

Determination

Case references: ADA3733, ADA3734, ADA3735 and ADA3736

Objector: a parent

Admission authority: Harrow Council for Kenmore Park Infant and Nursery School, Kenmore Junior School, Roxbourne Primary School and Longfield Primary School

Date of decision: 29 July 2020

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements for September 2021 determined by Harrow Council for Kenmore Park Infant and Nursery School, Kenmore Junior School, Roxbourne Primary School and Longfield Primary School.

The referral

1. Under section 88H(2) of the School Standards and Framework Act 1998, (the Act), an objection has been referred to the adjudicator by a parent (the objector), about the admission arrangements for September 2021 (the arrangements) for Kenmore Park Infant and Nursery, Kenmore Junior, Roxbourne and Longfield Primary Schools (the four schools). Kenmore Infant and Nursery School is for children aged three to seven years. Kenmore Junior School is for children aged seven to eleven years. Roxbourne and Longfield Primary Schools are for children aged three to eleven years. The objection is to the consultation on changes to the arrangements and to the reduction in the published admission numbers (PANs) set for each of the schools.

2. The schools are all community schools, therefore, the local authority, Harrow Council, is the admission authority for the schools in this case, all of which are situated in its area. The local authority and the objector are the parties to this objection. The governing boards of the four schools were given the opportunity to comment on the objection and three chose to do so.

Jurisdiction

3. These arrangements were determined under section 88C of the Act by the local authority as the admission authority for the schools. The objector submitted his objection to these determined arrangements on 15 May 2020. The objector has asked to have his identity kept from the other parties and has met the requirement of Regulation 24 of the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 by providing details of his name and address to me. I am satisfied the objection has been properly referred to me in accordance with section 88H of the Act and it is within my jurisdiction.

Procedure

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

- 5. The documents I have considered in reaching my decision include:
 - a. a copy of the minutes of the meeting of the local authority at which the arrangements were determined;
 - b. a copy of the determined arrangements;
 - c. the objector's form of objection and further correspondence from the objector;
 - d. comments from the schools on the objections;
 - e. information available on the websites of the local authority and the Department for Education; and
 - f. the local authority's response to the objection and answers to my enquires such as information on the most recent consultation on the arrangements; maps of the area identifying relevant schools and their planning areas; and data on the admissions to schools in recent years and forecasts of future admissions.

6. I have also taken account of information received during a meeting I convened on 3 July 2020. This meeting was held virtually due to the Covid 19 pandemic. The objector chose not to attend and so the meeting was held with the local authority only.

The Objection

7. The objection has two components. One is that the consultation was flawed in that it was not easy to respond to the consultation and that insufficient notice was taken of the responses. The second component is that the PANs of the four schools were reduced which the objector says will limit choice for parents and put undue pressure on other schools.

Consideration of Objection

8. The local authority area is in north west London. It is thus a largely urban area with other London boroughs on three sides and Hertfordshire to the north. The local authority told me that it had, as had many London local authorities, increased the number of places available for primary education in previous years to meet an anticipated rise in demand. The local authority explained that the number of primary places available had been expanded by 900 and that the majority of those places were at previously oversubscribed schools.

9. The growth in demand has now dropped and there have been significant numbers of surplus places at a number of schools. The local authority wishes to reduce the number of surplus places and its incentive to do so flows from the fact that schools are largely funded on the basis of the number of children attending them. Infant class size regulations mean that infant classes (those where the majority of children will reach the age of 5, 6 or 7 during the school year) **must not** contain more than 30 pupils with a single school teacher. This can mean that vacant places can lead to organisational problems in terms of class sizes and financial difficulties for schools. I will consider these points in more detail below.

10. First, I consider the consultation undertaken before the arrangements were determined. The local authority consulted on reducing the number of places available for the point of admission to the four schools for 2021. The local authority told me that there are 40 state funded primary schools in its area. Of the 40 schools, 27 are maintained by the local authority and 24 of these are community schools and the local authority is their admission authority. There are no voluntary controlled schools in the area. The local authority undertook a consultation on its arrangements for the 24 community schools for admission in 2021. The local authority told me that it consults on its arrangements every year in order to bring attention to the arrangements. The Code sets specific requirements for consultation and these are stated in paragraphs 1.42 to 1.45 of the Code. Paragraph 1.43 states that the consultation must be for a minimum of six weeks. The local authority told me that its consultation was between 11 November 2019 and 20 December 2019 and acknowledged that this was less than the minimum six weeks required by the Code. Six weeks are 42 days and the consultation period in this instance was 40 days. The local authority told me that 20 December 2019 was the last day of the school term which was why this date was selected and that responses received up to 22 December 2019 would have been considered. However, the consultation did not comply with the Code in respect of the length of the consultation.

11. Paragraph 1.44 of the Code states: "Admission authorities **must** consult with:

a) parents of children between the ages of two and eighteen;

b) other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions;

c) all other admission authorities within the relevant area (except that primary schools need not consult secondary schools);

d) whichever of the governing body and the local authority who are not the admission authority;

e) any adjoining neighbouring local authorities where the admission authority is the local authority; and

f) in the case of schools designated with a religious character, the body or person representing the religion or religious denomination."

12. The local authority provided me with evidence of the ways in which it informed these people and bodies of the consultation which leads me to believe that the consultation complied with the Code in this regard.

13. The objector explained that he did not find the method of responding to the consultation easy or secure. The objector said that it was necessary to print off a comment form, complete it and then send it to a named officer's email address which was less easy than completing an online form. The objector also said that he did not feel comfortable with sending his response to a named officer as "Ideally, in these sensitive matter, a fully Online submission form where proper data security should have been provided." However, paragraph 1.45 of the Code says, "For the duration of the consultation period, the admission authority must publish a copy of their full proposed admission arrangements (including the proposed PAN) on their website together with details of the person within the admission authority to whom comments may be sent [underline added for emphasis]." It is therefore necessary for any consulting admission authority to provide the details of a person to whom comments may be sent and the local authority complied with the Code in this regard. I accept that an online form may be easy for potential respondents to a consultation to use but there is nothing in the Code which prohibits the method used. This individual would have preferred to respond online; others may prefer to respond by post. In any case, the consultation met the Code's requirements in this regard.

14. The objector said in his objection that "residents' opposition to school places reduction is not published (ref. Harrow website as viewed on today's date 15-May-2020) & doesn't seems to be addressed." I therefore looked particularly carefully at the responses to the consultation and how these were considered by the local authority. I found that the two responses received relating to the consultation had been considered. The two responses were published in the Council's Cabinet papers. The paper to Cabinet recorded that both respondents were not in agreement with the proposals to reduce the number of places in the schools listed and said, "One expresses concern about there being sufficient places. The other respondent makes reference to their concerns that are not sufficient places at some schools and suggest that the number of places at Avanti House Primary School should be increased." Two responses do not indicate significant opposition in an area as populous as that of the local authority. I also note that increasing the number of places and sugal the schools and suggest places nearby may not be good use of public funds and

that the expansion of an academy school, such as Avanti House Primary School, is not within the gift of the local authority.

15. As there was little evidence regarding "*residents' opposition*" as referred to in the objection I asked the objector if he had any further evidence that he would like to supply but none was forthcoming. I therefore find that the consultation met the requirements of the Code, except that the consultation was not for the minimum of six weeks and I partially uphold this part of the objection.

16. The second matter in the objection was to the reduction in the number of places available to children in the area for 2021. The objector confirmed that this referred to the four schools. The reductions in their PANs were as follows:

- a. Kenmore Park Infant: from a PAN 120 to 90
- b. Kenmore Park Junior: from a PAN of 120 to 90
- c. Longfield: from a PAN of 120 to 90
- d. Roxbourne: from a PAN of 90 to 60

17. This is a reduction of 90 places for YR overall and 30 places for Year 3 (Y3). The schools concerned were informed of the objection and three commented on the matter and expressed their support for the reduction, their reasons for their support and explained their ability and willingness to admit above the PAN should there be sufficient demand. I will consider these matters below. In his comments the objector focused more on the overall effect of the reduction in the number of places rather than the reduction at particular schools and so I will consider the local authority wide picture before considering the circumstances of the four individual schools.

18. The local authority has a dual role regarding school places. It is the admission authority for the community schools but every local authority also has a duty to make sure that there are sufficient school places for the children in its area. Local authorities meet this duty by several means, one is to forecast the need for school places and then planning to meet that need. I asked the local authority to provide data on the number of school places for YR across the local authority and the number of children admitted in 2019 and allocated to children for 2020. This information is shown in table 1.

Table 1: total number of places and children for YR in 2019 and 2020 and forecast for 2021

| | Total places available | Children admitted or expected to be admitted | Difference between available places and actual or expected number of children | Difference as a percentage of total available |
|------|---------------------------|---|--|---|
| 2019 | 3390 | 3078 (October | 312 | 9% |
| | | census) | | |
| 2020 | 3390 | 3114 | 216 | 6% |

| | | (allocated at | | |
|------|------|---------------|----|----|
| | | 16 April | | |
| | | 2020) | | |
| 2021 | 3300 | Forecast | 57 | 2% |
| | | 3243 (July | | |
| | | 2019) | | |

19. Local authorities' forecasts are based on factors such as birth rates; population numbers; popularity of schools; and housing developments. In this case, the local authority's forecasts are informed by demographic reports from the Greater London Authority (GLA). The local authority told me that reports from the GLA provide a series of projections which are then developed using local knowledge. The forecast for 2021 shown in table 1 is based on baseline figures provided by the GLA in July 2019 with two per cent added. The baseline figure for 2021 was 3179.

20. A proportion of vacant places between six and nine per cent, as shown for 2019 and 2020, is generous. Two per cent is less so. However, the local authority told me that since the forecast was made by the GLA in July 2019 that several house building projects have not materialised to their original timescales so fewer children are expected to require places at schools in the area. The data does not show that there is an unacceptable risk of insufficient places.

21. I also note that the Code permits admissions above the PAN and no consultation or variation to the arrangements is required for a PAN to be increased. Paragraph 1.4 of the Code also explains that, "*Admission authorities may also admit above their PAN in-year.*" This means that if the number of children requiring places is higher than those available then the number of places can be increased. As the local authority is both the body with the duty to make sure that there are sufficient school places and the admission authority for the 24 community schools then an increase could be achieved relatively simply. The objector has suggested that he would prefer the number of places to be higher and reduced if necessary when allocations have been made. I will consider the implications of this approach below.

22. The objector challenged the forecasts made and referred to some of the factors that could change the numbers such as the popularity of certain areas for those moving into the country; economic and political changes such as the United Kingdom leaving the European Union; and the possibility of an economic downturn possibly meaning fewer people being able to send their children to fee-paying schools. In addition, in an urban area there may be considerable movement of children into and out of other local authority areas. I note, however, that the local authority has provided data that shows sufficient school places for 2021. The local authority acknowledges the effects of the Covid 19 pandemic on the likely number of children are unknown but the local authority also explained that it has the capacity to increase the number of places should more be needed.

23. The objector provided data available on the local authority's website which showed that the number of applications has increased while the number of places has reduced and this was clearly a matter of concern to him. The data provided showed that there were 9595 applications for places in 2019 and 9628 in 2020 while the number of places available were reduced from 3390 in 2019 and 2020 to 3330 for 2021. At first glance that could suggest an alarming undersupply of places. That is not the whole of the story, however, as this figure can be easily misunderstood. All applications for places at state funded schools in normal admissions rounds by those living in Harrow are made on the local authority's common application form. This provides for a parent to express up to six preferences per child and families are encouraged to use all six. One of the outcomes of this is that the number of applications/preferences expressed for a school does not reflect in its entirety the demand for a particular school. There were, for example, 171 preferences expressed for Kenmore Park Infant School but only 85 children, considerably below its PAN of 120 were allocated places as at 16 April 2020. This shows that approaching half of those who stated a preference for this school probably had a higher preference for another school which was met. There is a similar pattern at the other schools where the PAN has been reduced.

24. I do note, however, that the number of children admitted, allocated or forecast to be admitted has increased between 2019 and 2021. In 2019 there were 3078 children admitted, in 2020 3114 children were offered a place on 16 April 2020 and the GLA has forecast that 3179 children will require a place (increased to 3243 by adding two per cent). The local authority brought to my attention that a new free school with a religious character is being opened in 2020 with a PAN of 60. Despite these fluctuations in supply and demand the data still shows that overall there are sufficient school places for the children of the area.

25. Local authorities commonly use geographical areas of schools, known as planning areas, to forecast the need for places more locally. In this case the planning areas listed by the local authority include one solely for schools with a religious character (often referred to as faith schools) which covers the whole of the local authority separately to the geographical planning areas. Two faith school have open places as well as those based on faith with the open places included in the geographical planning areas. In addition, there will be many parents who chose schools which are not in the planning areas in which they live, but schools in other planning areas or even other local authority areas. Forecasts of demand made on the basis of planning areas can give an indication of that demand but cannot predict precisely the number of children who will seek a school place at any given school.

26. I have considered the data provided to me by the local authority for the four schools in turn below. Kenmore Park Infant and Nursery School (the infant school) and Kenmore Park Junior School (the junior school), located in close proximity, are in the planning area known as the south east planning area. I consider these two schools first. Both schools were included in the previous expansion programme. The local authority bases its planning on seven schools in the south east planning area including two infant and two junior schools so five of the community schools admit children to YR.

27. Table 1 below is based on the south east planning area. It shows the names of the schools in the planning area which admit children to YR, the number of places available based upon the PANs in previous years and the number of surplus places. The number on roll (NOR) is based on the annual census undertaken in October. National offer day (NOD) refers to the number of places allocated for YR each year on or around 16 April. There are normally some changes in the numbers before the census date as parents make decisions on a variety of matters such as where they live or if places become available in other schools. The figure on NOD is, however, a reasonable indication.

| | 2018 | | | | 2019 |) | 2020 | | |
|-------------|------------|-----|---------|-----|------|---------|------|-----|---------|
| | PAN NOR Su | | Surplus | PAN | NOR | Surplus | PAN | NOD | Surplus |
| | | YR | places | | YR | places | | YR | places |
| Camrose | 60 | 60 | 0 | 60 | 58 | 2 | 60 | 56 | 4 |
| Glebe | 90 | 90 | 0 | 90 | 90 | 0 | 90 | 90 | 0 |
| Kenmore | 120 | 80 | 40 | 120 | 81 | 39 | 120 | 85 | 35 |
| Park Infant | | | | | | | | | |
| Priestmead | 120 | 119 | 1 | 120 | 120 | 0 | 120 | 120 | 0 |
| Stag Lane | 120 | 119 | 1 | 120 | 117 | 3 | 120 | 120 | 0 |
| Total | 510 | 468 | 42 | 510 | 466 | 44 | 510 | 471 | 39 |

Table 1: past patterns of places and allocations in the south east planning area

28. The data in table 1 show that demand for the infant school was such that the PAN of 90, determined for 2021, would have been sufficient to accommodate that demand. The objector has said that by reducing the number of places that parental choice would be frustrated. I note that for 2020 there were four allocations made where the school had not been named as a preference. There were 73 first preferences made for the infant school for 2020 and, as at 16 April 2020, four places were allocated to those who had not had a preference met at any of their preferred schools. The evidence is that all those who wished to attend the infant school in 2020 were able to do so and the number of places allocated was still below 90 which is the PAN set for 2021. There is no evidence that if the PAN had been set at 90 for 2019 and 2020 that parental choice would have been frustrated. I will now consider future demand for the south east planning area in table 2.

Table 2: local authority forecast for the need for places in the south east planning area

| | 2021 | | | 2022 | | 2023 | | | |
|-------|----------|------------|-------|----------|------------|-------|----------|------------|--|
| Total | Forecast | Difference | Total | Forecast | Difference | Total | Forecast | Difference | |
| PAN | | | PAN* | | | PAN* | | | |
| 480 | 496 | Deficit | 480 | 476 | Surplus 4 | 480 | 471 | Surplus 9 | |
| | | 16 | | | | | | | |

*Assumes PANs at all schools remain as set for 2021

29. Table 2 shows that with the PAN for the school set at 90 (as reduced from 2020 by 30 places), overall in the area there would be a deficit of 16 places in 2021 and a sufficiency of places in 2022 and 2023. I therefore asked the local authority for its

comments. The local authority explained to me that a local housing development had not been completed as planned and so the families anticipated to move into the area had not done so. The local authority did not expect the forecast deficit to materialise. In addition, there were vacant school places only a short distance away in the neighbouring planning area. The local authority expressed its confidence that those who expressed a high preference for the school would be able to secure a place as had occurred in 2020. I am assured that the PAN of 90 set for the infant school will still mean that there will be sufficient places for the children of the area and that parental preference will not be unduly frustrated.

30. The local authority told me that the majority of the children admitted to the junior school had previously attended the infant school. Therefore, the pattern of school admissions is closely aligned with the number of children admitted to the infant school. The year group that was admitted to the infant school in 2017 is currently seeking a place for Y3 for admission in 2020. Thus the year group admitted to YR in 2018 at the infant school will be the year group seeking admission to Y3 in 2021. Of course, they might not be the same children and the numbers may not be exactly the same. In addition, some children may move into the area and seek admission to Y3 or others leave their primary school to join a junior school but the numbers in the infant school provide an indication of demand for the junior school. Table 3 below shows the comparable numbers.

Table 3: numbers of children in YR at the infant school in the relevant year for admission to the junior school

| | 2017 | 2018 | 2019 |
|-----------|----------------------|-----------------------|-----------------------|
| | | | |
| Infant | 109 | 80 | 81 |
| NOR in YR | | | |
| | Children allocated a | Children likely to be | Children likely to be |
| | place for 2020 | admitted in 2021 | admitted in 2022 |
| Junior | 91 | 80 | 81 |
| NOR in Y3 | | | |

31. The year group which will join the junior school in 2021 has fewer than 90 children. The evidence is that a PAN of 90 for the junior school would be sufficient to meet demand. I also note that junior schools are not constrained by Infant Class Size Regulations so the local authority could admit over the PAN without the school having to create four classes if there were a demand for just over 90 as has occurred in 2020. I have no concerns that the PAN set at 90 for the junior school will mean that there are insufficient places or that parental preference will be frustrated.

32. I now turn to consider Longfield Primary School which is in the planning area known as the north west planning area. Longfield Primary School was expanded by the local authority in order to meet previous increased demand. There are six primary schools in this planning area and all admit children to YR. Table 4 below provides the names of the

schools in the planning area, the number of places available based upon the PANs in previous years and the number of surplus places.

| | 2018 | | | | 2019 | | | 2020 | | |
|------------|------|-----|---------|-----|------|---------|-----|------|---------|--|
| | PAN | NOR | Surplus | PAN | NOR | Surplus | PAN | NOD | Surplus | |
| | | YR | places | | YR | places | | YR | places | |
| Cannon | 120 | 105 | 15 | 120 | 115 | 5 | 120 | 120 | 0 | |
| Lane | | | | | | | | | | |
| Cedars | 90 | 62 | 28 | 60 | 59 | 1 | 60 | 56 | 4 | |
| Manor | | | | | | | | | | |
| Grimsdyke | 90 | 85 | 5 | 90 | 90 | 0 | 90 | 90 | 0 | |
| Longfield | 120 | 101 | 19 | 120 | 110 | 10 | 120 | 118 | 2 | |
| Pinner | 90 | 90 | 0 | 90 | 89 | 1 | 90 | 90 | 0 | |
| Wood | | | | | | | | | | |
| West Lodge | 90 | 89 | 1 | 90 | 93 | -3 | 90 | 90 | 0 | |
| Total | 600 | 532 | 68 | 570 | 556 | 14 | 570 | 564 | 6 | |

Table 4: the pattern of admissions in the north west planning area which includes Longfield Primary School

33. Table 4 shows that there were 30 fewer school places for YR in 2020 compared to 2019 and that the total of the PANs for the schools in the planning area at 570 is only just above the number of admissions made in 2019 and the allocations for 2020. Table 5 below shows the forecast admissions for the north west planning area including the reduction by 30 places for Longfield Primary School so that it has a PAN of 90 for 2021.

Table 5: local authority forecast for the need for places in the north west planning area

| | 2021 | | | 2022 | | 2023 | | | |
|-------|----------|------------|-------|----------|------------|-------|----------|------------|--|
| Total | Forecast | Difference | Total | Forecast | Difference | Total | Forecast | Difference | |
| PAN | | | PAN* | | | PAN* | | | |
| 540 | 534 | Surplus 6 | 540 | 540 | 0 | 540 | 536 | Surplus 4 | |

*Assumes no changes in the PAN of any school

34. Table 5 illustrates that the total of the PANs for the schools in the area is very close to the number of places forecast to be needed. The number of places offered for Longfield Primary School on national offer day for 2020 was 118. This is above the PAN of 90 set for 2021. I therefore asked the local authority to explain the reduction given the evidence of demand in 2020. The local authority explained that the numbers of children attending the school dropped quickly after admission and that this caused problems for the school. The problems were that the school would establish four classes with all the ensuing costs, mainly in staff, and then the number of children would reduce. As schools are largely funded on the basis of the numbers of pupils, this caused financial problems. The October

school census contributes to informing how much funding that a school receives. I did not find this argument compelling as the figures provided to me as the number of children on roll at the date of the October census were not significantly below the PAN of 120.

35. The local authority told me that there were 78 first preferences for the school for 2020. Of the 118 places allocated for Longfield Primary School as on 16 April 2020, eight were for children where the school was not one of their preferences. This shows that the majority of the 283 children whose parents stated the school as a preference had a higher preference met. While 118 children were allocated a place for 2020 when the local authority consulted on reducing the PAN there was very little opposition to such a change. In addition, the local authority believes that there are sufficient places locally for those requiring a place in YR in 2021. As the local authority consulted on this reduction without significant objections and there are sufficient places in the area overall, there is not a case to uphold an objection to the reduced PAN at this school.

36. I will now consider the fourth school, Roxbourne Primary School which is very close to the border of the local authority area. Table 6 shows the previous pattern of numbers at the school and its planning area. The school is in the south west planning area.

| | 2018 | | | | 2019 | | 2020 | | | |
|-----------------|------|-----|---------|-----|------|---------|------|-----|---------|--|
| | PAN | NOR | Surplus | PAN | NOR | Surplus | PAN | NOD | Surplus | |
| | | YR | places | | YR | places | | YR | places | |
| Earlsmead | 60 | 33 | 27 | 60 | 34 | 26 | 60 | 27 | 33 | |
| Grange | 90 | 77 | 13 | 90 | 74 | 16 | 90 | 89 | 1 | |
| Heathland | 90 | 90 | 0 | 90 | 89 | 1 | 90 | 90 | 0 | |
| Newton Farm | 60 | 60 | 0 | 60 | 60 | 0 | 60 | 60 | 0 | |
| Roxbourne | 90 | 46 | 44 | 90 | 63 | 27 | 90 | 63 | 27 | |
| Roxeth | 60 | 59 | 1 | 60 | 60 | 0 | 60 | 60 | 0 | |
| Vaughan | 90 | 88 | 2 | 90 | 90 | 0 | 90 | 90 | 0 | |
| Welldon Park | 90 | 68 | 22 | 60 | 57 | 3 | 60 | 60 | 0 | |
| Total | 630 | 521 | 109 | 600 | 527 | 73 | 600 | 539 | 61 | |

Table 6: pattern of admissions to primary schools in the south west planning area

37. Table 6 shows that more than 60 children were admitted in 2019 and more than 60 children have been allocated places in 2020. Therefore, if the pattern of demand were to remain the same the PAN of 60 set for 2021 would mean that a few children – potentially three in 2021 – would not be admitted. There were 40 first preferences for Roxbourne School for 2020. This shows that there is likely to be sufficient places for those for whom the school is their first preference. The local authority told me that there was a very popular school over the local authority border which had been expanded and this had had the effect of reducing demand for Roxbourne School.

38. As described above, infant class size regulations mean that infant class sizes are only permitted above 30 to a single teacher in specific and limited circumstances. An intake of 63 to YR, as occurred at Roxbourne Primary School in 2019 and is expected in 2020, is likely to mean that the school has three YR classes with 21 children in each class, unless it were to adopt a form of organisation involving mixed age classes. As schools are largely funded on the basis of the number of children then four classes of 21 would be expensive to maintain and likely to put the school under considerable financial strain.

39. The headteacher and the chair of governors of Roxbourne School explained the challenges previously faced. These challenges have led to two major financial restructures with staff redundancies in recent years. Such challenges make it harder to provide good quality education as classes and staff have to be re-organised. It is therefore reasonable, given the number of places available in the area, for Roxbourne Primary School to have a PAN of 60.

40. Forecasting pupil numbers is difficult at all times and particularly difficult given the social and economic context including the unknown effects of a variety of factors such as the Covid 19 pandemic. In this case, however, the local authority, as the body responsible for making sure that there are sufficient places, consulted on reducing the number of places and hardly any concerns were raised. The schools asked for these reductions so that they are not put in a position where they have to have very small classes that lead to financial problems that make it harder to continue to provide good quality education.

41. The objector suggested that it would be better to keep the higher PANs and then make a decision to reduce them once allocations have been made. Once allocations have been made, the admission authority must admit those children. So, if 63 children were allocated places then those 63 children must be admitted with the implications for class sizes and costs outlined above. It would be too late to avoid the difficulties which have motivated the schools to request the reduction. In addition, the only way that a local authority can reduce the PAN for a school for which it is the admission authority, once determined, is through a variation which is designed to meet, as described in paragraph 3.6 of the Code, "*a major change in circumstances.*" No consultation is required for a variation as its purpose is not to address a foreseen reduction in the need for school places.

42. The local authority has acted properly by planning ahead and consulting on these changes. The data shows that there will be sufficient places for the children of the area. There is no evidence that parental preference will be unduly frustrated. In addition the schools and the local authority have explained that if there is a higher demand than expected then additional places can be provided. I do not uphold the part of the objection which relates to the reduction of places for these reasons.

Summary of Findings

43. The local authority consulted on the reduction of the PAN at the four schools. It met the requirements of the Code in all matters except that the consultation was not for the minimum of six weeks.

44. The consultation showed minimal opposition to the reductions in PANs at the four schools. The local authority has provided me with data which shows that there are sufficient places to meet demand and the local authority has the ability to increase the number of places if the demand is higher than anticipated. In these circumstances the only aspect of the objection that I uphold is that the period of consultation did not meet the requirements of the Code as it was less than six weeks. There are no actions that the local authority is required to make.

Determination

45. I partially uphold the objection to the admission arrangements for September 2021 determined by Harrow Council for Kenmore Park Infant and Nursery, Kenmore Junior, Roxbourne and Longfield Primary Schools in its area.

Dated: 29 July 2020

Signed:

Schools Adjudicator: Deborah Pritchard