

DETERMINATION

Case reference: VAR/000598
Admission Authority: West Berkshire Council
Date of decision: 3 May 2013

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the 2013/14 admission arrangements determined by West Berkshire Council for community and voluntary controlled schools.

I determine that the catchment area of Beedon Church of England Primary School will be changed so as to share the Peasemore area with Chieveley Primary School, with effect from 1 September 2013.

The referral

1. West Berkshire Council (the Council), as the admission authority, has referred a variation to the Adjudicator seeking to change the determined admission arrangements for community and voluntary controlled schools for 2013/14 in order to amend the catchment area for Beedon Church of England Primary School (the School) so as to share the Peasemore area with Chieveley Primary school, with effect from 1 September 2013.

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

and the School Admissions Code (the Code).

5. The documents I have considered in reaching my decision include:
- a. the request for the variation submitted by the Council as a proposed in-year variation on 14 February 2013;
 - b. maps showing the catchment areas of both Beedon Church of England Primary School and Chieveley Primary School, before and after the proposed variation to share the Peasemore area, and showing the other schools in the local area, as supplied by the Council;
 - c. a copy of the Council's publication entitled "School Admissions Guide: Applying for a Primary School place for September 2013" (the composite prospectus) as supplied by the Council;
 - d. an extract from the minutes of a meeting of the School's governing body dated 19 November 2012 at which the proposed variation was discussed, as supplied by the Council;
 - e. an extract from the minutes of a meeting of the governing body of Chieveley Primary School dated 4 December 2012 at which the proposed variation was discussed, as supplied by the Council;
 - f. a copy of the notification sent by the Council to all schools in West Berkshire, dated 10 January 2013;
 - g. a copy of the notification sent by the Council to neighbouring local authorities, dated 14 January 2013;
 - h. emails from the Council dated 7 and 21 March 2013 in response to requests by the Adjudicator for further information;
 - i. emails from Chieveley Primary School dated 4 March and 13 April 2013 supplying further information regarding the proposed sharing of the Peasemore area;
 - j. an email from the School dated 17 April 2013 supplying further information regarding the proposed sharing of the Peasemore area; and
 - k. an email from the Chair of Governors of The Ilsleys Primary School dated 24 April 2013.

Background and consideration of factors

6. The admission arrangements for 2013/14 for community and voluntary controlled schools have already been determined and published in the Council's composite prospectus entitled "School Admissions Guide: Applying for a Primary School place for September 2013". However the Council has

requested an in-year variation to those determined arrangements so as to change the catchment area for the School to include the Peasemore area. As the Peasemore area is currently within the catchment area of Chieveley Primary School, the proposed variation would result in Peasemore becoming an area shared between Chieveley Primary and the School.

7. Beedon Church of England Primary School is a voluntary controlled school for children aged 4 to 11 years of age, with a published admission number (PAN) of 7 and a total number on roll of 43 children. The Council states that the School has experienced very low pupil intakes recently and that the reason for the proposed variation is in response to the School's governing body 'seeking to improve and increase the pupil intake for 2013-14 and going forward by having the Peasemore area included again as part of the School's catchment area'. From the statistics published on page 73 of the composite prospectus, it is evident that the number of parents expressing a preference for the School has been relatively small for the last five years.

8. Prior to the year 2000, Peasemore was part of the School's catchment area. By this time the Council had become one of six new unitary authorities formed after Berkshire County Council had been dissolved. The Council carried out an extensive review of the catchment areas of the 79 schools in West Berkshire, including the School and also Chieveley Primary School. The Council have reported that the review involved meetings between the new West Berkshire admission team, head teachers and school groups that were in existence at that time. The admission arrangements and new catchment areas for community and voluntary controlled schools were subsequently agreed by the Council for the 2001 determined admission arrangements.

9. Although the Peasemore area changed from the School's catchment area to that of Chieveley Primary School more than 10 years ago, the Headteacher and Chair of Governors of the School state in their email of 17 April that until recently the School still believed Peasemore to be part of its catchment area and that children travelling from Peasemore to the School have been provided with transport by West Berkshire. The School explained that it was only after Peasemore parents had phoned the Council for details of their local catchment school, and were told that it was Chieveley Primary School, that the change in catchment area became apparent to the School.

10. The School then requested an urgent review, convinced that the change to the catchment area change has had an impact on pupil numbers because the effect of this change was to remove the only other area containing residential housing, and to replace it with an agricultural field.

11. An extract from the minutes of the meeting of the governing body of the School held on 19 November 2012 indicates that the School was pleased to have worked with the Council to change the catchment area to include Peasemore, to be a joint area with Chieveley Primary School. The School believed that this would have the advantage that parents calling would now be offered both schools and would also be able to ask for transport.

12. In an extract from the minutes of the Chieveley Primary School

governing body meeting of 4 December 2012, the Headteacher advised the governing body that she had no wish to change current options for parental choice but that a compromise had been agreed so that Peasemore would be designated as the only joint catchment area in Berkshire. The minutes state that the Council will review the situation in July 2013, with the implication that the compromise to share Peasemore has not been agreed as permanent.

13. In their joint response by email on 4 March 2013, the Headteacher and Chair of Governors of Chieveley Primary School confirmed that the governing body was willing to compromise by accepting that the Peasemore area would be a shared catchment area. However, the Headteacher and Chair of Governors advised that the governing body would have serious concerns about the impact on pupil numbers and resulting financial implications if Chieveley Primary was to lose Peasemore as part of its catchment as a permanent arrangement. The Headteacher and Chair of Governors submit that although the earlier catchment area change in 2001 was without apparent consultation, it was part of a county-wide review when many catchment areas were changed, and that it would therefore seem difficult to unpick this particular change without reviewing all the changes that were made at that time. The Headteacher and Chair of Governors also report that Peasemore Parish Council favour the new arrangements in order to maintain links between Peasemore and Chieveley Primary School. In a further email response dated 13 April 2013, the Headteacher of Chieveley Primary School advised that the number of children involved was very small.

14. The Council had notified all schools in West Berkshire of its intention to request a variation by email on 10 January 2013, notified the neighbouring local authorities on 14 January and stated that there were no responses. In addition to Chieveley Primary School, the Ilsleys Primary School is also within three miles of the School, and in an email response of 24 April 2013, the Chair of Governors confirmed that notification of the proposed variation had been received but there had been no strong feelings on the catchment change affecting Peasemore.

15. In their email of 7 March 2013 the Council confirmed that there would be 'no appreciable effect on other schools in the area and the overall impact to looks neutral particularly because the number of children entering the system at reception from the Peasemore area over the previous six years is small, between one and three and the village itself is small. Further under the equal preference system, at application, so long as a school is named as one of the 3 preferences an allocation will be made appropriately. The sharing of the area gives parents in the Peasemore area more choice. This does not impact on the Ilsleys either as allocations are based on the schools named as preference as usual'.

Conclusion

16. I am satisfied that the Council notified the appropriate bodies of the proposed variations and am reassured by the Council that the proposed variations will have no adverse impact on neighbouring schools.

17. The proposal that Peasemore become a shared catchment area for both the School and Chieveley Primary School would formalise and clarify a situation that appeared to exist already. In the process, Peasemore parents would effectively have priority for two schools.

18. On the basis of the evidence available to me, I am persuaded that the proposed variation to change the 2013/14 determined admission arrangements for community and voluntary controlled schools so that the Peasemore area will be a shared priority area between the School and Chieveley Primary School is both a logical and sensible compromise to clarify the position that had not been clear to all. I therefore approve the proposed variation.

19. The 2013/14 arrangements must now be amended to reflect the detail of this determination.

Determination

20. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the 2013/14 admission arrangements determined by West Berkshire Council for community and voluntary controlled Schools.

21. I determine that the catchment area of Beedon Church of England Primary School will be changed so as to share the Peasemore area with Chieveley Primary School, with effect from 1 September 2013.

Dated: 3 May 2013

Signed:

Schools Adjudicator: Cecilia Galloway