

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—

Status: This is the original version (as it was originally enacted).

- (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.”