
Changes to legislation: Education and Inspections Act 2006, Cross Heading: Requirement to implement proposals is up to date with all changes known to be in force on or before 13 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) [View outstanding changes](#)

SCHEDULES

SCHEDULE 2 **E+W**

PROPOSALS FOR ESTABLISHMENT OR DISCONTINUANCE OF SCHOOLS IN ENGLAND

Modifications etc. (not altering text)

- C1** Sch. 2 modified (28.1.2014) by [The School Organisation \(Establishment and Discontinuance of Schools\) Regulations 2013 \(S.I. 2013/3109\)](#), reg. 1, **Sch. 4 Pt. 1**
- C1** Sch. 2 modified (28.1.2014) by [The School Organisation \(Establishment and Discontinuance of Schools\) Regulations 2013 \(S.I. 2013/3109\)](#), reg. 1, **Sch. 4 Pt. 2**
- C1** Sch. 2 modified (E.) (25.5.2007) by [The School Organisation \(Establishment and Discontinuance of Schools\) \(England\) Regulations 2007 \(S.I. 2007/1288\)](#), reg. 1(1), **Sch. 7**

PART 3 **E+W**

IMPLEMENTATION OF PROPOSALS

Requirement to implement proposals

- 21 (1) Where—
- (a) any proposals have been approved under paragraph 8, or
 - (b) the relevant authority have determined under paragraph 19 to implement any proposals,
- then (subject to the following provisions of this paragraph) the proposals must be implemented, in the form in which they were so approved or determined, in accordance with this Part of this Schedule.
- (2) The relevant authority may, at the request of the proposers who made the proposals referred to in sub-paragraph (1), or, where the proposals were made by the authority themselves, on their own initiative—
- (a) modify the proposals after consulting such persons as may be prescribed, and
 - (b) where any approval was given in accordance with paragraph 8(5), specify a later date by which the event in question must occur.
- (3) If, after consulting such persons as may be prescribed, the relevant authority are satisfied—
- (a) that implementation of the proposals would be unreasonably difficult, or
 - (b) that circumstances have so altered since approval was given under paragraph 8 that implementation of the proposals would be inappropriate,
- the authority may determine that sub-paragraph (1) is to cease to apply to the proposals.

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- (4) The relevant authority may only make a determination under sub-paragraph (3) where proposals that they should do so have been published, in accordance with regulations, by the authority or proposers who made the proposals referred to in sub-paragraph (1); and regulations may provide for any of the provisions of sections 7 to 12, sections 15 and 16 and Parts 1 and 2 of this Schedule to have effect in relation to any such further proposals with or without modifications.
- (5) The relevant authority must in prescribed cases refer to the adjudicator by a prescribed time any matter which would otherwise fall to be determined by the authority under this paragraph.
- (6) If by the end of such period as may be prescribed the relevant authority have failed to take any step required by this paragraph, the authority must refer the matter to the adjudicator by the prescribed time.
- (7) Where any matter is referred to the adjudicator under this paragraph—
- (a) the relevant authority may refer to the adjudicator with the matter their comments on it,
 - (b) the adjudicator must consider the matter afresh, and
 - (c) such of the provisions of sub-paragraphs (2) to (4) above as are relevant shall apply to him in connection with his decision on that matter as they apply to the authority.

Commencement Information

II Sch. 2 para. 21 in force at 25.5.2007 by [S.I. 2007/935](#), [art. 7\(n\)](#)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2006/2990 art. 4 by [S.I. 2008/54 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2007/935 art. 7(n) by [S.I. 2007/1271 art. 4](#)
- specified provision(s) transitional provisions for earlier commencing SI 2007/935 by [S.I. 2007/1271 art. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A inserted by [2010 c. 26 s. 7](#)
- s. 88(A1) inserted by [2015 c. 20 Sch. 16 para. 1\(2\)](#)
- s. 93A inserted by [2009 c. 22 s. 246](#)
- s. 93A(7) words inserted by [S.I. 2016/413 reg. 235](#) (This amendment comes into force on the day that section 93A of the Education and Inspections Act 2006 (c. 40) comes into force. That provision is still prospective)
- s. 162(5A)(aa) inserted by [2010 nawm 1 Sch. 1 para. 20\(a\)](#)