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*Status: Point in time view as at 01/04/2006.*

**Changes to legislation:** School Standards and Framework Act 1998, Cross Heading: Discontinuance of foundation or voluntary school by notice given by its governing body: land and premises is up to date with all changes known to be in force on or before 06 July 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)

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## SCHEDULES

### SCHEDULE 22

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

##### PART II

##### MAINTAINED SCHOOLS: DISPOSALS ON DISCONTINUANCE

*Discontinuance of foundation or voluntary school by notice given by its governing body: land and premises*

- 6 (1) This paragraph applies where the governing body of a foundation or voluntary school apply for the Secretary of State's consent to serve a notice under section 30(1).
- (2) If the Secretary of State gives such consent, he may impose any requirements in relation to the governing body or, where the school is a member of the group for which a foundation body acts, the foundation body that he thinks just—
- (a) in respect of the repayment of all or part of any expenditure incurred by him as mentioned in section 30(2);
  - (b) in respect of the transfer to the local education authority of any premises used for the purposes of the school which he is satisfied the authority will need for any purpose connected with education;
  - (c) (where any premises are to be so transferred) in respect of the payment by the authority of so much of the value of those premises as is just having regard to the extent to which the premises were provided otherwise than at public expense;
  - (d) (where any premises used for the purposes of the school are not to be so transferred) in respect of the payment by the governing body or the foundation body, as the case may be, to the authority of so much of the value of those premises as is just having regard to the extent to which they were provided at public expense.
- (3) In sub-paragraph (2) “at public expense” means at the expense of—
- (a) the Funding Agency for Schools, or
  - (b) any local education authority or an authority within section 30(2)(d).
- (4) Where the trustees of the school—
- (a) dispose of any land falling within paragraph 3(1) or (2), or
  - (b) wish to use any such land for purposes not connected with the provision of education in maintained schools,
- paragraph 3 shall apply to them.

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