

## DETERMINATION

**Case references:** VAR/000544, VAR/000546 & VAR/000547

**Admission Authorities:** Governors of St Walburga's RC Primary School, VAR/000544  
Bournemouth Borough Council VAR/000546 & VAR/000547

**Date of decision:** 1 December 2011

### Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the requested variations to the admission arrangements of:

**St Walburga's RC Primary School, Bournemouth determined by the School's Governing Body;**  
**Kinson Primary School and Pokesdown Primary School - determined by Bournemouth Borough Council.**

In each case the variation requested is to provide an additional 30 Reception places by increasing the published admission Number (PAN) from 60 to 90 places.

I determine that for admissions in September 2012 the published admissions arrangements for each of the above schools shall be varied to include a PAN of 90 places in the reception class.

### The referral

1. St Walburga's RC Primary School, ("the VA School") has referred a variation to the Adjudicator about its admission arrangements ("the arrangements") for September 2012. Bournemouth Borough Council (the "LA") has referred a variation to the Adjudicator about the admission arrangements ("the arrangements") for two Primary Schools, Kinson Primary and Pokesdown ("the Community Schools") for September 2012. The variations being to amend the arrangements, in each case, to provide an additional 30 Reception places by increasing the Published Admission Number ("PAN") from 60 to 90 places.

### 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. The variation requests arise from increasing demand for school places in the area which appears to the admission authorities to constitute a "major change in circumstances". At the time the admission arrangements were determined (April 2011) the LA was aware that there was likely to be a shortfall in the supply of primary school places but were, at that stage, unsure to what extent and where within the borough additional places could best be provided. In the light of improved data and with the benefit of consultation with receiving schools the admissions authorities are now in a position to request appropriate variations. I am satisfied that the proposed variations are 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). The documents I have considered in reaching my decision include:

- the LA's and the School's referrals of 3<sup>rd</sup> November 2011 and 23<sup>rd</sup> November 2011 respectively and supporting documents; and
- the determined arrangements for 2012/2013 and the proposed variations to those arrangements.

### **Background & Consideration of Factors**

5. Early in 2011 LA officers identified a probability that additional primary places would be required for the 2012/13 year but that updated forecasts would be prepared in June once more data was available. Consequently, the LA Cabinet agreed to look at various options for additional short or long term provision. Options for providing additional places were recognised as becoming increasingly complex and expensive particularly in view of the forecast continued increase in pupil numbers beyond 2012. A programme board was therefore set up to consider the long term level of forecast demand and provide the appropriate number of school places. The aim is to secure sufficient school places each year, to meet rising demand, including a small level of surplus in the primary sector and that these places are of a suitable quality, located in places close to demand.

6. The previously agreed number of school places for the Reception year group across the borough for the 2012/13 year was 1860. The updated forecasts taking account of the number of offers made for the 2011/12 intake year is 1927, a shortfall of 67 places. The provision of additional places beyond this is desirable to facilitate parental preference and movement into and around the borough. It was therefore estimated that four additional forms entry would be required to meet the forecast deficit. Further whilst existing

spare capacity was located in schools towards the west it was anticipated that the greatest additional demand for places would be experienced largely in the centre and east of the borough. It would therefore be desirable to put additional places as near as possible to the areas of demand in order to meet the preferences of parents and reduce home to school transport costs. Following the availability of the updated forecasts discussions were held with a number of schools regarding the possibility of their temporarily increasing in size to meet the shortfall in provision forecast for the 2012/13 year.

7. Wider consultations were undertaken with the following groups prior to the original admission numbers being set in March 2011.

- All Bournemouth Schools
- Neighbouring Children's Services Councils
- Schools within a 3 mile distance of the Borough Boundary
- Diocesan Boards
- Children's Services Overview and Scrutiny Panel
- Admissions Forum
- Parents

Consultees were given updated information on the expanded number of school places required and informed about the proposed variations.

8. As a result of these consultations three additional reception classes are planned - with discussions continuing to secure a fourth. Two specific expansion options have been identified for community schools as follows:

- **Kinson Primary School** - increase by 30 places to make a total of 90 places in Reception in September 2012
- **Pokesdown Primary School** - increase by 30 places to make a total of 90 places in Reception in September 2012

9. Additionally discussions were held with St Walburga's Catholic Primary School and the Portsmouth Catholic Diocese as to whether it would be possible, on a temporary basis, to increase the number of places at the school for September 2012 to meet the unmet demand in the centre and east of the borough for Catholic places. Both The Governing Body and the Diocese were supportive of a temporary expansion of the school by 30 places. The Governing Body as the admission authority for the school with the support of the LA agreed to request an increase of 30 places

10. The LA has considered relevant financial and resource implications. The revenue requirements of additional pupils will be met through the Dedicated Schools Grant (DSG) in line with the existing schools revenue funding. Schools will receive one-off funding for in-year expansion and this will be used to provide the additional resources needed. The capital costs of delivering any proposals which require additional accommodation to meet increased pupil numbers will be met from existing capital funding. An environmental impact assessment was completed regarding the requirement for the necessary additional school accommodation with generally positive outcomes. Although there will be more home-to-school journeys and greater

use of resources at schools, there would also be an opportunity to reduce the overall carbon footprint of the schools via any necessary building projects. By locating additional school places in the areas of high population growth, emissions from home to school journeys could also be minimised.

11. The Code says admission authorities “**must not** [refer a variation to the Adjudicator] once the deadline for applying for a school place has passed, unless a major change in circumstances makes this unavoidable.” (Paragraph 4.26 page 61). The common deadline for primary phase applications in Bournemouth is 15<sup>th</sup> January 2012 so this request has been submitted in sufficient time to notify parents with reception aged children that additional places will be available for September.

### **Conclusion**

12. These requests for PAN variations arise from rising population and the need to provide a sufficiency of school places. They have been supported by all key interested parties, Governors, the LA and, in the case of the VA school, the Diocese; and they have not encountered opposition from any of those who have been informed. I have identified no compelling factors that would lead me to do anything other than approve them and I so determine.

### **Determination**

13. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the requested variations to the admission arrangements of:

- St Walburga’s RC Primary School, Bournemouth determined by the School’s Governing Body;
- Kinson Primary School and Pokesdown Primary School - determined by Bournemouth Borough Council.

14. In each case the variation requested is to provide an additional 30 Reception places by increasing the published admission Number (PAN) from 60 to 90 places.

15. I determine that for admissions in September 2012 the published admissions arrangements for each of the above schools shall be varied to include a PAN of 90 places in the reception class.

Dated: 1 December 2011

Signed:

Schools Adjudicator: Alan Parker