

## **DETERMINATION**

**Case reference:** VAR/000528

**Admission Authority:** Devon County Council

**Date of decision:** 9 August 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 Devon County Council for Hatherleigh Community Primary School.**

**I determine that for admissions in September 2011 and 2012 the admission number shall be 30.**

### **The referral**

1. Devon County Council (the LA) referred a variation to the Adjudicator about the admission arrangements for Hatherleigh Community Primary School (the School), for September 2011 and September 2012. The request is to increase their Planned Admissions Number (PAN) from 22 to 30.

### **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:

- a. The referral form dated 25 July 2011
- b. The relevant minute of the school Governing Body dated 3 February 2011
- c. The consultation brochure dated February 2011
- d. The consultation distribution list
- e. The Public Notice dated 28 April 2011
- f. The net capacity assessment
- g. The determined admissions arrangements

## **Background**

### Pupil Numbers

6. Hatherleigh School is generally popular and oversubscribed. Admissions to Reception over-PAN have taken place in previous years, particularly where previously unknown local children have submitted applications. This has partly been due to small but regular numbers of new houses being built. There is every reason to suppose that this will continue to be a trend.

Past Pupil Numbers			
Year	PAN	Applications	Admitted
2006-7	20	31	25
2007-8	20	25	23
2008-9	22	33	29
2009-10	22	27	23
2010-11	22	21	15
2011-12	22	35	28
Year	PAN		Projected applications
2012-13	30		40
2013-14	30		32
2014-15	30		27

7. The local area development plan will provide 170 new homes in the area, and building work is well under way. It is estimated that this will lead to a further 6 children applying for Reception each year, numbers already allowed for in the above table.

### Accommodation

8. In 2007/2008 the school had a net capacity of 140, but was able to reorganise the rooms to provide two extra classroom spaces. This has been adequate for the 152 children on roll in September 2010 and even for the 164 children on roll in spring 2011.

9. However, there will not be enough accommodation for all the children in the school in September 2011, so the LA decided to expand the School by providing an additional temporary single classroom together with some further existing space within the school in order to accommodate 1 form of entry throughout. However, this decision was made on condition that a request for an In-Year Variation was made to the Adjudicator.

10. The School agreed to the proposal on 3 February 2011.

11. Planning consent has been obtained for the single classroom, and funding is in place.

### Impact on other schools.

12. Surplus primary-phase places in the Okehampton Learning Community, of which Hatherleigh is a part, are around 12%. However, this expansion is to meet demand from within the rural town of Hatherleigh itself, and the three neighbouring schools, all of which are several miles away, have not objected to the proposals.

### Impact on education

13. Expanding the school to operate with a PAN of 30 would have the added benefit of making class organisation more straightforward, with year groups being taught in single classes

### **Consideration of factors and conclusion**

14. Although the town has been growing for a number of years, the County Council reached the conclusion only at the beginning of 2011 that the School would require additional accommodation for September 2011. The Council argues that this constitutes, in accordance with Section 88E(1) of the SSFA 1998, "a major change in circumstances", and I agree with this assessment.

15. It would be possible to proceed with providing the new classroom without the granting of a Variation for 2011. Given the timing of the request, the school has already offered 28 places, as the table in paragraph 6 shows. I did consider that granting a Variation for 2011, however logical it might seem, might create problems for some children who missed out on a place with the PAN of 22, but would have obtained a place had the PAN been 30 at the time.

16. Nevertheless, given that they have asked for a Variation to increase the PAN for 2012 it would seem sensible to agree a similar Variation for 2011 not least in order that the building work can go ahead without delay.

17. This is a local school serving a growing number of local children living

in an expanding local community. It seems right that appropriate accommodation should continue to be provided for them, and that the School is thereby helped to organise their life coherently as a 1 form of entry school

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Dated: 9 August 2011

Signed:

Schools Adjudicator: Dr Stephen Venner