



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: VAR786

Admission Authority: Cambridgeshire County Council for Abbey Meadows Primary School, Cambridge

Date of decision: 15 November 2018

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Cambridgeshire County Council for Abbey Meadows Primary School for September 2018 and for September 2019.

I determine that for September 2018 and September 2019 the published admission number shall be reduced from 90 to 60.

The referral

1. Cambridgeshire County Council (the council) as the admission authority for Abbey Meadows Primary School (the school) has referred a proposal for a variation to the admission arrangements for the school, for September 2018 and September 2019 to the Office of the Schools Adjudicator. The school is a community school for children aged 4 to 11 in Cambridge.
2. The proposed variation is to reduce the published admission number (PAN) from 90 to 60.

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".

4. I am satisfied that the proposed variation is within my jurisdiction.

Procedure

5. In considering this matter I have had regard to all relevant legislation, and the School Admissions Code (the Code).
6. The documents I have considered in reaching my decision include:
 - the referral from the council dated 28 August 2018 and supporting documents;
 - the determined arrangements for 2018 and 2019 and the proposed variation to those arrangements;
 - a map showing the location of the school and other relevant schools; and
 - a copy of the notification of the proposed variation to the appropriate bodies.

The proposed variation

7. The school is situated on the eastern edge of the city of Cambridge. The Department for Education database called "Get Information About Schools" shows there are 20 other primary schools situated within two miles of it. The school's PAN was increased from 60 to 90 in September 2011; however, the council told me that demand had fallen since then and the school is currently undersubscribed. The local authority also told me that it was the governing board which instigated this request for the PAN to be reduced back to 60.
8. In the application the council said "*The downturn in numbers has had significant financial and budget implications for the school which have not been effectively addressed in recent year [sic]. These significant budget difficulties have been a contributory factor to the school's performance which have resulted in the serious weakness judgement at the school in 2017.*"
9. The application requested "*A reduction in the published admission number for the school from 90 to 60 with immediate effect for all existing year groups and for the admission of pupils to the school in September 2019*". The PAN only applies to the relevant age group which is the age to which pupils are normally admitted to the school, in this case reception children. Therefore my determination only concerns the admission of children to the reception year which began in September 2018 and that which will begin in September 2019. Admission to other year groups is governed by section 86 of the School Standards and Framework Act 1998 which says that an admission authority can only refuse a child admission if it will prejudice the provision of efficient education or the efficient use of resources.

Consideration of the case

10. Schools that recruit the same number of children as the PAN, or just below it, every year are in the fortunate position of being able to plan their budget and their curriculum with more certainty than schools where there is greater uncertainty over the number of children they will need to provide for each year. In the last four years the intake to the school has been 90, 83, 69 and 44. I understand why this variation in annual intakes could cause the school problems with planning its budget and curriculum.
11. The net capacity assessment data provided to me indicates that the school has a net capacity of 630 places. In addition to 21 classrooms the school has several other supporting spaces including two halls and a dining hall. There is no question that the school cannot physically accommodate 90 children in each year group.
12. While I can see that a PAN of 90 causes difficulties for the school in planning its budget and curriculum, it is sometimes necessary for schools to manage such issues to ensure that all children in the local area have a school place. In this case the council, which is responsible for ensuring that there are sufficient places, has told me that children from the school's catchment area apply for, and are able to be offered, places at schools in two villages outside of the city of Cambridge. The council also told me about a new housing development of 1500 homes within one mile of the school which includes a new 420 place primary school which it is proposed will open in 2020.
13. The council told me that "*A further element is that the main pressures in the city are outside the Abbey Meadows catchment area, and currently the Council has to look to allocated [sic] places at the school as the next nearest alternative. This is unpopular with parents, who then look for more acceptable alternatives, which leads to increased transience within the school cohort and generates further problems for a school, which for a number of years, has been trying to improve the educational outcomes it offers. These clearly have been exacerbated by the variation in pupil numbers and impact on organisational and financial pressures. With the falling pressures it is anticipated that there will be sufficient capacity, with the Council also mindful of emerging opportunities for increasing capacity at other popular local schools (these are currently under detailed review and feasibility assessment).*"
14. I am satisfied that the risk that this proposal will lead to a shortage of primary school places in the area low and it is obviously acceptable to the council who make this proposal and would be responsible for meeting any shortfall in provision in the future.
15. I have also considered whether the proposal will adversely effect the proportion of parental preferences which can be met in the area. In the last four years with a PAN of 90 it has been possible to meet all first preferences for the school. With a PAN of 60 it would still have been

possible to do so.

16. Although the council was only required to notify prescribed bodies that it was submitting this request for a variation to these admission arrangements to the adjudicator it conducted a four-week long consultation on the proposal during September and October 2018. One response was received to that consultation which was from a headteacher who was concerned that there may not be sufficient primary school places in the area. The council provided that headteacher with a response which set out the factors which I have taken into account regarding the sufficiency of places above.
17. For the reasons set out above I have decided to approve this proposed variation to reduce the PAN from 90 to 60 for September 2018 and 2019.

Determination

18. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Cambridgeshire County Council for Abbey Meadows Primary School for September 2018 and September 2019.
19. I determine that for September 2018 and for September 2019 the published admission number shall be reduced from 90 to 60.

Dated: 15 November 2018

Signed:

Schools Adjudicator: Phil Whiffing