
*Changes to legislation: There are currently no known outstanding effects
for the Education Act 2011, Paragraph 7. (See end of Document for details)*

SCHEDULES

SCHEDULE 11

ESTABLISHMENT OF NEW SCHOOLS

Amendments to Part 2 of EIA 2006

- 7 (1) Section 11 (publication of proposals to establish maintained schools: special cases) is amended as follows.
- (2) Before subsection (1) insert—
- “(A1) Subsection (A2) applies where a local authority in England publish a notice under section 7 (notice inviting proposals for establishment of new schools), and—
- (a) no proposals are made pursuant to the notice, or
 - (b) proposals are made pursuant to the notice but none of the proposals are approved under Schedule 2 or result in Academy arrangements being entered into.
- (A2) The local authority may publish under this section proposals of their own to establish a new community, community special, foundation or foundation special school, which is not to be one providing education suitable only to the requirements of persons above compulsory school age.
- (A3) Where a local authority in England propose to establish a new community, community special, foundation or foundation special school, which—
- (a) is to be a primary school, and
 - (b) is to replace a maintained infant school and a maintained junior school,
- the authority must publish their proposals under this section.”
- (3) After subsection (1) insert—
- “(1A) Where any persons (“proposers”) propose to establish a new voluntary aided school in England, they may publish their proposals under this section.”
- (4) In subsection (2)—
- (a) after “voluntary” insert “ controlled ”;
 - (b) before paragraph (b) insert—
 - “(aa) is to replace one or more foundation or voluntary schools which have a religious character.”.
- (5) After subsection (2) insert—
- “(2A) For the purposes of subsection (2)(aa), a new foundation or voluntary controlled school replaces a foundation or voluntary school which has a religious character if it is proposed that the new school—

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- (a) should have the same religious character,
 - (b) should have a different religious character, or
 - (c) should not have a religious character.”
- (6) In subsection (3), after “voluntary” insert “ controlled ”.
- (7) In subsection (7), after “subsection” insert “ (1A) or ”.
- (8) For subsection (9) substitute—
 - “(9) In this section—
 - “maintained infant school” means a maintained school that provides primary education suitable to the requirements of children of compulsory school age who have not attained the age of 8;
 - “maintained junior school” means a maintained school that provides primary education suitable to the requirements of junior pupils who have attained the age of 7;
 - “non-maintained special school” means a school which is approved under section 342 of EA 1996.”

Commencement Information

II Sch. 11 para. 7 in force at 1.2.2012 by S.I. 2012/84, art. 3 (with art. 4)

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