

## DETERMINATION

**Case reference: VAR/000521 Bawnmore Infant School**  
**VAR/000522 Bilton Infant School**  
**VAR/000523 Cawston Grange Primary School**  
**VAR/000524 Henry Hinde Infant School**  
**VAR/000525 Henry Hinde Junior School**  
**VAR/000526 Bilton CofE Junior School**

**Admission Authority: Warwickshire County Council**

**Date of decision: 8 August 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 Warwickshire County Council for 2012/13 to introduce a super priority area, that will incorporate the currently separate priority areas of Bawnmore Infants School, Bilton Infant and Junior Schools, Cawston Grange Primary School and Henry Hinde Infant and Junior Schools, to operate from September 2012.**

### **The referral**

1. Warwickshire County Council ('the Council') has referred a variation to the Adjudicator about the admission arrangements for a group of 6 primary schools, five of which are community primary schools and one which is a Church of England voluntary controlled school. The Council is seeking to create a new single 'super priority area' that would incorporate the currently separate priority areas of Bawnmore Infants School, Bilton Infant and Junior Schools, Cawston Grange Primary School and Henry Hinde Infant and Junior Schools.

### **Jurisdiction**

2. The referral was made to me in accordance with section 88E of the School Standards and Framework Act 1998 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”.

3. I am satisfied that the proposed variation 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 documents I have considered in reaching my decision include:

- the Council’s referrals of 18 July 2011 and supporting documents;
- the determined arrangements for 2012/13 and the proposed variation to those arrangements;
- a copy of the council’s booklet for parents seeking admission to schools in the area in September 2011 ;
- consultation paper ‘Changes to Primary School Priority Areas’ dated March 2011 which included maps showing the location of schools in the area and their priority areas;
- a report ‘Primary School Priority Areas in West Rugby’, considered by the Council’s Cabinet on 16 June 2011.

### **Background**

5. Within the Council area ‘priority areas’ are geographical areas defined by admission authorities (in this case the Council itself) from which children may be afforded priority for admission to a school. If a school is over-subscribed, the admission policy will ensure that children living in the priority area are given places before other applicants (with exception of children in care who have first priority over all other children). The Council rightly gives no guarantee that all pupils living within a school’s priority area will be admitted, but parents/carers will have a strong expectation that places will usually be available at their priority area school.

6. The west of Rugby is served by six primary schools, Bawnmore Infant, Bilton Infant, Bilton CE Junior, Cawston Grange Primary, Henry Hinde Infant and Henry Hinde Junior School. The pupil population of this area has changed significantly over recent years with the largest change being the development of the Cawston Grange estate which began in the late nineties.

7. A report to Cabinet in June 2011 notes that although the Cawston Grange estate was originally planned to have 1000 units of housing, 10 years into the development the approved capacity has grown to some 1425 units, of which around 330 houses have yet to be built. This combination of the increased size of the development and the larger than expected number of children moving in these homes compared with the county average means

that the new primary school built on the estate, has been unable to accommodate all of the pupils living there.

8. Pupil numbers elsewhere in the Bilton area vary, with the current priority areas of the Bilton and Bawnmore schools having many fewer births than is the case in the Cawston area. The number of children living in the Henry Hinde priority area is relatively high.

9. For many years children living on the Cawston Grange estate, were able to be accommodated in Cawston Grange Primary School or at one of the other local schools. However, it became apparent for admissions in September 2010 that a number of children living on the Cawston Grange development could not be offered a place at either Cawston Grange Primary or in any other local school. This was due to the fact that some children living in the priority areas of other schools in Rugby and outside the area of the six local schools, lived closer to schools such as Bilton Infant and Bawnmore Infant than did pupils on the Cawston Grange estate. Thus, if the Council continued to apply its existing admission criteria, pupils living in some parts of Cawston might in future, be refused a place at any of their local schools and that applying the distance criterion would result in children having to travel unreasonable distances to schools outside the area.

10. The proposal is to combine the existing priority areas for the six schools in west Rugby to create a single school priority area for Bawnmore Infant, Bilton Infant, Bilton Junior, Cawston Grange Primary, Henry Hinde Infant and Henry Hinde Junior Schools. If approved the proposed new priority area would operate with effect from September 2012 admissions. The creation of the new priority area is intended to ensure that children living in the priority areas of the six schools listed are given priority for those places, before children living in other school priority areas.

### **Consideration of factors**

11. All admission authorities are required to determine admission arrangements for 2012/13 by 15 April 2011 and the Council complied with this mandatory requirement.

12. The Council is seeking to vary its newly determined arrangements because in its view there has now been a significant change of circumstances which is linked to the outcome of an extensive consultation with stakeholders.

13. Officers of the Council had commenced a formal consultation between 7 March and 3 May 2011, about the proposal to create a new single 'super priority area' for admissions in 2012. The proposed change would incorporate the separate priority areas of Bawnmore Infants School, Bilton Infant and Junior Schools, Cawston Grange Primary School and Henry Hinde Infant and Junior Schools, and introduce a new 'super priority area' formed by the amalgamation of all six priority areas of the schools serving the area of west Rugby. The consultation paper was sent to all parents and prospective parents/carers of pupils at the six schools, to all other schools in Rugby. The local Diocesan Education Authorities, Parish Councils, Rugby Borough

Council, the local Member of Parliament, other admission authorities and neighbouring Local Authorities were, as required, fully consulted. Due to the timing of the consultation process, information from it was not available to the Council when it determined its arrangements.

14. Responses to the consultation, from parents and prospective parents of the six schools, together with those from the Church of England Diocese of Coventry and the local Member of Parliament were all supportive of the proposal. Responses from the remaining schools in the wider area acknowledged that that the proposed change would not prevent parents from within the area of west Rugby electing to express a preference for a place at a school outside of the proposed new super priority area if they so wished.

15. However concern was raised about the possible impact that the proposal could have on parents who live outside the proposed new priority area, who might wish to secure a place for their child at a school within west Rugby. Although the intention behind this proposal is that should any of the six schools within the proposed super priority area become over-subscribed, the children living within the area would be given preference for a place, parents living outside the area would still be able to express a preference for a place at any school.

16. In the Council's view, having held in-depth discussions with head teachers and governing bodies, the new arrangements would secure the future viability of all local schools, making the most efficient use of existing capacity and crucially enabling it to meet parental preferences to a greater extent. It would also remove the risk that children living within the area were denied a place at any of the 6 local schools and would then have no option but to travel some distance to an alternative school.

17. If the new priority area were to come into effect, the Council forecast indicates that there would then be sufficient school places in the combined Cawston/Bilton wider area for those children living there and there would be a greatly enhanced likelihood of obtaining a place at a local school for all pupils living in the new 'super priority area'. However should parents wish to attend a school outside the Cawston/Bilton area the new arrangements would not prevent this.

18. The proposal has resulted from an extensive consultation, a careful analysis of data and full consideration of responses from stakeholders and in view of the enhanced likelihood of meeting a greater number of parental preferences for schools I have concluded that this variation should be permitted.

### **Determination**

19. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Warwickshire County Council for 2012/13 to introduce a super priority area, that will incorporate the currently separate priority areas of Bawnmore Infants School, Bilton Infant and Junior Schools, Cawston Grange

Primary School and Henry Hinde Infant and Junior Schools, to operate from September 2012.

Dated: 8 August 2011

Signed:

Schools Adjudicator: Carol Parsons