



## DETERMINATION

<b>Case reference:</b>	<b>VAR701</b>
<b>Admission Authority:</b>	<b>Blackburn with Darwen Borough Council for Cedars Primary School, Blackburn</b>
<b>Local Authority:</b>	<b>Blackburn with Darwen Borough Council</b>
<b>Date of decision:</b>	<b>21 March 2017</b>

### **Determination**

**In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Blackburn with Darwen Borough Council for Cedars Primary School, Blackburn. I determine that for admissions for the year beginning September 2016 the published admission number for the school shall be 60.**

### **The referral**

1. Blackburn with Darwen Borough Council (the local authority) has referred a variation to the Office of the School Adjudicator about the admission arrangements for Cedars Primary School, Blackburn (the school), a community school, for September 2016. The variation is to reduce the published admission number (PAN) from 75 to 60. This change is sought as a result of a falling roll at the school and a decision to reorganise the school site. The primary school is the result of extending the age range of the former infant and closure of the former junior schools that occupied adjoining sites. As numbers have reduced in the school the opportunity presents itself to modify one of the school buildings so that all the children can be located within the same building from September 2017.

### **Jurisdiction**

2. 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”.*

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:
  - I. the local authority’s letter of referral of 7 February 2017 and supporting documents;
  - II. the determined arrangements for 2016/2017 and the proposed variation to those arrangements; and
  - III. a copy of the local authority’s booklet for parents seeking admission to schools in the area in September 2017.

### **Background and consideration of factors**

5. Blackburn with Darwen Borough Council as the local authority published a notice on 4 September 2012 to extend the age range of Cedars Infant School to include children age eight to eleven and to close Hawthorns Junior School. The sites for the two schools adjoined each other. Following the notice period, the local authority decided on 8 November 2012 to make the proposed changes. It implemented the changes on 1 September 2013 with Cedars Infant School becoming a primary school, taking all the children who had previously attended the junior school. Hawthorns Junior School closed and Cedars Infant School was renamed as Cedars Primary School. The numbers of children attending the new primary school meant that both school buildings were utilised but operated as one primary school.
6. In September 2013, the Tauheedul Education Trust opened The Olive School (the free school) in Blackburn. This is now a three form entry school providing 90 places each year, situated less than one mile from Cedars Primary School. Numbers of children attending Cedars Primary School have decreased as a result. The numbers have reduced to the point where the local authority in discussion with the school governing body has decided to move all the children onto the site that had previously been the infant school with effect from September 2017. In doing so it will reduce the overall capacity of the school and resolve a potential budget deficit for the school. There are sufficient places in the area because of the additional capacity provided by the new free school.
7. The school’s published admission numbers (PANs) were set as 90 for 2013, 90 for 2014, 75 for 2015 and 75 for 2016. In January 2016 following consultation a PAN of 60 was set for September 2017.
8. The local authority and the school’s governing body have requested a variation to the 2016 PAN to reduce it from 75 to 60. This will reflect the change in capacity that will be implemented in September 2017 and reduce the likelihood of in year admissions exceeding the available capacity of the

school following the changes in September 2017. The local authority has confirmed that there are currently 55 children in the current Year R despite the PAN of 75. This is less than the proposed PAN of 60, so no children currently attending the school will be disadvantaged. There would still be five places available for children wishing to join the school as in-year admissions with less than a term and a half of the school year to run.

9. The local authority has provided the following table showing numbers of children admitted to the school since 2012.

#### Past Pupil Numbers

	Admission number	Number admitted	Number of applications	Number of appeals
2012/2013	90	90	109	0
2013/2014	90	64	119	0
2014/2015	90	46	116	0
2015/2016	75	54	89	0
2016/2017	75	55	86	0

10. This local authority provided the following table shows the projected demand for places in the school over the next three years and it demonstrates that there will be sufficient places in the school with a PAN of 60.

	Numbers projected
2017/2018	50
2018/2019	50
2019/2020	50

11. The proposed change sought through the variation will only affect children seeking an in-year place at the school between now and September 2017. The local authority provided a list of the 41 schools in the area together with their PANs and the numbers admitted to each school at the beginning of the current school year. The data showed that there are six primary schools, three infant schools and three junior schools in addition to the Cedars primary school with over 100 spare places available. If anyone moves into the area requiring a place during the remainder of this school year these places are available.

#### Conclusion

12. The local authority has set out the major change in circumstance that have occurred as the reason for requesting this reduction in PAN from 75 to 60 in respect of in-year admissions to Year R between September 2016 and Summer 2017. The local authority is taking action to manage the falling roll in the school and by bringing the children onto one site it will reduce the costs of running the school across two sites and enable the school to run without a projected budget deficit.

13. No comments were made to the consultation concerning this proposal and I am satisfied that the reasons for requesting the variation are sound and I approve the request.

**Determination**

14. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Blackburn with Darwen Borough Council for Cedars Primary School, Blackburn. I determine that for admissions for the year beginning September 2016 the published admission number for the school shall be 60.

Dated: 21 March 2017

Signed:

Schools Adjudicator: David Lennard Jones