



Office of
the Schools
Adjudicator

Determination

Case reference: ADA4650

Objector: Buckinghamshire Council

Admission Authority: The Governing Body for The Cottesloe School, Wing, Buckinghamshire

Date of advice: 23 July 2026

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements determined by the Governing Body for The Cottesloe School, for 2027/28.

I have also considered the arrangements under section 88I(5) and find that they do not comply with requirements relating to admission arrangements in the ways set out in this determination.

By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of this determination unless an alternative date is set by the adjudicator. In this case, I determine that the 'other matters' I have raised must be addressed within two months.

The objection to the admission arrangements that I have upheld must be addressed by 28 February 2027 for the reasons I have given in my determination.

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 Buckinghamshire Council (the Objector), about the admission arrangements (the Arrangements) for September 2027/28 for The Cottesloe School (the School, Cottesloe). The School is a foundation school for children aged 11-18. It is located in Wing, Buckinghamshire.

2. The Local Authority (LA) for the area in which the School is located is Buckinghamshire Council. The LA is the Objector.
3. The other party to the objection is the School. The Admission Authority for the School is the Governing Body of the School.
4. The objection is to the School's oversubscription criteria and, in particular, to the criteria which make reference to the School's catchment area¹. The objection is that the Arrangements are unfair to children living in the far south-eastern part of the School's catchment area.
5. I would like to take the opportunity to give my thanks to both parties for their prompt responses to my requests for further information.

Jurisdiction

6. These arrangements were determined under section 88C of the Act by the Governing Body which is the Admission Authority for the School on 20 January 2026.
7. The Objector submitted its objection to the determined arrangements on 6 May 2026.
8. 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.
9. The Objector has made a suggestion as to how the arrangements for 2027/28 for the School could be changed to make them, in its view, 'fairer'. As an adjudicator, my role is not to give advice. My jurisdiction is for the Arrangements determined and to decide whether they comply with all relevant legal requirements. It is not open to me to determine how the Arrangements should be. If I uphold this objection, it is for the Admission Authority to address any non-compliance issues within the required time frame.
10. I have also used my power under section 88I of the Act to consider the Arrangements as a whole and to determine whether or not they conform with the requirements relating to admissions and, if not, in what ways they do not so conform. I will refer to these as 'other matters' and they are covered in the section of the determination under the title of that name.

Procedure

11. In considering this matter I have had regard to all relevant legislation and the School Admissions Code 2021 (the Code).

¹ A catchment area is a geographical area used in oversubscription criteria where a child living in the catchment area has priority for a school place over those not living in the catchment area.

12. The information I have considered in reaching my decision includes:

- the objection dated 6 May 2026 and supporting documents;
- a copy of the minutes of the meeting of the Admission Authority at which the arrangements were determined;
- the determined Arrangements for 2027/28;
- responses from the School to the objection and to my requests for further information;
- responses from the LA to my requests for further information;
- maps, including Google Maps, and those showing the location of the School; and
- information available on the websites of .gov.uk (including the 'Get Information About Schools' (GIAS) and Ofsted websites), the LA and the School.

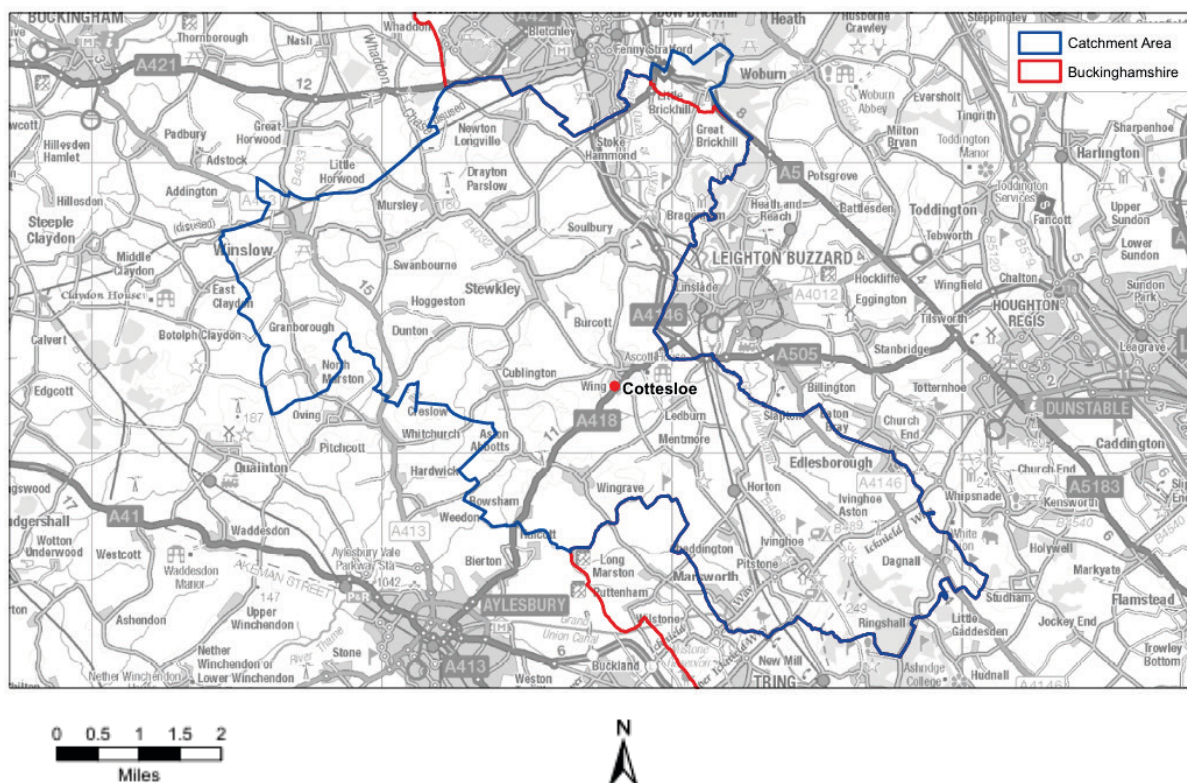
13. I have been provided with a substantial amount of information by the Objector and the School. I have referred only to that which has a bearing on my determination.

Background

14. According to GIAS, the School is a co-educational, non-selective secondary school. It does not have a designated religious character.

15. The School is located in the village of Wing, between Aylesbury and Leighton Buzzard. The School's catchment area follows parish, village, and local authority boundaries and comprises a mix of rural areas, villages and the small market town of Winslow. The catchment area is approximately 16 miles long and between 3 and 10 miles wide. It runs from the north-west to the south-east. The School is located in the centre of the catchment area, as shown in Figure 1.

Figure 1: The Cottesloe School catchment area



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16. The School was last inspected by Ofsted in March 2026. The School was judged to be performing at the expected standard in all areas with the exception of personal development and wellbeing where it was judged to be performing at the strong standard.

17. The published admission number (PAN) of the School for 2027/28 is 210.

18. The arrangements set out that children with education, health and care plans (EHC plans) will be admitted first. Then, in times when oversubscribed, children will be prioritised according to the oversubscription criteria. These can be summarised as follows:

- a. Looked after children and previously looked after children.
- b. Children of members of staff where the member of staff has been employed at the School for two or more years and/or the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.

- c. Children living in the School's catchment area comprising the civil parishes² of Aston Abbotts, Cheddington, Cublington, Dagnall, Drayton Parslow, Dunton, Edlesborough, Granborough, Great Brickhill, Hoggeston, Hollingdon, Horton, Ivinghoe, Ivinghoe Aston, Little Brickhill, Marsworth, Mentmore, Mursley, Newton Longville, North Marston, Northall, Pitstone, Rowsham, Slapton, Soulbury, Stewkley, Stoke Hammond, Swanbourne, Wing, Wingrave, Winslow.
- d. Siblings of children in Years 7 to 11.
- e. Children who are attending one of the School's partner³ schools at the time of application, namely: Brookmead School, Cheddington Combined School, Dagnall Church of England School, Edlesborough School, High Ash Church of England Combined School, Newton Longville Church of England Combined School, Overstone School, St Michael's Church of England Combined School, Wingrave Church of England Combined School, or Winslow Church of England Combined School.
- f. Children living outside the School's catchment area, other than children covered by the criterion above.

Where the number of applicants under an oversubscription criterion exceeds the number of places available, places will be allocated in distance order (measured in a straight line). Priority is given to those living closest to the School.

Where the School can take some, but not all, of the children who qualify under one of these rules, priority will be given to children by taking account of the next rule (or rules) in the alphabetical list to decide who has priority for places.

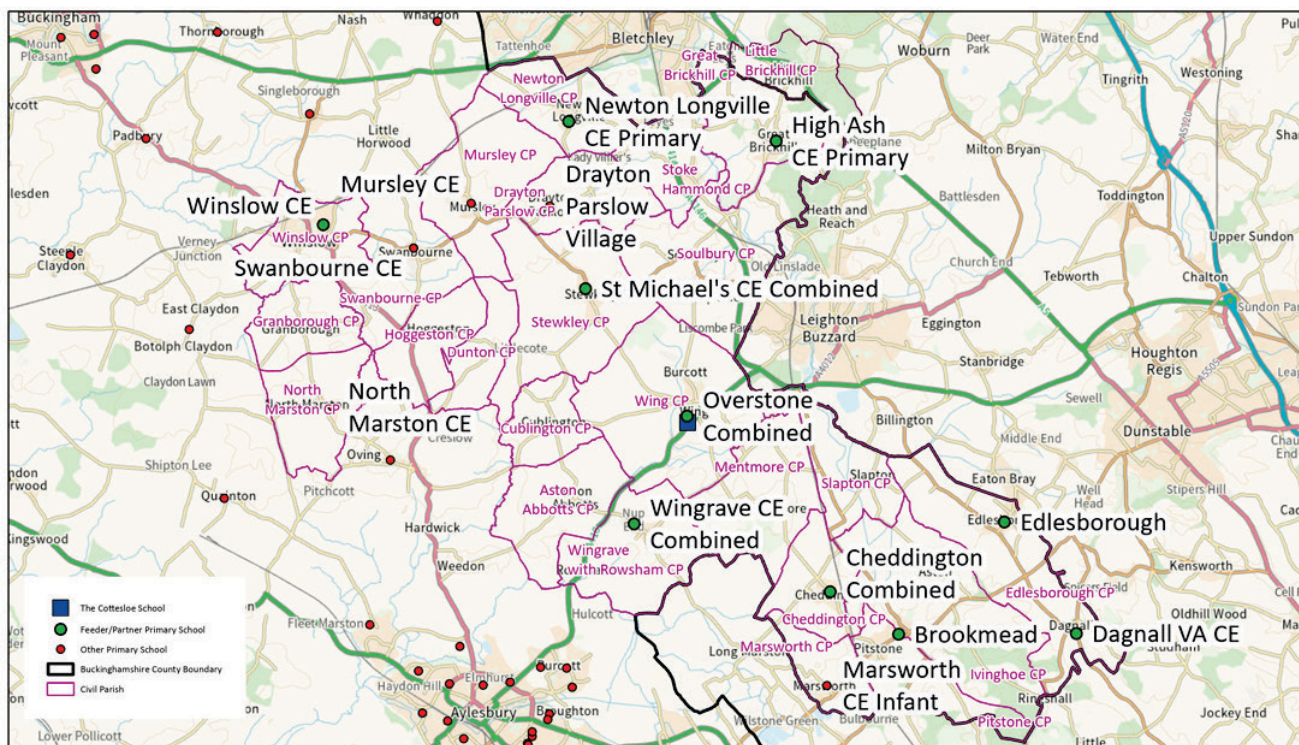
19. The most recent consultation on the School's Arrangements took place in Autumn 2020 for admission in 2022/23. The School has confirmed that the oversubscription criteria and catchment area have remained substantially unchanged since that consultation took place.

20. Figure 2 shows the location of the civil parishes and feeder schools within the School's catchment area.

² Not all the parishes listed in the Arrangements exist as separate civil parishes (CP). Specifically, Dagnall – comes under Edlesborough CP; Hollingdon – Soulbury CP; Horton - Slapton CP; Ivinghoe Aston – Ivinghoe CP; Northall – Edlesborough CP; Wingrave/Rowsham – a single CP of Wingrave with Rowsham.

³ In this context, a 'partner school' has the same meaning as a 'feeder school'. Although the terms can be used interchangeably, in this determination I will refer to feeder schools as this is the terminology used in the Code.

Figure 2: Local civil parishes and primary schools in the School's catchment area



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21. The LA told me that all postcodes in Buckinghamshire are currently in the catchment area of at least one non-selective secondary school (in addition to at least one grammar school). The LA stated:

“Some areas are in the catchment area of two or more schools. This could be for a number of reasons:

- i. Two nearby schools have a common catchment area as relatively close in distance to each other.
- ii. The area is some distance from the nearest school and subject to parental preference there may be a risk that children won't be offered a place at their nearest school.
- iii. An academy or other school who is their own admission authority has chosen to expand their catchment area into that of another school and the LA have had no reasonable objection to this.

In addition, there are a number of schools who do not use catchment areas within their admissions criteria.”

22. Reason (ii) above applies when considering the School’s catchment area. For many years, Winslow has been in the catchment areas of two non-selective schools, Cottesloe and Buckingham School. In 2013, Sir Thomas Fremantle School opened in Winslow. This school does not have a catchment area. Therefore, families living in Winslow are within the catchment areas of two secondary schools and live a short distance from a third non-selective secondary school.

23. The LA confirmed that, “apart from the area around Winslow (which shares its catchment with Buckingham), most of Cottesloe’s catchment area is a sole area that is not shared with any other school. This is largely because there is no other nearby Buckinghamshire school which is within a reasonable distance ...”

24. A small part of the catchment area includes an area from a neighbouring local authority. In relation to this, the LA told me:

“[The catchment area] aligns with the local primary school’s catchment area (i.e. High Ash Church of England School). A large part of the historic High Ash catchment area went into Milton Keynes borough at the time of its separation from Buckinghamshire County Council. However, this historic primary catchment boundary has been respected despite the change in LA boundaries (as to re-align might risk compromising the Greenwich judgement⁴ and would mean primary pupils in Little Brickhill had to cross or travel along the A5 instead of being able to walk to school in Great Brickhill, which remained in Buckinghamshire). The secondary catchment areas followed the primary catchment areas where possible to try and keep primary peer groups together when they move up to secondary school.

Note that the population of Little Brickhill is small and only 2 pupils in total from that area have joined Buckinghamshire secondary schools in Y7 over the last 3 years, so the impact on Buckinghamshire Admissions is minimal.”

25. The LA describes the School as popular and in the last three years it has been oversubscribed with demand from within its catchment area.

⁴ R v Greenwich London Borough Council, ex parte John Ball Primary School (1989) 88 LGR 589 [1990] Fam Law 469 held that pupils should not be discriminated against in relation to admission to the school simply because they reside outside the local authority area in which the school is situated. Section 86(8) of the SSFA 1998 places an equal duty on local authorities to comply with parental preference in respect of parents living within and outside their boundary.

Consideration of Case

26. I will now set out my consideration of the matters raised by the Objector. I will conclude each section with a statement as to whether or not I uphold that particular aspect of the objection, preceded by my reasons for that conclusion. Where I state that I uphold an aspect of the objection, that does not necessarily imply that I fully endorse the reasoning expressed by the Objector, nor that the Objector has necessarily correctly interpreted which Code provision applies. Rather, it means that I have found that the particular aspect of the Arrangements drawn to my attention by the Objector does not conform with a requirement of the Code identified by me and is in breach of the Code for the reasons I have given.

27. The Objector's concerns mainly relate to oversubscription criteria c) children living in the School's catchment area comprising the named civil parishes and e) children attending one of the School's partner schools. The objection can be summarised as follows:

"While Cottesloe's admissions arrangements have not changed since last year we suspect that, due to an increased secondary aged population both within catchment and across the border in Tring, the arrangements have unintentionally become unfair and are now disadvantaging a group of children, namely those living in the far eastern parts of their catchment area, who are having to travel a disproportionate distance to an alternative school as a consequence."

Based on September 2026 admissions, not all catchment children who applied for a place were able to be offered a place at Cottesloe.

"This has a different impact depending on where in the catchment area a child lives... the experiences of children in the east and west are very different. A child in, for example, Dagnall [east of catchment] who is unable to get a place at Cottesloe School has no other local Buckinghamshire school to apply to ..."

Children living in this area who cannot secure a place at Cottesloe have to travel further (in distance and travel time) to an alternative school.

For September 2026 admissions, the LA "has had to offer places at the nearest school with an available place to a number of children in this area who did not secure a place at any of their preferred schools (including Cottesloe), despite being in catchment for Cottesloe and making timely applications." [Examples of 11 children were provided.]

"In contrast, a child living in Winslow [west of catchment] who is unable to get a place in Cottesloe has access to two alternative schools which have the capacity to accommodate any oversubscription within Cottesloe's catchment."

The LA “has discussed possible solutions to this situation with the governors of the School, such as giving priority to children living in the east of the catchment area, but the governors have not wished to consult on changing the Arrangements.”

28. I have determined that the following paragraphs of the Code are relevant to this objection.

14. In drawing up their admission arrangements, admission authorities **must** ensure that the practices and the criteria used to decide the allocation of school places are fair, clear, and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.

1.14 Catchment areas **must** be designed so that they are reasonable and clearly defined. Catchment areas do not prevent parents who live outside the catchment of a particular school from expressing a preference for the school.

1.15 Admission authorities may wish to name a primary or middle school as a feeder school. The selection of a feeder school or schools as an oversubscription criterion **must** be transparent and made on reasonable grounds.

29. I will begin by considering whether the oversubscription criteria are reasonable, specifically in relation to criteria c) and e). I will also consider whether, as a result of applying the criteria, a group of children living in a particular part of the catchment area are unfairly disadvantaged.

30. The Code uses the term ‘reasonable’ but does not define it. An everyday definition is of having sound judgement; being sensible and rational. It is the requirement of public bodies, including admission authorities, that they must act reasonably in adopting any policy or making any decision.

31. Similarly, ‘fairness’ is a term used in the Code but not defined. Fairness cannot be defined in universal terms as its requirements depend on the circumstances. Fairness is focused on the effect of the arrangements on any relevant group. This must be considered in context. It may be the case that the justification for the adoption of a particular set of oversubscription criteria could override any unfairness. I note that where the available evidence does not establish disadvantage, there cannot be any unfairness. This also means that oversubscription can be fair, but if the situation changes, they may become unfair.

32. To determine whether the criteria are reasonable or not, I will apply what I will refer to as the ‘reasonableness test’. This is a two-stage objective test in which the first stage is the consideration of the rationale for adopting the oversubscription criteria that are the focus of the objection. The second is the effect of the application of the criteria.

33. As stated earlier, the School's oversubscription criteria are largely unchanged since the 2022/23 admission year. With regard to the rationale for the criteria, the School said:

"All ten named feeder schools ... are located within the civil parishes that make up our catchment area. The school has served these parishes since it was opened in the 1960s and it became its own Admissions Authority ... in 1993.

These schools have historically made up the large percentage of our PAN. ...

This has enabled us to establish strong pastoral, transitional and curriculum links. We facilitate a wider range of activities for our primary feeder schools that include, PE, science, MFL, Art, Music and Drama. ...

The Governing Body is entirely satisfied that the selection of feeder schools as an oversubscription criterion has been 'transparent and made on reasonable grounds', in compliance with paragraph 1.15 of the School Admissions Code.

The proposal would fundamentally undermine the established educational continuity for these communities.

The feeder schools named in our policy serve the parishes they sit within. There are two schools within our catchment that are not named; Swanbourne Church of England and North Marston Church of England.

All schools in Buckinghamshire are allocated to a specific liaison group. These groups are made up of all types of schools, including primary, combined, upper, grammar and special schools. [Cottesloe] sits in the Wing Liaison Group and is the sole upper school in the group, presumably because all the schools in this area acted as feeder schools for [Cottesloe] as there is no other secondary school in the location. The liaison groups are loosely arranged by location and catchment areas. Swanbourne and North Marston are part of the Winslow and Buckingham Liaison Group."

34. Admission data provided by the School and the LA confirm that the majority of children admitted to Year 7 at the School previously attend one of the named feeder schools. Table 1 provides a detailed breakdown of the primary schools attended by children admitted in September 2025 and those offered a place for September 2026. Table 1 also shows the distance each primary school is located from Cottesloe.

Table 1: Information about the primary schools attended by children admitted to the School in September 2025 and places offered for September 2026 (data provided by the LA 26 June 2026)

School – Feeder Schools	Number of children admitted September 2025	Number of places offered for September 2026	Straight line distance to Cottesloe (miles)
Brookmead School	39	23	5.4
Cheddington Combined School	22	25	4.0
Dagnall Church of England School	2	2	8.0
Edlesborough School	18	13	6.0
High Ash Church of England Combined School	23	22	5.4
Newton Longville Church of England Combined School	12	9	5.9
Overstone School	28	27	0.1
St Michael's Church of England Combined School	26	25	3.1
Wingrave Church of England Combined School	25	15	2.1
Winslow Church of England Combined School	11	12	7.5
Subtotal – Feeder Schools	206	173	-
School - Non-Feeder Schools			
Swanbourne Church of England	9	7	5.9
Newton Leys (Milton Keynes)	-	11	5.8
Other Non-Feeder Schools (each fewer than five pupils)	25	23	-
Subtotal - Non Feeder Schools	34	41	-
Total	240	214	-

35. From the information set out above, I find that the Governing Body's use of catchment areas to give priority to children living in a defined area is rational and in line with paragraph 1.14 of the Code. Furthermore, the LA has not raised any concerns regarding the catchment area as set out in the Arrangements and on its website for 2027/28.

36. Each of the ten primary schools named as feeder schools within the Arrangements are located in civil parishes also named within the Arrangements. The links between the School and the feeder schools appears to be well established and long standing. Again, I find that the approach determined by the Governing Body in criterion e) of the oversubscription criterion is rational and in line with paragraph 1.15 of the Code.

37. I, therefore, find the oversubscription criteria are of themselves reasonable and that the Arrangements meet the first stage of the 'reasonableness test'. I will now consider the effect of the application of the oversubscription criteria.

38. The LA provided information about the number of children offered a place at the School under each of the oversubscription criteria for entry in September 2025 and 2026. This is shown in Table 2.

Table 2: The number of children offered a place at the School under each of the oversubscription criteria (data provided by the LA 26 June 2026)

Admission criterion	Admission rule	2025	2026
Pre	Children with EHC Plans	5	7
a)	Looked after / previously looked after children	0	3
b)	Children of members of staff	4	4
c)	Children living in the School's catchment area with siblings attending the School and who attend a feeder school	78	43
c)	Children living in the School's catchment area with siblings attending the School	8	13
c)	Children living in the School's catchment area who attend a feeder school	123	120
c)	Children living in the School's catchment area	24	26
d)	Siblings of children in Years 7 to 11	0	0
e)	Children who are attending one of the School's feeder schools	0	0
f)	Children living outside the School's catchment area other than those covered by the criterion above.	0	0
Total	-	240	216

39. In 2025, the Governing Body agreed to increase the School's PAN to 240, by taking a 'bulge class', to admit more of the children living in the catchment area. In 2026, the PAN was exceeded (to 216), with the agreement of the Governing Body to accommodate Pitstone and Marsworth children (although with a view to allowing the number to reduce back down to 210 by the start of term through 'natural churn'). I also note that a similar situation occurred in 2024, when the PAN was exceeded (to 215) to accommodate children living in Pitstone, Marsworth and Edlesborough.

40. In recent years, the final criterion under which children were admitted was c) catchment. In 2024, the final place was offered to a child living 5.508 miles from the School. In 2025, this was 7.871 miles (after the additional 30 children were admitted) and, in 2026, it was 5.39 miles.

41. I wish to note that the LA acknowledges and appreciates the support of the School and the Governing Body in their willingness over the last three years to meet local demand through the provision of a bulge class and by admitting over PAN. I also note that the School is now working at capacity.

42. While it is not possible to be certain of the future demand for places, Table 3 shows the LA's projections for Year 7 places at the School.

Table 3: Projected number of places required in Year 7 at the School (data provided by the LA 26 June 2026)

2026	2027	2028	2029	2030	2031
216	218	230	246	228	213

43. The LA predict that for entry in September 2027 it is possible that the School will be unable to admit all children under criterion c) catchment, and that this is very likely to be the case from September 2028 onwards.

44. Several new housing developments across the catchment area, including Newton Leys, near Newton Longville (north-west of the catchment area), have contributed to an increased demand for places at the School. A further major housing development in Newton Longville (2000+ homes) has been approved so the number of children living in the area is forecast to increase further over time. The LA said, "this may further disadvantage families living in the eastern edge of Cottesloe's catchment longer term."

45. Historically, some children living in the south-east of the School's catchment have been admitted to Tring School in Hertfordshire. However, the numbers have reduced over time. Specifically, 34 Buckinghamshire children were admitted to Tring in 2023, 24 in 2024 and 12 in 2025. 12 offers have been made for September 2026. The LA told me:

"Tring School has also become increasingly oversubscribed from within catchment (which primarily covers the town of Tring and surrounding villages in Hertfordshire) and very few children from Buckinghamshire are able to secure a place. Hertfordshire projections indicate that Year 7 intake for Tring School will remain at current levels for the foreseeable future.

As a consequence, children in this area who cannot secure a place at Cottesloe are having to travel a considerable distance to an alternative school. For September 2026 admissions, [the LA] has had to offer places at the nearest school with an available place to a number of children in this area who did not secure a place at any of their preferred schools [my emphasis], despite being in catchment for Cottesloe and making timely applications. The schools offered were a significant distance away, including children⁵ from:

⁵ Please note: the numbers of children involved in each example were provided to me. I have not included this information here to avoid any risk of identifying individuals or families.

- Pitstone to Mandeville School (over 9.5 miles)
- Marsworth to Mandeville School (over 8 miles)
- Edlesborough to Mandeville School (over 15 miles)
- Edlesborough to Chiltern Hills Academy (over 13.5 miles)
- Dagnall to Chiltern Hills Academy (over 11 miles)

This issue is further exacerbated by the fact that The Cottesloe School give priority in their admissions arrangements to children attending certain primary schools, so a child living closer to Cottesloe but not attending a feeder school can lose out on a place to a child living further away attending one of the listed feeder schools. This is particularly an issue in areas near the county boundary where parents may have chosen to send their children to a nearby primary school in Hertfordshire, Bedfordshire or Milton Keynes.”

46. The LA confirmed that catchment oversubscription is principally impacting on families in those parishes in the south-east of the catchment area, especially Edlesborough, and to a lesser extent Pitstone, Ivinghoe and Marsworth. In 2024, 12 children did not secure a place at any of their preferred schools in the initial allocations round and were allocated to a school for which they had not expressed a preference. In 2025 this figure was nine children and in 2026 it was 13 children. These figures would have been higher if the School had not agreed to admit over PAN in each of those years.

47. In 2026, 21 children living in the catchment area were not offered a place at the School or at a higher preference school. Of these, approximately half live in the south-east of the catchment area.

48. I note that some areas in Cottesloe’s catchment area, e.g. Edlesborough, are situated nearer to schools in Central Bedfordshire than Cottesloe. I asked the LA whether pupils are admitted to Central Bedfordshire schools and whether these schools might provide an alternative to Cottesloe and/or other Buckinghamshire schools.

49. In its response, the LA said that it does not believe that Central Bedfordshire provides an alternative option for most families living in the Edlesborough area. This is for the following reasons:

- Many Central Bedfordshire schools operate on a three-tier system (i.e. Lower, Middle and Upper Schools) with different points of entry (i.e. Reception, Year 5 and Year 9). No schools in the Leighton Buzzard & Linslade Secondary planning area have a Year 7 point of entry – so there is no guarantee that Buckinghamshire

pupils applying at Year 7 will be able to secure a school place (as PANs only apply at the normal point of entry and for the following year on roll).

- All schools in the Dunstable and Houghton Regis secondary planning area are full apart from one.
- In the last three years, very few Buckinghamshire families have applied for a Y7 place at a Central Bedfordshire school. All applications have been to the same school. For admission in September 2026, two Buckinghamshire children applied, one was admitted under the sibling rule, the other child was not offered a place. In September 2025, no Buckinghamshire children applied for a Year 7 place. In September 2024, one Buckinghamshire child secured a place under the sibling rule.
- Year 7 projections for the two Central Bedfordshire planning areas closest to Edlesborough show increasing pressure on places. For example, the Dunstable and Houghton Regis area admitted 826 Y7 pupils in 2023/24. This is forecast to be 996 in 2026/27 and 1075 in 2027/28.

50. Given the likely on-going need for additional secondary school places, the LA are exploring a number of options such as expanding the secondary schools in the area, building a new secondary school and reviewing/introducing catchment areas.

51. The LA provided information about some possible options and modelling it has explored with the School to alleviate this situation. These include the introduction of a priority area or areas to give greater priority to children living in some parts of the catchment area and/or removing the priority given to feeder schools. As stated earlier, it is not within my jurisdiction to determine how the Arrangements should be, and I will not comment further on these options.

52. The Governing Body firmly rejects the assertion that the Arrangements are unfair to children on the eastern edge of the School's catchment. In response to the Objection, the School said, in summary:

"We appreciate that some children on the eastern edge are failing to secure a place, but this is driven by a systemic lack of capacity and the increasing oversubscription of cross-border schools like Tring School, not by a flaw in our policy.

[The LA] argues that displacing children in the west (Winslow) is acceptable because they have "fallback" access to Sir Thomas Fremantle and Buckingham School. These alternative schools are less popular with local parents, who have historically preferred

The Cottesloe School. Penalising Winslow and Newton Longville families by pushing them out of their historical catchment simply because they geographically reside closer to less desirable fallback options violates the principle of fair and objective catchment areas.

...modifying the arrangements ... does not resolve the capacity deficit and, arguably, would create a more confusing catchment area, which is less 'clearly defined' (as stipulated by paragraph 1.14 of the School Admissions Code) than the current arrangements.

Whilst the current policy creates challenges for some families, a wholesale change of catchment and criteria that dismantles strong local community links and longstanding educational partnerships is a disproportionate response to appease a small number of parents.

We accept the Local Authority's evidence that unplaced children on the eastern edge are facing longer journeys to alternative schools ... However, we also note that some students in our existing catchment already face bus journeys of up to an hour for distances under 10 miles towards the eastern edges of our catchment."

53. The School identifies that, because of the number of children living in the School's catchment area, any changes to the oversubscription criteria are likely to displace children living in another part of the catchment. The School said:

"Reallocating distress from the east to the west does not constitute a 'fairer' policy; it simply shifts the exact same disadvantage to a different community, particularly those families in Newton Longville."

54. Newton Longville Church of England School is solely in the catchment area of Cottesloe. The School is concerned that any changes to the oversubscription criteria may result in children at this primary school not being admitted to a local school. In response to my queries about this concern, the LA said:

"Newton Longville children will not be in an untenable situation. Even if our proposal were to be adopted, children from Newton Longville will still have some level of priority for Cottesloe and have a number of other options available ...

Children from the Newton Longville primary catchment area have been allocated places for September 2026 at Sir Thomas Fremantle, The Buckingham School and [Milton Keynes schools]. Sir Thomas Fremantle currently does not use a catchment area but prioritises admissions on distance. In 2024 they admitted all applicants; in 2025 and 2026, after the first round, places were allocated to a distance of 6.422 miles and 6.792 miles respectively. Buckingham school admitted all timely applicants in

2024, 2025 and 2026. This means that children in Newton Longville village would have been admitted to either of those schools in the first round in every year if they had applied.”

55. Separately, the LA made the following points:

“...children living in the western part of the school’s catchment area have good alternative school options i.e. Sir Thomas Fremantle School which is largely the closest school; Buckingham School which is not oversubscribed from within catchment and [Milton Keynes] comprehensive schools such as Sir Herbert Leon School which is a good school less than 3 miles from Newton Longville and has places [in all year groups].”

56. I am satisfied that if a child from the north-west part of the catchment area was unable to secure a place at Cottesloe that there would be places available at other schools within a reasonable distance.

57. The School said:

“We are concerned that the proposed changes prioritise transport budget considerations over the educational continuity of the existing community, creating a disproportionate impact on families in the western catchment.”

58. In response the LA said:

“...this objection is not only about transport costs... while providing transport to schools in Aylesbury town is not conducive to efficient/effective school travel arrangements, the bigger issue is about the disproportionate travel distances faced by families in the east to an alternative school compared to those in the west.”

59. On a number of occasions, the School stressed to me the importance of its work with its feeder schools and the benefits for the children of having a continuity of education. I accept this point but find it likely that it would apply equally to all of the feeder schools. Therefore, it is not a reason to prioritise children from one of these schools rather than another.

60. There is some difference of opinion between the School and LA about when the Governing Body were approached to consider consulting on proposed changes to the Arrangements. However, in December 2025, the School provided the LA with the following reasons for it being unable to proceed with a consultation for admission in 2027/28:

- The time frame within which we have been asked to move this forward is very short and does not allow for a full and detailed understanding to inform a decision by the Board.
- This is an emerging situation and there is a lot of uncertainty around the impact it may have on us and other schools.
- We have not had time for any discussions with our current catchment schools who may be affected by any decision to adopt a new admissions policy. This would be both out of courtesy, but also to ensure they understand the position we are in. We do not want to damage our relationship with them and a change in admissions policy could do that.
- There are additional schools that are not named in our current admissions policy [that it may be appropriate to include].
- Newton Longville is not a part of the current shared catchment area between [the School and Buckingham School]. [One of the LA's] options effectively removes Newton Longville from our existing catchment area.
- The Governing Body determined that it could not support a consultation on a policy change that would disproportionately impact an established feeder community. We also prioritised preserving the long-standing and positive educational relationships we have developed with our partner primary schools.

Conclusions

61. Having considered all the information provided by the parties, and as stated earlier, I find that the oversubscription criteria are of themselves reasonable and rationale.

62. Oversubscription criteria must be included in admission arrangements to make clear how admission will be prioritised when the number of applications is greater than the number of places available in the relevant age group⁶. In situations of oversubscription, there will be applicants who are not admitted.

63. The increase in pupil numbers in the School's catchment area has led to a situation where not all children living in the area can be admitted. This is acceptable under the Code as all admission arrangements create advantage for some applicants and disadvantage to others; indeed, their purpose is to give higher priority to some applicants than to others.

⁶ The 'relevant age group' is defined in the Code as "the age group to which pupils are normally admitted to the school", in this case Year 7.

Furthermore, while parents may express a preference for any state funded school, there are no guarantees that such a preference can be met.

64. The application of the criteria does, however, mean that some children living in the catchment area are more likely to miss out on a school place than others. Specifically, this is most likely to affect those children who do not have siblings at the School and do not attend one of the named feeder schools. The further such a child lives from the School, the less likely they are to be admitted. Since 2024, the greatest impact has been for children living in the south-east part of the School's catchment area.

65. It is clear to me that, over time, the context in which the School finds itself has changed and, indeed, continues to change. Change is inevitable and is one of the reasons why admission arrangements must be re-determined every year to allow admission authorities to consider whether the arrangements are still appropriate and fit for purpose. The School's Arrangements have not changed over time and, do not, therefore, take these changes into consideration.

66. I have considered the impact of the Arrangements on children living in the different parts of the catchment area. I find that some children living in the south-east of the catchment area are disadvantaged because no places are available at other schools within a reasonable distance. I find that the effect of this is unfair because, if the situation were to be reversed, there are suitable schools available for children living in the north-west of the catchment area.

67. In conclusion, I find that due to changes in circumstance caused by an increase in the number of children living in the School's catchment area, that its Arrangements are now disadvantaging a particular group of children, namely those living in the south-east part of the catchment area. The LA was unable to offer several children living in that area a place at any of their preferred schools for admission in September 2026 and the situation is likely to be the same in September 2027. I, therefore, find that the practical application of the Arrangements results in a situation which is unreasonable and has an unfair impact on those children. This is in breach of paragraph 14 of the Code. I uphold the objection to the Arrangements.

68. I understand the Governing Body's view that changing the Arrangements does not address the issue of a lack of school places within the catchment area and that, as a result of any change, other children will not be admitted to the School. However, I am of the view that all children have to be considered, and it is reasonable to have arrangements that try to maximise fairness. I also believe that it can be reasonable to give priority to a child who lives further away from a school but for whom the School may be their nearest school, over one who lives close to the school but also close to other schools, in order to achieve fairness.

69. I also understand that parents might prefer one school over another, however, as set out in section 14 of the Education Act 1996, a local authority is required to provide an appropriate education, meaning an education that considers the age, ability and aptitude of the child, rather than access to a particular school.

70. Oversubscription criteria are not always straightforward to change, for example, changes to catchment areas can have wide-ranging implications. However, in this instance the Arrangements are unreasonable as they stand.

71. Understanding the complexity involved, I wish to give ample time for a thorough consultation and, therefore, I set 28 February 2027 as the date by which the arrangements must be revised. For avoidance of doubt, this means that parents will apply for places and the current oversubscription criteria will apply for admissions in 2027/28 with any revisions to the arrangements taking effect for admissions in 2028/29 (28 February 2027 is the date by which the admission arrangements for 2028/29 must be determined).

Other matters

72. Having considered the Arrangements as a whole it appeared to me that there are other matters which do not conform with requirements of the Code and so I brought them to the attention of the Admission Authority. These matters are summarised below.

73. Oversubscription criterion d) gives priority to siblings of children in Years 7 to 11. The Arrangements do not, however, include a definition of the term 'sibling' as required by paragraph 1.11 of the Code.

74. The Arrangements do not fully set out how a child's home address will be determined as required by paragraph 1.13 of the Code.

75. As a result, the Arrangements are further in breach of paragraph 14 of the Code as they do not meet the requirement for a parent to look at a set of arrangements and understand easily how places for that school will be allocated.

76. The Admission Authority has told me that it will address these matters, as permitted by paragraph 3.6 of the Code, which is welcomed. As the Admission Authority has accepted that changes are required, I will not discuss them further other than to make clear that the Code requires that the Arrangements be amended to address the points set out here. Such amendments are permitted in line with paragraph 3.6 of the Code which states, in part:

"Once admission arrangements have been determined for a particular school year, they cannot be revised by the admission authority unless such revision is necessary to give effect to a mandatory requirement of this Code, admissions law, a determination of the Schools Adjudicator or any misprint in the admission arrangements."

77. The Admission Authority must address these matters within two months of the date of this determination.

Determination

78. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements determined by the Governing Body for The Cottesloe School, for 2027/28.

79. I have also considered the arrangements under section 88I(5) and find that they do not comply with requirements relating to admission arrangements in the ways set out in this determination.

80. By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of this determination unless an alternative date is set by the adjudicator. In this case, I determine that the 'other matters' I have raised must be addressed within two months.

81. The objection to the admission arrangements that I have upheld must be addressed by 28 February 2027 for the reasons I have given in my determination.

Dated: 23 July 2026

Signed:

Schools Adjudicator: Catherine Crooks