



Education Act 1996

1996 CHAPTER 56

PART II

SCHOOLS MAINTAINED BY LOCAL EDUCATION AUTHORITIES

CHAPTER III

FUNDING OF VOLUNTARY SCHOOLS

Miscellaneous and supplemental

70 Duty to convey interest in premises provided under section 68 or 69

- (1) Where assistance under section 68 or 69 consists of the provision of any premises for use for the purposes of a school, the local education authority shall convey their interest in the premises to the trustees of the school to be held on trust for the purposes of the school.
- (2) If any doubt or dispute arises as to the persons to whom the authority are required to make the conveyance, it shall be made to such persons as the Secretary of State thinks proper.
- (3) Where trustees make a disposal of an interest conveyed to them by a local education authority under subsection (1), they shall be liable to pay to that authority an amount equal to the net proceeds of the disposal.
- (4) In subsection (3)—
 - “disposal” includes part disposal; and
 - “net proceeds”, in relation to a disposal, means the amount accruing on the disposal less any expenditure reasonably incurred for the purposes of making it.

Status: This is the original version (as it was originally enacted).

71 Powers of Secretary of State where LEA make default in maintaining voluntary school

- (1) Where it appears to the Secretary of State that a local education authority have made default in the discharge of their duties relating to the maintenance of a voluntary school, he may—
- (a) direct that any act done by or on behalf of the school's governing body for the purpose of securing the proper maintenance of the school shall be taken to have been done by or on behalf of the authority, and
 - (b) reimburse to the governing body any sums which in his opinion they have properly expended for that purpose.
- (2) The amount of any sum reimbursed under subsection (1) shall be recoverable by the Secretary of State as a debt due to him from the authority; and without prejudice to any other method of recovery the whole or any part of any such sum may be deducted from any sums payable to the authority by the Secretary of State in pursuance of any regulations relating to the payment of grants.

72 Endowments for maintenance of voluntary schools

Where any sums accruing in respect of the income of an endowment are required by virtue of the provisions of a trust deed to be applied towards the maintenance of a voluntary school, those sums shall not be payable to the local education authority but shall be applied by the governing body of the school—

- (a) towards the discharge of their obligations, if any, under section 59, or
- (b) in such other manner, if any, as may be determined by a scheme for the administration of the endowment made after 1st April 1945.

73 Sums paid for letting or hiring of premises of voluntary schools

Any sum which is paid to the governing body or trustees of a voluntary school in respect of the letting or hiring of any part of the school premises other than school buildings shall be paid over to the local education authority.

74 Execution by LEA of certain works in case of controlled schools

- (1) Where a local education authority are liable to defray the cost of carrying out any building work, repair work or work of a similar character which is required for the purposes of a controlled school, the work shall, if the authority so determine, be carried out by employees of theirs.
- (2) If the authority make such a determination, the governing body and any trustees of the school shall provide the authority and the authority's employees with all such facilities as they may reasonably require for the purpose of securing that the work is carried out properly.

75 Disapplication of restriction on local authority disposals

Subsection (2) of section 123 of the Local Government Act 1972 (local authority prohibited from making disposal of land under that section below market value without consent of the Secretary of State) shall not apply in the case of a disposal—

- (a) to the governors of an aided or special agreement school, or

- (b) to persons proposing to establish a school which is proposed to be maintained by a local education authority as a voluntary school and to be an aided school.