

SCHEDULE 1

Regulation 3

ALTERATIONS FOR WHICH PROPOSALS MUST BE PUBLISHED

1. Except where the school is established in a hospital, any increase in the number of pupils for whom the school is organised to make provision which, when taken together with all such previous increases in the number of pupils would increase the number of such pupils by 10% or the relevant number of pupils (whichever is the lesser) as compared with—

- (a) the number of such pupils on the appropriate date; or
- (b) if, at any time after that date the number of such pupils was lower than on that date, the lowest number at any such time.

In this paragraph—

“the appropriate date” means whichever is the latest of the following dates—

- (a) the date falling five years before the date on which the local education authority or, as the case may be, the governing body, form the intention to increase the number of pupils for which the school is organised to make provision;
- (b) the date when the school was established;
- (c) where any proposals for the making of a prescribed alteration to the school consisting of an increase in the number of pupils for which the school is organised to make provision have been approved under—
 - (i) section 184 of the Education Act 1993⁽¹⁾,
 - (ii) section 340 of the Education Act 1996⁽²⁾, or
 - (iii) paragraph 3 of Schedule 6 or paragraph 8 or 9 of Schedule 7, the date (or latest date) on which any such proposals were implemented; and
- (d) where the local education authority have determined under paragraph 4 of Schedule 6 to implement any proposals for the making of a prescribed alteration to the school consisting of an increase in the number of pupils for which the school is organised to make provision, the date (or latest date) on which any such proposals were implemented; and

“the relevant number of pupils” is 5 where the school only makes boarding provision and 20 in any other case.

2. Except where the school is established in a hospital, any decrease in the number of pupils for whom the school is organised to make provision.

3. The alteration of the upper or lower age limits of the school (that is to say the highest and the lowest ages of pupils for whom education is normally provided at the school).

4. An alteration to a school to provide that—

- (a) a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes; or
- (b) a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only.

5.—(1) The introduction or ending of a boarding provision.

(2) Where the school makes provision for day pupils and boarding pupils, the alteration of boarding provision such that the number of pupils for whom boarding provision is made is increased or decreased by 5 pupils.

(1) 1993 c. 35; repealed by Schedule 38 to the Education Act 1996.

(2) Section 340 is prospectively repealed by Schedule 31 to the Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

6. A change in the type of special educational needs for which the school is organised to make provision.

7. The transfer of a school to a new site except the transfer to site which formerly consisted of playing fields (within the meaning of section 77 of the Act) used by the school, provided that the main entrance of the school on its new site will be within 3.218688 kilometres (two miles) of the main entrance of the school on its old site.