



# Education and Inspections Act 2006

## 2006 CHAPTER 40

### PART 2

#### ESTABLISHMENT, DISCONTINUANCE OR ALTERATION OF SCHOOLS

##### *Establishment of new schools*

#### **7 Invitation for proposals for establishment of new schools**

- (1) A [<sup>F1</sup>local authority] in England may [<sup>F2</sup>with the consent of the Secretary of State] publish a notice under this section inviting proposals from persons other than [<sup>F1</sup>local authorities] for the establishment of any new school falling within subsection (2).
- (2) The schools falling within this subsection are—
  - (a) a foundation, voluntary or foundation special school, other than one providing education suitable only to the requirements of persons above compulsory school age, or
  - (b) an [<sup>F3</sup>Academy school].
- (3) A notice under this section must—
  - (a) identify a possible site for the school,
  - (b) state whether or not the proposed school is to be a special school,
  - (c) specify a date, being a date after the prescribed interval, by which proposals must be submitted,
  - (d) specify such other matters as may be prescribed, and
  - (e) be published in the prescribed manner.
- (4) Proposals made pursuant to a notice under this section must—
  - (a) contain the prescribed information, and
  - (b) be submitted to the [<sup>F1</sup>local authority] before the date specified in the notice.
- (5) After the date specified in a notice published by a [<sup>F1</sup>local authority] under this section, the authority—

---

*Changes to legislation: Education and Inspections Act 2006, Section 7 is up to date with all changes known to be in force on or before 27 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (a) must publish under this section any proposals submitted pursuant to the notice in accordance with subsection (4),<sup>F4</sup> ...
- <sup>F4</sup>(b) .....
- <sup>F5</sup>(5A) .....
- (6) Regulations may prescribe—
  - (a) the time within which proposals under this section must be published, [<sup>F6</sup>and ]
  - (b) the manner in which they must be published, <sup>F7</sup> ...
  - <sup>F7</sup>(c) .....
- (7) Schedule 2 has effect in relation to the consideration, approval and implementation of proposals under this section.

<b>Textual Amendments</b>	
<b>F1</b>	Words in Pts. 1-7 substituted (5.5.2010) by <a href="#">The Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158)</a> , art. 1, <b>Sch. 2 para. 14(2)</b>
<b>F2</b>	Words in s. 7(1) inserted (1.2.2012) by <a href="#">Education Act 2011 (c. 21)</a> , s. 82(3), <b>Sch. 11 para. 3(a)</b> ; <a href="#">S.I. 2012/84</a> , art. 3 (with art. 4)
<b>F3</b>	Words in s. 7(2)(b) substituted (1.4.2012) by <a href="#">Education Act 2011 (c. 21)</a> , s. 82(3), <b>Sch. 13 para. 16(2)</b> ; <a href="#">S.I. 2012/924</a> , art. 2
<b>F4</b>	S. 7(5)(b) and word omitted (1.2.2012) by virtue of <a href="#">Education Act 2011 (c. 21)</a> , s. 82(3), <b>Sch. 11 para. 3(b)</b> ; <a href="#">S.I. 2012/84</a> , art. 3 (with art. 4)
<b>F5</b>	S. 7(5A) omitted (1.2.2012) by virtue of <a href="#">Education Act 2011 (c. 21)</a> , s. 82(3), <b>Sch. 11 para. 3(c)</b> ; <a href="#">S.I. 2012/84</a> , art. 3 (with art. 4)
<b>F6</b>	Word in s. 7(6)(a) inserted (1.2.2012) by <a href="#">Education Act 2011 (c. 21)</a> , s. 82(3), <b>Sch. 11 para. 3(d)</b> ; <a href="#">S.I. 2012/84</a> , art. 3 (with art. 4)
<b>F7</b>	S. 7(6)(c) and word omitted (1.2.2012) by virtue of <a href="#">Education Act 2011 (c. 21)</a> , s. 82(3), <b>Sch. 11 para. 3(d)</b> ; <a href="#">S.I. 2012/84</a> , art. 3 (with art. 4)
<b>Modifications etc. (not altering text)</b>	
<b>C1</b>	S. 7 modified (E.) (25.5.2007) by <a href="#">The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 (S.I. 2007/1288)</a> , reg. 1(1), <b>Sch. 7 Pt. 1</b>
<b>C2</b>	S. 7 modified (28.1.2014) by <a href="#">The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 (S.I. 2013/3109)</a> , reg. 1, <b>Sch. 4 Pt. 1</b>
<b>Commencement Information</b>	
<b>I1</b>	S. 7 in force at 25.5.2007 by <a href="#">S.I. 2007/935</a> , art. 7(b)

**Changes to legislation:**

Education and Inspections Act 2006, Section 7 is up to date with all changes known to be in force on or before 27 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2006/2990 art. 4 by [S.I. 2008/54 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2007/935 art. 7(n) by [S.I. 2007/1271 art. 4](#)
- specified provision(s) transitional provisions for earlier commencing SI 2007/935 by [S.I. 2007/1271 art. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A inserted by [2010 c. 26 s. 7](#)
- s. 88(A1) inserted by [2015 c. 20 Sch. 16 para. 1\(2\)](#)
- s. 93A inserted by [2009 c. 22 s. 246](#)
- s. 93A(7) words inserted by [S.I. 2016/413 reg. 235](#) (This amendment comes into force on the day that section 93A of the Education and Inspections Act 2006 (c. 40) comes into force. That provision is still prospective)
- s. 162(5A)(aa) inserted by [2010 nawm 1 Sch. 1 para. 20\(a\)](#)