

## SCHEDULES

### SCHEDULE 11

#### RATIONALISATION OF SCHOOL PLACES IN ENGLAND

##### PART 3

###### PROPOSALS BY SECRETARY OF STATE

- 7 (1) Where—
- (a) in relation to the area of any local education authority or any part of such an area, the Secretary of State—
    - (i) has given the local education authority a direction under paragraph 3(2)(a) or 4(2)(a) to make proposals for the establishment, alteration or discontinuance of schools, or
    - (ii) has given the governing body of a foundation, voluntary or foundation special school a direction under paragraph 3(2)(b) or 4(2)(b) to make proposals for the alteration of their school, and
  - (b) any of the conditions in sub-paragraph (3) is met,
- he may make any such proposals as might have been made in accordance with the direction relating to that area or that part of that area by the person to whom the direction was given.
- (2) In determining for the purposes of sub-paragraph (1) what proposals might have been made by a local education authority under section 28A of the 1998 Act, it is to be assumed that no notice under section 66 of this Act has been published and that the Secretary of State consents to the publication of the proposals under section 28A.
- (3) The conditions referred to in sub-paragraph (1)(b) are—
- (a) that the person to whom the direction was given has failed to publish within the time specified in the direction proposals under section 28, 28A, 29 or 31 of the 1998 Act or a notice under section 66,
  - (b) that the person to whom the direction was given has published proposals under section 28, 28A, 29 or 31 of the 1998 Act but it appears to the Secretary of State that the proposals are inadequate,
  - (c) that a notice under section 66 has been published in pursuance of the direction but the period within which proposals must be published under subsection (8)(a) or (b) of that section has passed without any proposals being published, or
  - (d) that proposals have been published under (8)(a) or (b) of section 66 in pursuance of a notice published in pursuance of the direction but either—
    - (i) every set of proposals has been withdrawn, or
    - (ii) every set of proposals, apart from any that has been withdrawn, appears to the Secretary of State to be inadequate.

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*Status: This is the original version (as it was originally enacted).*

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- (4) Proposals under this paragraph must—
  - (a) contain such information, and
  - (b) be published in such manner,as may be prescribed.
- (5) The Secretary of State must send a copy of the proposals to the school organisation committee for the area to which the proposals relate.