

DETERMINATION

Case reference: VAR/000556

Admission Authority: Buckinghamshire County Council

Date of decision: 16 December 2011

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Buckinghamshire County Council for St George's Church of England School

I determine that for admissions in September 2012 the catchment area of the school shall be increased to include the area of Amersham currently served only by Chestnut Lane School.

The referral

1. Buckinghamshire County Council, the local authority (the LA) as the admission authority for St George's Church of England Infant School (the School), has referred a variation to the Adjudicator about the admission arrangements for the School, a voluntary controlled infant school, for admissions in September 2012. The request is to increase the School's catchment area to include the area of Amersham currently only served by Chestnut Lane School.
2. In addition, the LA has asked the Adjudicator to determine whether it is appropriate to increase the admission number of the School from 45 to 60 for September 2012 before it has analysed the preferences received and assessed the potential impact on neighbouring schools. I shall comment on this matter at the end of the determination.

Jurisdiction

3. The referral was made to me in accordance with section 88E of the School Standards and Framework Act 1998 (the Act) which states that:

“where an admission authority (a) have in accordance with section 88C determined the admission arrangements which are to apply for a particular school year, but (b) at any time before the end of that year consider that the arrangements should be varied in view of a major change in circumstances occurring since they were so determined, the authority must [except in a case where the authority's proposed

variations fall within any description of variations prescribed for the purposes of this section] (a) refer their proposed variations to the adjudicator, and (b) notify the appropriate bodies of the proposed variations”.

I am satisfied that the proposed variation, i.e., the change in catchment area, is within my jurisdiction.

Procedure

4. In considering this matter I have had regard to all relevant legislation, guidance and the School Admissions Code (the Code).

The documents I have considered in reaching my decision include:

- the LA’s written request for the variation and supporting documents;
- the determined arrangements for September 2012 and the proposed variation to those arrangements;
- a copy of the LA’s booklet for parents seeking admission to schools in the area in September 2012 ;
- information about the admission numbers of primary schools within 3 miles of the School;
- responses from those relevant bodies who were consulted over the variation; and
- a response from the governing body of a school within three miles of the School.

Background and consideration of factors

5. In the area of Amersham served by Chestnut Lane School, the admission authority received more applications for the September 2011 intake than pupil data projections had indicated. In order to meet this need, it was agreed that the School would create an additional 15 places. A review by the admission authority of these arrangements indicated that this solution provided a better match between pupils and places within the Amersham area than other options. A particular merit would be to avoid children having to travel considerable distances to other schools.
6. The School is situated within the catchment area of Chestnut Lane School. The variation proposed would mean that the School and Chestnut Lane School both have the same catchment area.
7. I have considered the following factors in support of the variation requested by the LA.
8. First, the LA intends to include the changed catchment area proposals

for the School in the 2013 admissions arrangements as the need for change is expected to last beyond the current year. It would however be in the interests of parents and children for the change to be made now and not left until admissions in 2013. The actual intake in 2011 was greater than the projected intake and is likely to be so for 2012 and beyond.

9. One option that the LA considered was to create a “bulge class” at Chestnut Lane Primary School, but that school did not accept this as a sensible solution.
10. For many children, access to the School would be a matter of a few minutes walk which would be a much better solution than attending a school at a significant distance from their home.
11. I considered the impact of the proposed arrangements on other schools. In particular I considered an objection raised by the Chair of Governors at Bell Lane Combined School. This objection was that there was capacity available at that school. The objection commented only on the possible increase in admission number and made no comment on the proposed change in catchment area. Therefore this objection has not altered my judgement in relation to the catchment area change requested in the variation.
12. The proposed variation would address the problems arising from the change of circumstances in the catchment area served by Chestnut Lane School within which the School is situated. I am therefore persuaded that I should approve the variation.
13. The LA also asked the Adjudicator to determine whether it is appropriate to increase the admission number of the School from 45 to 60 for September 2012 before it has analysed the preferences received and assessed the potential impact on neighbouring schools. As this is not a request to make a variation now it does not seem to me that it is a matter on which I can make a determination. It is for the LA to decide whether there has been a major change in circumstances that necessitates a change to the determined admission arrangements and to decide what that change should be. The next step for the LA is to decide whether the change it proposes requires the variation to be approved by the Adjudicator. If in due course the LA finds that it needs additional places it will be for the LA to consider what the Code in force at that time says about any changes to admission numbers and to act accordingly.

Conclusion

14. In summary then, the increase in reception place requests in the area of Amersham served by Chestnut Lane Primary School was greater than projected in 2011 and is likely to be so again for September 2012 and beyond. This could in the immediate future be in part remedied by

increasing the catchment area of the School. I am satisfied that I should approve the variation.

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Buckinghamshire County Council

I determine that for admissions in September 2012 the catchment area of St George's Church of England Infant School shall be increased to include the area of Amersham currently served only by Chestnut Lane School.

Dated: 16 December 2011

Signed:

Schools Adjudicator: Janet Mokades