



Education and Inspections Act 2006

2006 CHAPTER 40

PART 2

ESTABLISHMENT, DISCONTINUANCE OR ALTERATION OF SCHOOLS

Establishment of new schools

10 Publication of proposals with consent of Secretary of State

- (1) A local education authority in England may with the consent of the Secretary of State publish under this section their proposals to establish (otherwise than pursuant to a notice under section 7)—
 - (a) a new community or community special school, or
 - (b) a new foundation or foundation special school, other than one providing education suitable only to the requirements of persons above compulsory school age.
- (2) Any persons (“proposers”) may with the consent of the Secretary of State publish under this section their proposals to establish (otherwise than pursuant to a notice under section 7) a new foundation, voluntary or foundation special school in England other than—
 - (a) one providing education suitable only to the requirements of persons above compulsory school age, or
 - (b) one in relation to which proposals fall to be published under section 11 by virtue of subsection (2)(b) or (c) of that section.
- (3) Proposals under this section must—
 - (a) contain such information, and
 - (b) be published in such manner,as may be prescribed.
- (4) Before publishing any proposals under this section, the local education authority or proposers (as the case may be) must consult such persons as appear to them to

Status: This is the original version (as it was originally enacted).

be appropriate; and in discharging their duty under this subsection the authority or proposers must have regard to any guidance given from time to time by the Secretary of State.

- (5) Where any proposals are published under subsection (2), the proposers must submit the proposals in accordance with regulations to the local education authority who it is proposed should maintain the school.
- (6) Schedule 2 has effect in relation to the consideration, approval and implementation of proposals under this section.