

## **DETERMINATION**

**Case reference:** VAR/000561

**Admission Authority:** Buckinghamshire County Council

**Date of decision:** 22 December 2011

### **Determination**

**In accordance with section 88E of the School Standards and Framework Act 1998, I approve a variation to the admission arrangements for September 2012 for Robertswood Combined School, so that its present catchment area shall, for the purposes of admissions at age 4+ only, be enlarged to include the present catchment area for Chalfont St Peter Infant School on a shared basis.**

### **The referral**

1. Buckinghamshire County Council ("the Council") has referred a variation to the Adjudicator about the admission arrangements ("Arrangements") for Robertswood Combined School ("the School"), a community school, such that its present catchment area should be enlarged to include the present catchment area for Chalfont St Peter Infant School ("CSP"), a voluntary controlled Church of England school, on a shared basis.

### **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 of 25<sup>th</sup> November 2011, together with maps showing the present and proposed catchment areas and other supporting information, and further letters and information in response to my enquiries; and

the arrangements as originally determined by the Council, as provided on its website.

### **Consideration of Factors**

6. Due to a major change of circumstances, namely an increase in demand for primary school places in Chalfont St Peter, the Council, with the approval of the schools involved, wishes to avoid oversubscription for primary school places resulting in places at local schools being taken up by children from further afield at the expense of local children.

7. The Council has explained that, although the total provision of primary school places at local schools has been sufficient to meet local demand, it is concerned that inward migration of pupils, a reduction in the number of children attending independent schools and other child population fluctuations might cause that no longer to be the case. In particular, the Council has noted a 20% increase in demand for places at CSP from 2010 to 2011, and a probable 50% increase from 2011 to 2012. It is particularly concerned about a prospective one-year 'bulge' demand for places at CSP. Therefore, the Council wishes to give parents living in CSP's catchment area a second equal priority by enlarging the School's catchment area to include CSP's catchment area on a shared basis. All parts of CSP's catchment area, the Council says, are within a two mile walking distance of the School.

8. The School has an admission number of 58 for 2012 and admitted 48 children in September 2011. CSP has an admission number of 60 and last admitted 55 children. The Council has told me that St Joseph's Roman Catholic Primary school, situated in CSP's catchment area, prioritises Roman Catholic children from a wider area. Chalfont St Peter Church of England Academy, a junior school, has an admission number of 90, and last year admitted 90 children. Since this last school could be affected if parents chose the School instead of CSP and left their children at the School for their junior years, I particularly enquired as to its view of the proposed variation. The Academy has not expressed any concern in its response to the Council. The School's governing body has expressed acceptance of the proposed variation. CSP's governors, whom the Council has assured me has been informed of the proposed variation, have expressed no concern, the headteacher has expressed no concern in her response to the Council, and the chair and vice chair have, the Council has told me, said they have no objection.

9. The Council had not at first recognised the requirement in the Act that it should notify certain of those previously consulted before the original determination of the Arrangements of the proposed variation, as well as consulting the school to which the variation would apply. However, I am satisfied, on the basis of assurances from the Council, that sufficient notification has now taken place, (including notification of the Diocese of Oxford, since two Church of England schools are involved), and that no

responses have been received that indicate any concern about the proposed variation.

10. I raised with the Council the matter of in-year applications, and it concurred with my view that it would not be helpful to its intentions if the proposed variation applied to such applications. I am therefore limiting the variation to apply to admissions at age 4 only, so as to avoid in-year admissions being made to other year groups at the School on the same basis, which would not contribute to the Council's intentions.

### **Conclusion**

11. On the basis of the Council's overall intentions, and on the basis of there having been no expressions of concern, I am approving the variation with the modification implied in paragraph 10, above.

### **Determination**

12. In accordance with section 88E of the School Standards and Framework Act 1998, I approve a variation to the admission arrangements for September 2012 for Robertswood Combined School, so that its present catchment area shall, for the purposes of admissions at age 4+ only, be enlarged to include the present catchment area for Chalfont St Peter Infant School on a shared basis.

Dated: 22 December 2011

Signed:

Schools Adjudicator: Canon Richard Lindley