

2003 No.1201

EDUCATION, ENGLAND

**The Education (School Organisation Plans) (England)
(Amendment) Regulations 2003**

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| <i>Made</i> - - - - | <i>1st May 2003</i> |
| <i>Laid before Parliament</i> | <i>9th May 2003</i> |
| <i>Coming into force</i> - - | <i>1st June 2003</i> |

In exercise of the powers conferred on the Secretary of State by sections 26 and 138(7) of the School Standards and Framework Act 1998 (a) the Secretary of State for Education and Skills hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Education (School Organisation Plans) (England) (Amendment) Regulations 2003 and shall come into force on 1st June 2003.

Amendment of the Education (School Organisation Plans) (England) Regulations 1999

2. The Education (School Organisation Plans) (England) Regulations 1999(b) shall be amended as follows.

3. In regulation 3(2) there shall be inserted at the end the following subparagraph—

“(c) the manner in which, in exercising its functions and powers with a view to securing the provision of primary and secondary education as mentioned in paragraph (1), the authority will also secure—

- (i) the raising of standards,
- (ii) improved outcomes for all pupils,
- (iii) greater diversity in the type of schools in the authority’s area,
- (iv) increased collaboration between schools, and
- (v) greater community cohesion”.

4. In regulation 4—

(a) for paragraphs (3) and (4) there shall be substituted the following paragraphs—

“(3) The authority shall —

- (a) prepare a further draft plan every year up to and including 2003; and

(a) 1998 c.31; by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), the powers conferred by this section are exercisable by the Secretary of State only in relation to England. For the definition of “regulations” see section 142.

(b) S.I. 1999/701 amended by S.I. 2001/783.

(b) (without prejudice to paragraph (4)) prepare a draft plan every third year thereafter.

(4) The authority shall in addition prepare a draft plan in any year in which they are not required to publish a draft plan by virtue of paragraph (3)(c) if there has been any change of policy or local circumstances relating to the provision of primary or secondary education since the last plan was prepared.”;

(b) after paragraph (4) there shall be inserted –

“(5) The draft plan required to be published in 2003 shall be published by 1st August 2003.

(6) The authority shall publish further draft plans by 1st June in the year that they are prepared.

(7) Before publishing a draft plan the authority shall consult such persons as appear to them to be appropriate.”.

5. For regulations 6 and 7 there shall be substituted the following regulations—

“Objections to and comments on draft plans

6.—(1) Any person may make objections to, or comments on, the draft plan.

(2) Objections or comments to the draft plan required to be published in 2003 shall be sent to the authority within 11 weeks of the date of the publication of the notice under regulation 5 (or, if notices were published in different newspapers on different dates, the date of the publication of the last such notice).

(3) Objections to, or comments on, draft plans published in subsequent years shall be sent to the authority within 2 months of the date of publication of that notice (or, if notices were published in different newspapers on different dates, the date of the last such notice).

Submission of draft plan to Committee

7. Within one month from the end of the period referred to in regulation 6 the authority shall submit the draft plan (whether as published under regulation 5 or as revised in the light of objections or comments made under regulation 6) to the committee together with copies of—

(a) all objections and comments made (and not withdrawn in writing); and

(b) the authority’s observations on the objections and comments.”.

6. In regulation 8(5)(a) after “objections” in both places where it occurs there shall be inserted “and comments”.

7. In regulation 12(1) after “objections” there shall be inserted “and comments”.

8. In regulation 12(2)(a)(i) and (ii) after “objections” there shall be inserted “and comments”.

1st May 2003

David Miliband
Minister of State
Department for Education and Skills

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (School Organisation Plans) (England) Regulations 1999.

The principle changes are:–

- (a) new provision is made for the plan to deal with the manner in which the authority will secure–
 - (i) the raising of standards,
 - (ii) improved outcomes for all pupils,
 - (iii) greater diversity in the type of schools in the authority's area,
 - (iv) increased collaboration between schools, and
 - (v) greater community cohesion;
- (b) the authority shall prepare a further draft plan every year up to and including 2003. Thereafter a plan shall be prepared every third year, unless there has been a change of policy or local circumstances since the last plan was prepared. The plan required to be published in 2003 shall be published by 1st July 2003. Further draft plans are required to be published by 1st June in the year that they are prepared; and
- (c) new provision is made for any person to make objections and comments on the draft plan.

STATUTORY INSTRUMENTS

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(Amendment) Regulations 2003

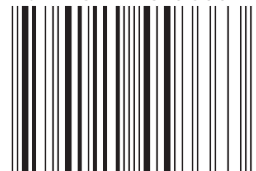
£1.75

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Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.

E0703 05/2003 130703 19585

ISBN 0-11-045866-4



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