

Determination

Case reference:	VAR2531
Admission authority:	Trafford Council for Heyes Lane Primary School, Altrincham, Cheshire
Date of decision:	18 March 2025

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Trafford Council for Heyes Lane Primary School for September 2025.

I determine that the published admission number for admissions to reception year in 2025/26 shall be 60.

The referral

1. Trafford Council (the local authority) has referred a proposal for a variation to the admission arrangements (the arrangements) for September 2025 for Heyes Lane Primary School (the School) to the adjudicator. The School is a community school for children aged three to eleven in Altrincham, Cheshire, and the local authority is the admission authority for the School.

2. The proposed variation is that the published admission number (PAN) be reduced from 90 to 60 for admissions to reception year (YR) in 2025/26.

Jurisdiction and procedure

3. The referral was made to me in accordance with section 88E of the School Standards and Framework Act 1998 (the Act) which deals with variations to determined arrangements. Paragraphs 3.6 and 3.7 of the School Admissions Code (the Code) say (in so far as relevant here):

"3.6 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 Adjudicator or any misprint in the admission arrangements. Admission authorities may propose other variations where they consider such changes to be necessary in view of a major change in circumstances. Such proposals **must** be referred to the Schools Adjudicator for approval, and the appropriate bodies notified. Where the local authority is the admission authority for a community or voluntary controlled school, it must consult the governing body of the school before making any reference.

3.7 Admission authorities **must** notify the appropriate bodies of all variations".

4. I have been provided with confirmation that the appropriate bodies have been notified and that the proposed variation has the support of the School's governing body. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction.

- 5. In considering this matter I have had regard to all relevant legislation, and the Code.
- 6. The information I have considered in reaching my decision includes:
 - a. the referral from the local authority dated 15 December 2024 (and received on 29 January 2025), supporting documents and further information provided at my request;
 - b. the determined arrangements for 2025 and the proposed variation to those arrangements;
 - c. a map showing the location of the School and other relevant schools; and
 - d. information available on the websites of the local authority, the School and the Department for Education.

The proposed variations

7. It is proposed to reduce the PAN from 90 to 60 for entry to YR in 2025/26.

8. Paragraph 3.6 of the Code (as above) requires that admission arrangements, once determined, may only be revised, that is changed or varied, if there is a major change of circumstance or certain other limited and specified circumstances.

Consideration of proposed variation

9. There is no formal consultation required for a variation and so parents and others do not have the opportunity to express their views. Clearly it is desirable that PAN reductions are made via the process of determination following consultation, as the consultation process allows those with an interest to express their views. It also allows for objections to

the adjudicator. None of this is afforded by the variation process and so it is particularly important that the proposed variation is properly scrutinised. I note here that according to local authority's website, a PAN of 60 for 2026/27 has already been determined and so my determination will have no impact on the arrangements for 2026/27.

10. The major change in circumstances relied upon by the local authority is set out in the referral, which states (with my emphases):

"A reduction in provision of school places in several schools in Trafford is currently subject to consultation as part of the determination of the admission arrangements for 2026. The local authority is working collaboratively with governing bodies, diocese and academy trusts in its area to codesign the approach. **The required reduction is driven by the reducing birth rate and changes in levels of inbound migration** which has always been a significant factor in pupil place planning in this area. In recent months, Trafford has started to see **a significant reduction of inbound migration**, linked to cost of living factors, with **outbound migration between birth and age four seen in some areas for the first time**. This same issue is being experienced in other local authorities in our region who share similar demographics, with cost-of-living factors driving out-migration from more affluent boroughs.

Due to the accelerated rate of change, there is now a significant overprovision of school places in reception year which is impacting school budgets. The future demand for places in the Altrincham planning area is expected to further decrease.

The PAN of 90 is not financially viable when the demand for places is closer to 60. The request is being made in order that we can change our school organisation to two forms of entry to protect our financial viability.

The school is facing [the] combined impact of reduced admissions and decreased funding. **This situation could not have been foreseen for 2025, otherwise we would have used the usual consultation period**. We are currently consulting on changing the PAN for 2026 but the quicker the changes can be made, the less the negative financial impact on the school. This is why we are asking for these changes for 2025.

The reduction of the school's PAN from 90 to 60 will safeguard against needing to open three reception classes should the number of allocations exceed 60. This will support the school in ensuring that it can remain financially viable by safeguarding against the need to open three smaller classes to comply with the infant class size limitations."

11. I have accordingly given careful consideration to the latest available data in order to form a view about the sufficiency of school places in the local area if the PAN is reduced from 90 to 60 for 2025/26 and beyond. I have also considered the demand for places at the

School, the reasons given for the changes in demand, the potential effect on parental preference of the proposed PAN reduction and whether the proposed reduction is justified taking into account all relevant circumstances.

12. The local authority has a duty to make sure that there are sufficient places for the children in its area. To fulfil this duty the local authority assesses the likely future number of places to be needed and plans to meet that need. The local authority uses planning areas, which are geographical areas each containing a number of schools, for this purpose. The School sits within the Altrincham planning area.

13. The local authority has provided me with the following relevant data regarding admissions to Altrincham planning area schools, together with forecasts for 2025/26 and 2026/27.

Table 1: Number of children admitted, of forecasted to be admitted, to fR at	
Altrincham schools	

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	2022/23	2023/24	2024/25	2025/26	2026/27
	(admitted)	(admitted)	(admitted)	(forecast)	(forecast)
Number of children	790	734	716	726	615
Sum of PANs for YR	965	980	965	925	880 ¹
Vacant places	175	246	249	199	265
Sum of PANs for YR, if proposed variation is approved				895	880
Vacant places, if proposed variation is approved				169	265
Proportion of places vacant, if proposed variation is approved				18%	30%

14. From the above data, I am satisfied that a reduction of the School's PAN to 60 for 2025/26 would leave sufficient places in the local planning area for children who live within a reasonable distance of the School and whose parents are seeking a place for their child to be admitted to YR in 2025/26. If the proposed variation were approved, it would be possible for the local authority to determine a PAN of 60 for the following year without

¹ This figure includes planned reductions to PANs in 2026 at the school (from 90 to 60) and at Broomwood Primary School (from 60 to 45)

consultation. I am also satisfied that a PAN of 60 for 2026 would not lead to a shortage of places in the local planning area in 2026/27.

15. I now turn to the number of children at the School and the reasons given by the school in support of the variation request. The request for the variation refers to the governing body's wish to align its staffing and budget to the reducing number of children. The provisions of the School Admissions (Infant Class Size) (England) Regulations 2012 apply to the school, and they require that infant classes (those where the majority of children will reach the age of five, six or seven during the school year) must not contain more than 30 pupils with a single qualified school teacher, except in specific exceptional circumstances.

16. If I approve the proposed variation, the School will be able to plan for certainty on the basis that in September 2025 it will need staffing for only two classes in YR. It will also be reassured that there will be no possibility of having to reorganise mid-year, for example by creating an additional YR class, due to any in-year admissions in 2025/26 that would take the total number of children in YR above 60.

17. The local authority has provided me with the following data for admissions to the school:

	2022	2023	2024	2025
The PAN for the school	90	90	90	60 (proposed)
Number of first preferences	65	59	65	62
Number admitted in September of the relevant year	72	60	68	
Number of vacant places	18	30	22	

Table 2: the number of first preferences for the school and the number of childrensubsequently admitted

18. The local authority has also provided me with detailed modelling about what would have been the impact in 2024 on those who had made Heyes Lane their first preference, had a PAN of 60 been in place. Five of these children would have been displaced, and the local authority describes the hypothetical impact as follows:

"Child 1 – would have achieved their second preference of Navigation Primary School (catchment area school) which is 0.6 miles walking distance from their home address. Child 2 – is an out of area child who would have achieved their second preference of St Hugh's Catholic Primary School which is 1.5 miles walking distance from their home address.

Child 3 – did not express any other preference but could have been allocated a place at Cloverlea Primary School which is 0.8 miles walking distance from their home address.

Child 4 – is an out of area child and so the other preferences are unknown. If they did require a place at an alternative Trafford school, one could have been allocated at Cloverlea Primary School which is 1.4 miles walking distance from their home address.

Child 5 - would have achieved their second preference of Cloverlea Primary School which is 0.6 miles walking distance from their home address."

19. It is therefore clear that for 2024, with 65 first preferences, a PAN of 60 would have led to a degree of frustration of parental preference, not only for the five children listed above, but also for those for whom Heyes Lane was not their first preference but still their highest available preference. In short, a total of eight children would have been displaced elsewhere.

20. For admission in 2025, there are 62 first preferences. The LA has explained that of the 2 first preferences that would be unable to be accommodated with a PAN of 60, one is an "out-of-area" child from Manchester, and the other lives over 5 miles walking distance away. However, whilst it is the case that there may be places available elsewhere closer to home for these children, there can be sound reasons for such preferences, for example to fit in with other parental commitments such as work, family or childcare. Furthermore, the pattern of data in table 2 suggests that there are likely to be other children for whom the School is not their first preference, but still their highest available preference who will not be offered places at the school if the PAN is reduced. Therefore, a PAN of 60 for 2025 would lead to frustration of preference for at least two children, and in all likelihood, a greater number.

21. I note at this point that the numbers of children expected to join the school in 2025 is not markedly different from previous years, contrary to the LA's assertion that "this situation could not have been foreseen" and its description of a major change in circumstances.

22. I also note that during the Autumn term of 2024, parents would have been considering their preferences, visiting primary schools, and availing themselves of information about admission arrangements. Any parent who had looked at the data for the School would have seen a PAN of 90 and an intake well below that number for each of 2022, 2023 and 2024. Visitors to the school in September 2024 and October 2024 would have seen YR children organised in three classes of just over 20 children and would have been told that the PAN for 2025 was 90. It is likely that some parents would draw the conclusion that the school was likely to be undersubscribed in 2025, and that a first

preference for the school would "guarantee" admission. In addition, some parents would have expressed their preferences early in November, when the application window opens. I therefore cannot rule out the possibility that there are a group of parents who would have expressed a different set of preferences had a PAN of 60 for September 2025 been in place at the time they were making their decisions.

23. I now consider the impact on the School of the proposed variation. The information provided by the School shows that for 2025/26, it will be able to plan for two classes in YR and seven infant classes overall, if the variation is approved. If the variation is not approved and there are more than 60 children admitted to YR, the School intends to organise so that there are eight infant classes, each containing one year group only. Whilst the School may consider that there would be sound reasons for doing this, it is not required to do so in law, the only requirement being that the infant class size regulations are not breached. It would therefore be open to the School to arrange infant classes so that there were more than one year group to a class. Many schools do this successfully, although it may initially be unpopular with parents and teachers if they are not accustomed to it. The School tells me that in September 2025 that there will be 60 children in Year 2 (Y2) and 67 in Year 1 (Y1). If the projected intake into YR is 65, a figure I have estimated from the preference data in table 2 above, then the total of 192 children in infant classes could theoretically be organised into seven classes without breaching the infant class size regulations. However, I accept that in this particular instance, such a model would be disruptive to the curriculum that has been planned and so may have an adverse impact on the education provided. The School has been historically structured around single year group classes, as has been sensible and efficient given that there will be just over 90 students in each year group in Key Stage 2 in 2025/26. I note too that the financial impact of running three classes in YR will depend on how many YR children are on roll – the School suggests that to avoid a financial loss from running three YR classes, at least 80 children will be needed, which is well above the number that can be reasonably assumed to be joining YR.

24. This analysis is supported by financial data from the local authority, which states that if the proposed variation is not approved, the School's projected cumulative balance at the end of the financial year 2025-26 will be significantly lower, by around £60k, than it would otherwise be if the proposed variation is approved. Furthermore, extra costs will be incurred for each year that the YR cohort admitted in September 2025 is taught in three single-age classes. I consider that these costs would have a significantly negative impact on the School and the admission authority's ability to meet the needs of the existing children on roll at the school.

25. Having considered all the matters above, my reasoning can be summarised as follows. If the proposed variation is approved, there will be some frustration of parental preference and some detriment to a small number of children who will not be admitted to the school which would otherwise be their highest available preference. However, if the proposed variation is not approved, there will be a significantly negative financial and organisational impact on the School and LA, with detriment to those children already at the

school, and to others who may lose out if funding is diverted to pay for the provision of an extra infant class for three years. After carefully weighing the above factors, I consider that it is reasonable to conclude that the proposed variation is justified by the circumstances, and I approve it.

Determination

26. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Trafford Council for Heyes Lane Primary School for September 2025.

27. I determine that the published admission number for admissions to reception year in 2025/26 shall be 60.

Dated: 18 March 2025 Signed:

Schools adjudicator: Clive Sentance