



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: VAR691

Admission Authority: London Borough of Havering for Parsonage Farm Primary School, Rainham, Essex.

Date of decision: 28 July 2016

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 Havering for Parsonage Farm Primary School.

I determine that for admissions in September 2017 the published admission number shall be 90.

The referral

1. The London Borough of Havering, which is the local authority (the LA) and the admission authority for the school, has referred a variation to the Adjudicator about the admission arrangements for Parsonage Farm Primary School (the school), a community school for pupils aged 4 to 11 for September 2017. The variation requested is to reduce the published admission number (PAN) of the school from 120 to 90 as the intended expansion of the school cannot proceed as planned; the LA intends to revoke the expansion proposal.

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.
5. The documents I have considered in reaching my decision include:
 - a. the LA’s form of referral of 12 July 2016 and supporting documents;
 - b. the minutes of the meeting on 5 March 2016 at which the LA determined arrangements for 2017;
 - c. a copy of the LA’s booklet for parents seeking admission to schools in the area in September 2016;
 - d. documents relating to the proposal to expand the school and the intended revocation of that proposal;
 - e. correspondence from the school supporting the decision to request a variation; and
 - f. a copy of the information within the revocation proposal notifying the appropriate bodies about the proposed variation.

Background and consideration of factors

6. The school was a 630 place primary school with a PAN of 90. Due to the demand for extra school places in the area, the LA brought forward a proposal to provide the school with permanent additional accommodation. The LA proposed to enlarge the school to have 840 places with a PAN of 120. The statutory notice was published 28 March 2014 and the decision was taken by the council on 15 May 2014 to implement the proposal.
7. On 11 November 2014 the LA’s planning committee considered a planning application for the expansion of the school buildings and refused the application. However the LA determined the admission arrangements on 5 March 2016 with a PAN of 120 because it intended to resubmit the planning application at a later date. The planning committee considered the application again on 30 June 2016 and did not grant approval.
8. The school had sufficient existing accommodation to admit the extra pupils in 2016, but not in 2017. The LA has issued a statutory notice to revoke the proposal to expand the school and has provided evidence that it has notified the parties required of the request for this variation.
9. As the LA is not proceeding with expansion, it considers this to be a major change in circumstance requiring a variation. Without the building works there will be insufficient classrooms and facilities to admit four reception classes from September 2017. The LA reports that *“the Council is*

currently exploring alternative options for delivering the requisite additional local capacity on a long term basis”.

10. The school will not have the space to admit 120 pupils in September 2017 as was intended in the expansion proposal. The proposal to expand the school is being revoked because planning permission could not be obtained within the necessary timescale. I am satisfied that the proposed variation addresses the circumstances described.

Summary

11. I consider that the LA properly set admission arrangements with a PAN of 120 as it had decided to expand the school. It was unable to obtain planning permission and has been unable to expand the school as originally intended. The school will not have the classrooms and facilities required to admit 120 pupils in September 2017. I consider it appropriate to agree the requested variation to reduce the PAN to 90 for the reasons set out in the determination above.

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 Havering for Parsonage Farm Primary School
13. I determine that for admissions in September 2017 the published admission number shall be 90.

Dated: 28 July 2016

Signed:

Schools Adjudicator: Miss Jill Pullen