



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: VAR672

Admission Authority: Somerset County Council for St Mary's and St Peter's Primary School, Ilminster.

Date of decision: 15 September 2015

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Somerset County Council for St Mary's and St Peter's Primary School, Ilminster.

I determine that for admissions in September 2016 the published admission number shall be 8.

The referral

1. Somerset County Council, the local authority, has referred a variation to the Adjudicator about the admission arrangements for St Mary's and St Peter's Primary School (the school), a Church of England, voluntary controlled primary school for pupils aged 4 -11 years for September 2016. The variation requested is to reduce the published admission number (PAN) from 16 to 8. The school previously operated on two sites; from 1 September 2015 the site at Barrington was closed, reducing the capacity of the school.

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”.

I am satisfied that the proposed variation is within my jurisdiction.

Procedure

3. In considering this matter I have had regard to all relevant legislation and the School Admissions Code.

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

- a. the local authority’s form of referral of 27 July 2015 and supporting documents;
- b. the determined arrangements for 2016/2017 and the proposed variation to those arrangements;
- c. a copy of the local authority’s booklet for parents seeking admission to schools in the area in September 2016;
- d. information about the proposal and decision to close the Barrington site; and
- e. comments from the faith body, the Diocese of Bath and Wells, (the diocese).

Background and consideration of factors

5. The school was formed in the mid 1990s as an amalgamation of Barrington and Ilton First Schools. The school has operated over two sites, one in the village of Ilton and one in the village of Barrington. In 2009, the school changed the age range from 4-9 to 4-11 years thus becoming a primary school. However, the local authority reports that most pupils still transfer to Swanmead Middle School in Ilminster at the end of year 4. Last year there were only five pupils registered at the base, in the age range Year R to 5; there were no applications for reception places for September 2015. Following consideration of the declining numbers at the Barrington site, the governing body brought forward proposals to close one site, Barrington, of the split site school.

6. The governing body conducted a period of pre-publication consultation from 18 March 2015 to 4 May 2015. The formal proposal was published on 20 May 2015 and the formal consultation period expired 18 June 2015. On 8 July, the local authority, as the decision maker, approved the closure of the Barrington site.

7. The local authority had previously determined admission arrangements for the school for 2016, including a PAN of 16. Admission authorities are required by regulation 17 of the School Admissions (Admissions Arrangements and Coordination of Admission Arrangements) (England) Regulations 2012 and paragraph 1.46 of the Code to determine admission arrangements each year by 15 April. The local authority therefore had to determine arrangements for the school for 2016 even though the future of the school was under

consideration, as not to do so would have been to pre-empt the statutory process which the governing body was undertaking in order to close the Barrington site.

8. The local authority, as the admission authority and responsible for the provision of school places, considers the closure of one part of a split site to be an exceptional circumstance requiring a reduction in the PAN as the capacity of the school is now reduced. I see that an appropriate consultation was undertaken and note that the diocese supports the request. I am satisfied that the proposed variation addresses the change in circumstances described.

Conclusion

9. I consider that the local authority properly set admission arrangements with a PAN of 16 before the decision to close the Barrington site was taken. As that site is now closed, I approve the requested variation to reduce the PAN to 8 for the reasons set out in the determination above.

Determination

10. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Somerset County Council for St Mary's and St Peter's Primary School, Ilminster.

11. I determine that for admissions in September 2016 the published admission number shall be 8.

Dated: 15 September 2015

Signed:

Schools Adjudicator: Jill Pullen