
STATUTORY INSTRUMENTS

2007 No. 1355

The School Organisation (Transitional Provisions) (England) Regulations 2007

PART 5

Savings and transitional provisions relating to proposals for the making of prescribed alterations to maintained schools and to changes of category where the proposals have been published and determined under SSFA 1998

Revocation of proposals (after approval)

43.—(1) If the adjudicator is satisfied that—

- (a) implementation of the proposals would be unreasonably difficult; or
- (b) circumstances have so altered since approval was given that implementation would be inappropriate,

the adjudicator may determine that regulation 41(2) (duty to implement) is to cease to apply to the proposals.

(2) The adjudicator may only make a determination under paragraph (1) where proposals that he should do so have been published by the governing body or the local authority as appropriate under paragraph (3) (“revocation proposals”).

(3) Revocation proposals must contain—

- (a) a description of the original proposals as published in accordance with section 28, 31 of, or paragraph 2 or 3 of Schedule 8 to, SSFA 1998;
- (b) the date of publication of the original proposals;
- (c) a statement as to why it is proposed that, in accordance with paragraph (1), regulation 41(2) should not apply in relation to the original proposals.

(4) Revocation proposals must be published by—

- (a) posting them in a conspicuous place in the area to be served by the school, and at or near the main entrance to the school or, if there is more than one main entrance, all of them, and
- (b) publishing them in at least one newspaper circulating in the area to be served by the school.

(5) The local education authority or the governing body as the case may be must submit the revocation proposals within 1 week of the date of publication to the adjudicator.

(6) Any person may object to or comment on revocation proposals and such objections and comments must be sent to the adjudicator within 6 weeks from the date of publication of the proposals.