



Education Act 1980

1980 CHAPTER 20

Establishment, discontinuance and alteration of schools

13 Establishment and alteration of voluntary schools

(1) Where—

- (a) any persons propose that a school established by them or by persons whom they represent which is not a voluntary school, or any school proposed to be so established, should be maintained by a local education authority as a voluntary school; or
- (b) the governors of a school maintained by a local education authority as a voluntary school intend to make a significant change in the character, or significant enlargement of the premises, of the school,

they shall, after consultation with the authority, publish proposals for that purpose in such manner as may be required by regulations made by the Secretary of State and submit to him a copy of the published proposals.

- (2) Subsection (2) of section 12 above shall apply to proposals published under this section as it applies to proposals published under that section taking the reference to subsection (3) of that section as a reference to subsection (3) below.
- (3) Any ten or more local government electors for the area may within the period of two months after the first publication of the proposals submit an objection to the proposals to the Secretary of State, and objections to the proposals may also be submitted to him within that period by the governors of any voluntary school affected by the proposals and by any local education authority concerned.
- (4) The proposals shall require the approval of the Secretary of State; and he may reject them, approve them without modification or, after consultation with the persons by whom they were made and the local education authority by whom the school is, or is to be, maintained, approve them with such modifications as he thinks desirable.
- (5) Subject to subsections (6) and (7) below, if the proposals are approved by the Secretary of State it shall be the duty of the persons by whom they were made and, in the case of

Status: This is the original version (as it was originally enacted).

proposals under subsection (1)(a) above, of the local education authority to implement the proposals.

- (6) Subject to subsection (7) below, it shall be the duty of the local education authority to implement so much of any proposals approved by the Secretary of State as relates to the provision of playing fields or of buildings which are to form part of the school premises but are not to be school buildings.
- (7) The Secretary of State may modify any proposals which are required to be implemented under subsection (5) or (6) above but shall not do so in the case of proposals under subsection (1)(a) above except at the request of the local education authority or in the case of other proposals except at the request of the persons by whom they were made.