



Children Act 1989

1989 CHAPTER 41

PART VI

COMMUNITY HOMES

57 Closure by local authority of controlled or assisted community home.

- (1) The local authority specified in the instrument of management for a controlled or assisted community home may give—
 - (a) the Secretary of State; and
 - (b) the voluntary organisation by which the home is provided,not less than two years' notice in writing of their intention to withdraw their designation of the home as a controlled or assisted community home.
- (2) A notice under subsection (1) shall specify the date ("the specified date") on which the designation is to be withdrawn.
- (3) Where—
 - (a) a notice is given under subsection (1) in respect of a controlled or assisted community home;
 - (b) the home's managers give notice in writing to the Secretary of State that they are unable or unwilling to continue as managers until the specified date; and
 - (c) the managers' notice is not withdrawn,the Secretary of State may by order revoke the home's instrument of management from such date earlier than the specified date as may be specified in the order.
- (4) Before making an order under subsection (3), the Secretary of State shall consult the local authority and the voluntary organisation.
- (5) Where a notice has been given under subsection (1) and is not withdrawn, the home's instrument of management shall cease to have effect on—
 - (a) the specified date; or
 - (b) where an earlier date has been specified under subsection (3), that earlier date,

Changes to legislation: Children Act 1989, Section 57 is up to date with all changes known to be in force on or before 21 April 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

and the home shall then cease to be a community home.

Commencement Information

II S. 57 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, art. 3(2)

Changes to legislation:

Children Act 1989, Section 57 is up to date with all changes known to be in force on or before 21 April 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.

[View outstanding changes](#)

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. 4(1A)(aa) inserted by 2009 c. 24 Sch. 6 para. 21(3)
- s. 4(1C) inserted by 2009 c. 24 Sch. 6 para. 21(4)
- s. 4ZA(2)(aa) inserted by 2009 c. 24 Sch. 6 para. 22(3)
- s. 4ZA(3A) inserted by 2009 c. 24 Sch. 6 para. 22(4)
- s. 8(4)(k) inserted by 2021 c. 17 s. 52(1)
- s. 31A(4A) inserted by 2014 c. 6 s. 15(2)(b)