
- the governing body must pay the “appropriate amount” to the authority.
- (4) The governing body must ensure that the remaining publicly funded proceeds of disposal are used on the agreed relevant capital expenditure.
- (5) If the amount of the remaining publicly funded proceeds of disposal exceeds the amount of the agreed relevant capital expenditure, then the governing body must ensure that the surplus amount is used on relevant capital expenditure.
- (6) The “agreed relevant capital expenditure” means—
- (a) in a case where—
    - (i) no notice of objection to the proposed use of the publicly funded proceeds of disposal was given by the authority in accordance with paragraph A2(7)(b), or
    - (ii) such a notice was so given and was then withdrawn in accordance with paragraph A2(9),the relevant capital expenditure specified in the notification of the disposal given to the authority under paragraph A2(4), and

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- (b) in a case where such notice of objection was so given and was not withdrawn, the relevant capital expenditure upon which the publicly funded proceeds of disposal are to be used as determined in accordance with paragraph A3(2).
- (7) The “remaining publicly funded proceeds of disposal” means the amount of the publicly funded proceeds of disposal which remains after deducting the “appropriate amount” (if any) determined in accordance with paragraph A3(3).
- (8) Sub-paragraphs (3), (4) and (5) are subject to paragraph A2(13) (restriction on use of publicly funded proceeds of disposal where notices given under paragraph A2(7) (b) or (c)).]

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