

DETERMINATION

Case reference: VAR/000506

Admission Authority: The London Borough of Redbridge

Date of decision: 13 May 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 the London Borough of Redbridge for Mayespark Primary School so that, for September 2011, the School's admission number for the Reception year will increase from 90 to 120.

The referral

1. In a letter dated 8th April 2011, the London Borough of Redbridge ("the Council") referred a variation to the Adjudicator about the admission arrangements ("the Arrangements") for Mayespark Primary School ("the School"), a community school, for September 2011. The Council are seeking to vary the published Arrangements by increasing the admission number for the Reception year from 90 to 120 for September 2011.

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 Code").

5. The documents I have considered in reaching my decision include:

- the Council's variation request form and supplementary

information;

- minutes of the meeting of the School's governing body held on 17th March 2011;
- a letter from the Chair of the School's governing body to the Council dated 31st March 2011; and
- a copy of a letter notifying local admission authorities about the proposed variation.

Background

6. The Council is facing a shortage of primary school places in September 2011. At its meeting on 5th March 2010, the Council's Cabinet made a capital provision of £30m to meet this demand, including the provision of 10.5 additional forms of entry into the Reception year.

7. The local pressure on Reception places for September 2011 has recently increased due to the following factors:

- A delay to the opening of a new, four form entry, primary school due to unforeseen difficulties encountered in securing the site. This school was scheduled to open in September 2011 but it is now unlikely this will occur until September 2012.
- The number of applications for Reception places has increased significantly from 2010 to 2011. The Council reports an 11% (411 children) year on year increase in on-time applications plus, by the time of this referral, a further 165 late applications.

8 In the Council's view, and I agree, these factors represent a major change in circumstances since the Council's admission arrangements for the School were determined on 23rd March 2010. As one element of the Council's response to these increased pressures it is seeking to vary the admission number for the Reception year at the School from 90 to 120 for September 2011. This increase will be accommodated within the School's existing buildings. The Council and the School's governing body have agreed to permanently expand the School and increase the admission number to 120 from September 2012.

Consideration and Conclusion

9 The Council has provided evidence of a shortfall between the demand for, and supply of, primary school places. It has taken a systematic approach to addressing this shortfall, has properly consulted on its plans, and has made the necessary capital resources available. Despite this, the factors referred to in paragraph 7 above have further increased pressure on Reception places for September 2011. During the consultation exercise associated with this proposal, no representations have been made by any other admission authority.

10 The proposal was discussed at a meeting of the School's governing body held on 17th March 2011. Following this meeting, the Chair of the School's governing body wrote to the Council on 31st March 2011. This letter states "*I am writing to confirm the governor's decision to agree to a temporary (additional) reception cohort (of 30) for September 2011 and a permanent 1FE expansion for September 2012.*"

11 Since the deadline for applying for school places has passed, I have considered whether the timing of this proposal could result in any possible prejudice being caused to parents. As the proposal will enable more places to be available I have concluded that such a possibility is highly unlikely. I believe that the proposed variation is reasonable and I therefore approve it.

Determination

12 In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by the London Borough of Redbridge for Mayespark Primary School so that, for September 2011, the School's admission number for the Reception year will increase from 90 to 120.

Dated: 13 May 2011

Signed:

Adjudicator: John Simpson