



Education Act 1996

1996 CHAPTER 56

PART II

SCHOOLS MAINTAINED BY LOCAL EDUCATION AUTHORITIES

CHAPTER II

ESTABLISHMENT, ALTERATION ETC. OF COUNTY AND VOLUNTARY SCHOOLS

County schools: establishment, alteration or change of site

36 Objections to proposals under section 35

- (1) Objections to any proposals published by a local education authority under section 35 may be submitted to the authority by any of the following—
- (a) any ten or more local government electors for the authority's area,
 - (b) the governing body of any school affected by the proposals,
 - (c) the appropriate further education funding council (if the proposals affect the provision of education to which section 2(1) of the Further and Higher Education Act 1992 applies), and
 - (d) any other local education authority concerned.
- (2) Objections may be so submitted within the period of two months after the first publication of the proposals.
- (3) Where—
- (a) an order under section 27 (allocation of responsibility for providing sufficient school places) applies to the area of a local education authority, and
 - (b) the authority publish proposals under section 35 which affect the provision of relevant education in that area,
- the funding authority shall be included among the persons who may submit objections under subsection (1) to the proposals.

Status: *This is the original version (as it was originally enacted).*

- (4) Within one month after the end of the period mentioned in subsection (2), the local education authority by whom the proposals were published shall transmit to the Secretary of State copies of all objections made (and not withdrawn in writing) within that period, together with the authority's observations on them.
- (5) For the purposes of this section proposals under section 35 shall be taken to have been first published—
 - (a) on the day on which the requirements of regulations with respect to the publication of the proposals are satisfied; or
 - (b) where different such requirements are satisfied on different days, on the last of those days.
- (6) Where any such requirement imposes a continuing obligation with respect to the publication of any proposals, the requirement shall for the purposes of subsection (5) be taken to be satisfied on the first day in respect of which it is satisfied.