

# LEARNING AND SKILLS ACT 2000

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### Part V - Miscellaneous and General

##### *Sections 130 to 133: city colleges and academies*

184. Section 482 of the Education Act 1996 enables the Secretary of State to fund city technology colleges (CTCs) and city colleges for the technology of the arts (CCTAs) in consideration of certain undertakings on the part of the promoters. These are independent schools situated in urban areas which provide secondary education for pupils of different abilities and have a broad curriculum with an emphasis on science or technology (CTCs) or technology in its application to the performing and creative arts (CCTAs). CTCs and CCTAs do not charge fees and are funded by central Government.
185. **Section 130** amends section 482 of the Education Act 1996 to enable the Secretary of State to fund a new type of independent school - city academies. Like CTCs and CCTAs, city academies will be independent schools in urban areas providing secondary education for pupils of different abilities, will not be fee paying and will be funded by central Government. City academies will have a wider range of curriculum specialisms than CTCs and CCTAs. The additional specialisms are:
- modern foreign languages;
  - visual arts, performing arts or media arts (or any combination of them);
  - sport;
  - further specialisms which may be added by means of a statutory instrument subject to negative resolution.
186. The Section also requires the Secretary of State, before he enters into an agreement to fund a city academy, to consult affected LEAs about the establishment of the city academy.
187. **Section 131** introduces Schedule 8. The Schedule makes provision about land in relation to city academies. The Schedule, among other things:
- provides that the Secretary of State may make a scheme to transfer land and buildings formerly used for a community school to the promoters of a city academy at no cost;
  - requires LEAs to obtain the consent of the Secretary of State before disposing of land formerly used for a community school (but no such consent is required if the land is transferred to the promoters of a city academy at no cost);
  - provides that where such land is disposed of without the Secretary of State's consent, the Secretary of State may compulsorily purchase the land and transfer it to the promoters of the city academy;

*These notes refer to the Learning and Skills Act 2000  
(c.21) which received Royal Assent on 28 July 2000*

- provides that the Secretary of State may make a scheme to transfer land back to the LEA from a city academy at no cost should the school cease to be a city academy or cease to occupy the land as a city academy;
  - specifies that certain existing legislation which will not apply to disposals for the purpose of a city academy and provides for the Secretary of State to make regulations to address technical and practical matters arising out of such land transfers.
188. **Section 132** confers a power on the Secretary of State to make an order which applies section 483(3) of the Education Act 1996 to city academies with any modifications specified in the order. Section 483(3) is concerned with the method of determining the sum relating to capital expenditure repayable by a CTC or CCTA under its funding agreement where the school discontinues or ceases to have the characteristics which made it a CTC or CCTA. The special provisions in Schedule 8 make section 483(3) potentially inappropriate for determining what a city academy should repay in respect of capital assets.
189. **Section 133** makes provision in relation to children with statements of special educational needs (SEN) and their education at CTCs, CCTAs and city academies. It ensures that LEAs have the necessary powers to provide for the needs of pupils with SEN statements where those pupils attend CTCs, CCTAs and city academies. There has been concern that the provisions of the 1996 Education Act did not allow LEAs to make payments to those categories of schools in respect of pupils with SEN statements. This is important since the cost of making the provision detailed in pupils' statements can be considerable.
190. **Section 133** therefore allows the Secretary of State to make regulations to provide for the securing of arrangements for the educational and non-educational needs of children with statements. The regulations may, in particular, require or authorise LEAs to make payments or provide other assistance to CTCs, CCTAs and city academies in respect of such children.