



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2611

Admission Authority: Hampshire County Council for Lydlynch Infant School

Date of advice: 23 July 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 Hampshire County Council for Lydlynch Infant School for 2025.

I determine that for admission in 2025 the published admission number will be 48.

The referral

1. Hampshire County Council (the local authority) has referred to the adjudicator a proposal for a variation to the admission arrangements for Lydlynch Infant School (the School) for 2025 (the arrangements).
2. The School is a community school for children aged four to seven years. It is located in Totton in Southampton. The School has no designated religious character. It is federated with Hazel Wood Infant School.
3. The proposed variation is that the published admission number (PAN) is reduced from 60 to 48 for admissions to reception year (YR) in the 2025/26 academic year.

Jurisdiction and procedure

4. Section 88E of the School Standards and Framework Act 1998 (the Act) makes provision for variations to determined arrangements. Paragraphs 3.6 and 3.7 of the School Admissions Code (the Code) say (insofar as is 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”.

5. The arrangements were determined by the local authority on 20 February 2024. The local authority has confirmed that the appropriate bodies have been notified of the proposed variation in line with the Code. The local authority has provided me with confirmation that the governing body of the School has been consulted on the proposed variation and supports it.
6. I find that the appropriate procedures were followed, and I am satisfied that the proposed variation is within my jurisdiction. In the interests of dealing speedily with this and the many other requests for variations at this time, particularly from Hampshire County Council, I have not considered other aspects of the admission arrangements. Therefore, nothing in this determination should be taken as indicating that other aspects of the arrangements do or do not conform with the requirements relating to admissions.
7. In considering the variation request, I have had regard to all relevant legislation and the Code. The information I have considered in reaching my decision includes:
 - a) the referral from the local authority dated July 2025 and received on 15 July 2025, and supporting documents including the determined arrangements for 2025 and the proposed variation to those arrangements;
 - b) information available on the Department for Education’s website ‘Compare school and college performance in England’ (the DfE website); and
 - c) information available on the local authority’s website.
8. I note here that the arrangements for 2026 have been determined and the PAN set at 60. This means that if I agree to the LA’s request to vary the arrangements for 2025, it will be for 2025 only and will not have a bearing on subsequent years.

Consideration of proposed variation

9. 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. I will consider below whether the proposed variation is justified by the change in circumstances.

10. 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.
11. In considering whether there would be sufficient school places in the area if the PAN were to be reduced to 48 for 2025, I will first look at demand for places in the area of the School and then information available relating to the demand for places at the School.
12. Local authorities have a duty to make sure that there are sufficient school places for the children in their area. Normally they assess need and provision on the basis of geographical areas known as planning areas. The School is in a planning area with eight other schools which admit children to YR. Table 1 summarises admissions data for the schools in the planning area.

Table 1: demand for places in YR in the planning area

	2023	2024	2025
Sum of PANs of schools for YR	425	425	398 ¹
Number of first preferences	345	344	357
Number of offers made	350	353	368 ²
Number of children in YR in schools for the relevant October census	350	353	N/A
Vacant places	75	72	32 ³

13. When applying for a school place, parents are able to express a preference for more than one school. A first preference is the school a parent most wants their child to attend. Local authorities allocate places to the highest preference which can be achieved and so second and other preferences are also important. Table 1 illustrates that there have been a significant number of vacancies in recent years in the planning area and that the number of offers has closely related to the number of children admitted. Based on the information provided on the planning area I am assured that there would be sufficient places if I agreed that the PAN of the School is reduced by 12

¹ The PAN for another school in the planning area was reduced for 2025.

² As of 15 July 2025.

³ I have assumed 32 vacant places based on the number of offers made by 15 July 2025.

places from 60 to 48. I also note that the DfE website shows four other schools that admit children to YR that are less than a mile from the School and that some of these are likely to have capacity to admit more children if necessary.

14. I will now look at the situation for the School and why the governing body supports a reduction in the PAN. Table 2 below shows the demand for places at the School and the number of admissions to the School in recent years.

Table 2: demand for the school and admissions

	2023	2024	2025
The PAN for the school	60	60	60
The number of first preferences	32	35	28
Number of children in YR for the October census	36	36	N/A
Number of vacant places	24	24	N/A

15. Table 2 illustrates that demand for the School has been below its PAN and the requested PAN for several years. The local authority anticipates, based on its knowledge on 15 July 2025 including previous patterns, that 40 children will be admitted to the School in September 2025. This is eight places fewer than the requested PAN and 20 places fewer than the PAN set for 2025. I am assured that if the PAN were reduced to 48 that parental preference would not be frustrated.
16. Table 2 shows that the number of admissions to the School have been considerably below the PAN of 60. As an infant school, all classes are subject to the School Admissions (Infant Class Sizes) (England) Regulations 2012 (the Infant Class Size Regulations). These 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. It is more economical to provide classes that have 30 or close to 30 pupils. If the class size is significantly smaller, then the costs of providing the class can be higher than the income derived from the pupils. In other words, if a class has around 23 pupils, for example, then the costs of providing the class are likely to be higher than the income derived from the pupils within it. This can lead to financial deficit over time if not addressed.
17. In order to address the risk of financial deficit, the governing body have planned to provide four classes for the School rather than the six classes that would be necessary if there were 60 children or near to 60 children in each year group. This would be achieved by mixing year groups in classes, a system used successfully by many

schools. In September 2025, based on the expectations of admissions, there will be around 113 children in the School. The information provided by the local authority illustrates how four classes can accommodate all 113 children. Furthermore, by proposing a PAN of 48 rather than 40, which is the number of children expected to be admitted, there would still be leeway to admit eight more children to YR without breaching the Infant Class Size Regulations based on the pattern provided to me.

18. Based on the demand for places in the area and at the School, I am assured that the variation is justified and will not frustrate parental preference. I therefore agree the proposed variation.

Determination

19. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Hampshire County Council for Lydlynch Infant School for 2025.
20. I determine that for admission in 2025 the published admission number will be 48.

Dated: 23 July 2025

Signed:

Schools Adjudicator: Deborah Pritchard