

SCHEDULES

SCHEDULE 4

NEW SCHOOLS

Application of schemes in relation to new schools

- 2 (1) For the purposes of that Chapter, a new school to which paragraph 1 above applies is required to be covered in any financial year by a scheme made under section 33 of this Act by a local education authority if it has a temporary governing body during the whole or any part of that year; but the provisions of that Chapter apply in the case of such a school subject to the modifications provided for below in this paragraph.
- (2) Where a school required to be covered by a scheme in any financial year is a new school during the whole or any part of that year, the provision required by section 38(3)(a) of this Act shall not apply in relation to the determination of the school's budget share for that year so far as that share falls in accordance with the scheme to be treated as referable to planned expenditure by the authority concerned for the purposes of the school in respect of any period falling before the implementation of the relevant proposal.
- (3) Accordingly, in the case of any school to which sub-paragraph (2) above applies—
- (a) paragraph (e) of subsection (4) of section 42 of this Act shall apply as if it referred to such part (if any) of the school's budget share for the financial year in question as falls to be determined in accordance with the provision required by section 38(3)(a);
 - (b) paragraph (f) of that subsection shall apply as if it referred to the expenditure (if any) on excepted services planned by the authority concerned for the purposes of the school in respect of any period falling within the financial year in question and after the implementation of the relevant proposal; and
 - (c) paragraph (g) of that subsection shall apply as if it referred to so much (if any) of the authority's excluded expenditure under the scheme as is appropriated by the authority for meeting expenditure for the purposes of the school in respect of any such period;
- and the statement under subsection (3) of that section shall include in relation to any such school the additional particulars mentioned in sub-paragraph (4) below.
- (4) Those particulars are—
- (a) the amount of such part (if any) of the school's budget share for the financial year in question (as initially determined for the purposes of the scheme) as falls in accordance with the scheme to be treated as referable to planned expenditure such as is mentioned in sub-paragraph (2) above;
 - (b) the amount of any expenditure on excepted services planned by the authority concerned for the purposes of the school in respect of any period falling within the financial year in question and before the implementation of the relevant proposal; and

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- (c) the amount of such part (if any) of the authority's excluded expenditure under the scheme as is appropriated by the authority for meeting expenditure for the purposes of the school in respect of any such period.
- (5) Sub-paragraph (2) above shall not be taken as prejudicing the inclusion in the allocation formula under a scheme by virtue of section 38(3)(b) of this Act of provision taking into account in relation to a new school any forecast made in accordance with the scheme of the number of registered pupils it will have on implementation of the relevant proposal.
 - (6) The delegation requirement under a scheme shall not apply in relation to a new school which is a secondary school, other than a school to which section 40 of this Act applies, until such date as may be determined by or under the scheme.
 - (7) In the case of a new school which is a primary school, section 39(2)(b) of this Act shall apply as if for references to a qualifying date in relation to the financial year in question which falls within that year there were substituted references to the date of implementation of the relevant proposal.
 - (8) Section 40 of this Act shall have effect, in relation to any new school to which it applies, with the omission of paragraph (a) of subsection (3).
 - (9) Section 42(9) of this Act shall not apply in relation to the temporary governing body of a new school.
 - (10) Paragraph 18 of Schedule 2 to the 1986 Act (which requires the local education authority to consult the temporary governing body of a new school and the head teacher about their proposed expenditure on books, equipment and stationery) shall not apply where the new school has a delegated budget.